M. Vivian Brown to be postmaster at Minong, Wis. Office became presidential April 1, 1917.

William E. Cavanaugh to be postmaster at Berlin, Wis., in place of W. E. Cavanaugh. Incumbent's commission expired June 2, 1917.

Wardlaw A. Clapp to be postmaster at Wanwatosa, Wis., in place of W. A. Clapp. Incumbent's commission expired July 23, 1916.

Emma V. Clark to be postmaster at Black Earth, Wis. Office became presidential October 1, 1916.

Dennis Deneen to be postmaster at Hammond, Wis. Office became presidential April 1, 1917.

Elizabeth A. Forsyth to be postmaster at Westboro, Wis. Office became presidential October 1, 1916.

Nina M. Frankland to be postmaster at Montfort, Wis. Office became presidential October 1, 1916.

Julia L. Groot to be postmaster at Elmwood, Wis. Office became presidential April 1, 1917.

Albert J. Hemmy to be postmaster at Hartford, Wis., in place of Albert J. Hemmy. Incumbent's commission expired June 2, 1917.

John Henninger to be postmaster at Markesan, Wis., in place of J. Henninger. Incumbent's commission expired June 2, 1917.

Jerry Holland to be postmaster at Phelps, Wis. Office became presidential October 1, 1916.

Joseph V. Janda to be postmaster at Boyd, Wis. Office became presidential April 1, 1917.

Jessie A. Little to be postmaster at Pepin, Wis. Office became presidential October 1, 1916.

Robert L. Nash to be postmaster at Grand Rapids, Wis., in place of Robert Nash. Incumbent's commission expired June 2, 1917.

E. R. Peck to be postmaster at Bangor, Wis., in place of E. R. Pack. Incumbent's commission expired June 2, 1917.

Richard B. Runke to be postmaster at Merrill, Wis., in place of R. B. Runke. Incumbent's commission expired June 2, 1917.

Frederick A. Russell to be postmaster at Superior, Wis., in place of F. A. Russell. Incumbent's commission expired June 2, 1917.

Harvey G. Smith to be postmaster at Maiden Rock, Wis., in place of H. G. Smith. Incumbent's commission expired June 2, 1917.

William R. Stephan to be postmaster at Sawyer, Wis., in place of W. R. Stephan. Incumbent's commission expired June 2, 1917.

Dwight S. York to be postmaster at Hazel Green, Wis. Office became presidential October 1, 1916.

WYOMING.

Arthur R. Bastian to be postmaster at Chugwater, Wyo. Office became presidential October 1, 1916.

Lilian S. Pascoe to be postmaster at Sunrise, Wyo. Office became presidential October 1, 1916,

George Whittaker to be postmaster at Yellowstone Park, Wyo., in place of George Whittaker. Incumbent's commission expired May 20, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 19 (legislative day of July 18), 1917.

SURVEYOR GENERAL OF OREGON.

Edward G. Worth to be surveyor general of Oregon.

UNITED STATES MARSHAL.

Lewis T. Erwin to be United States marshal, District of Alaska, division No. 4.

PUBLIC HEALTH SERVICE.

Asst. Surg. Francis Albion Carmelia to be passed assistant surgeon.

Asst. Surg. Lionel Elean Hooper to be passed assistant surgeon.

Asst. Surg. Liston Paine to be passed assistant surgeon.

Asst. Surg. Moses Victor Safford to be passed assistant surgeon.

Asst. Surg. Ernest Winfield Scott to be passed assistant surgeon.

Dr. James Edge Faris to be assistant surgeon.

Dr. Anthony A. S. Giordano to be assistant surgeon.

Dr. Mark Victor Ziegler to be assistant surgeon.

APPOINTMENTS IN THE NAVY.

Lucian W. Burnham to be a second lieutenant in the Marine Corps.

Dan E. Root to be a second lieutenant in the Marine Corps.

SENATE.

FRIDAY, *July 20, 1917.*

(Legislative day of Wednesday, July 18, 1917.)

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

CONSERVATION OF FOOD AND FUEL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

Mr. CHAMBERLAIN. I desire to offer four amendments so that they may be pending.

Mr. KELLOGG. I wish to offer some amendments to be pending, two of which I send to the desk. I also desire to move to strike out "$1.75," where it appears in the amendment offered to section 12 by the Senator from Oregon [Mr. CHAMBERLAIN], and to insert "$2."

Mr. SMOOT. I send to the desk a statement giving the advertising pages of Bonfort's Wine and Spirit Circular showing the cost of tax-paying whisky and the cost of carrying whiskies in bond. I ask that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The table referred to is as follows:

COST OF TAX-PAYING WHISKY.

Table showing various prices for whiskies, original gauge, in bond and cost thereof when tax-paid during any 4 months included in 8-year bonded period.

[Based on 47-gallon barrel, regular Government allowance for each period, distillers' excess allowance guaranty of 1 gallon in Kentucky also allowing loss of 1 gallon for each four-month period in eighth year.]

Price original gauge.	1 to 4 months.	4 to 8 months.	8 to 12 months.	12 to 16 months.	16 to 20 months.	20 to 24 months.	24 to 28 months.	28 to 32 months.	32 to 36 months.	36 to 40 months.	40 to 44 months.	44 to 48 months.	48 to 52 months.	52 to 56 months.	56 to 60 months.	60 to 64 months.	64 to 68 months.	68 to 72 months.	72 to 76 months.	76 to 80 months.	80 to 84 months.	84 to 88 months.	88 to 92 months.	92 to 96 months.	Price original gauge.
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
15 cents.	128	128½	129	129½	129½	130	130½	130¾	131	131¼	131½	132	132¼	132½	133	133¼	133½	133¾	134	134½	135	137	139	141	15
17½ cents	130½	131	131½	132	132½	133	133¼	133½	134	134½	134¾	135	135¼	135½	136	136¼	137	137¼	137½	138	138¾	140	142	145	17½
20 cents.	133	134	134½	135	135½	135¾	136	136½	137	137½	138	138¼	138½	139	139½	140	140½	140¾	141	141½	142	144	146	149	20
22½ cents	136	136½	137	137½	138	138½	139	139½	140	140½	141	141½	142	142¼	142½	143	143½	144	144½	145	146	148	150	153	22½
25 cents.	138	139	140	140½	141	141½	142	142½	143	143½	144	144½	145	145½	146	146½	147	147½	148	149	150	152	154	157	25
27½ cents	141	142	143	143½	144	144½	145	145½	146	146½	147	147½	148	148½	149	150	150½	151	152	153	154	155	158	161	27½
30 cents.	143	144	145	146	147	147½	148	149	149½	150	150½	151	151½	152	152½	153	154	154½	155	156	157	159	161	165	30
32½ cents	145	146	147	148	149	150	150½	151	152	153	153½	154	154½	155	156	156½	157	158	159	160	161	162	165	168	32½
35 cents.	149	150	151	152	152½	153	154	155	155½	156	156½	157	158	158½	159	160	161	162	163	164	165	166	169	171	35
37½ cents	152	153	154	155	155½	156	156½	157	158	159	159½	160	160½	161	162	163	164	165	166	167	168	170	172	175	37½
40 cents.	154	155	156	157	158	159	160	161	162	162½	163	163½	164	165	166	167	168	169	170	171	172	173	176	179	40
42½ cents	157	158	159	160	161	162	163	164	164½	165	166	166½	167	168	169	170	171	172	173	174	175	177	180	183	42½
45 cents.	159	160	161	162	163	164	165	166	167	168	169	170	171	171½	172	173	174	175	176	177	178	181	184	187	45
47½ cents	161	162	163	164	165	166	167	168	169	170	172	173	174	175	176	177	178	179	180	181	182	184	187	191	47½
50 cents.	165	166	167	178	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	187	191	194	50
52½ cents	167	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	188	189	192	195	199	52½
55 cents.	170	171	172	173	174	175	176	178	179	180	181	182	183	184	185	187	188	189	190	191	192	195	198	202	55
57½ cents	173	174	176	177	178	179	180	181	183	184	185	186	187	188	189	190	191	192	193	195	196	199	202	206	57½

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

COST OF TAX-PAYING WHISKY—continued.

Table showing various prices for whiskies, original gauge, in bond and cost thereof when tax-paid, etc.—Continued.

Price original gauge.	1 to 4 months.	4 to 8 months.	8 to 12 months.	12 to 16 months.	16 to 20 months.	20 to 24 months.	24 to 28 months.	28 to 32 months.	32 to 36 months.	36 to 40 months.	40 to 44 months.	44 to 48 months.	48 to 52 months.	52 to 56 months.	56 to 60 months.	60 to 64 months.	64 to 68 months.	68 to 72 months.	72 to 76 months.	76 to 80 months.	80 to 84 months.	84 to 88 months.	88 to 92 months.	92 to 96 months.	Price original gauge.
	Cts.	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*
60 cents	175	177	178	180	181	182	183	184	186	187	188	189	190	191	192	193	194	196	197	198	200	203	205	209	60
62½ cents	178	180	181	182	183	185	186	187	189	190	191	192	193	194	195	197	198	199	201	202	203	206	210	213	62½
65 cents	181	183	184	186	187	188	189	190	192	193	194	195	196	197	199	200	201	203	204	205	207	210	213	217	65
67½ cents	183	185	187	188	190	191	192	193	195	196	197	198	199	201	202	203	205	206	208	209	211	214	217	220	67½
70 cents	186	188	190	191	192	193	195	196	198	199	201	202	203	204	206	207	209	210	212	213	215	218	221	225	70
72½ cents	189	191	193	194	195	196	198	200	201	203	204	205	206	208	209	211	212	213	215	217	218	222	225	229	72½
75 cents	191	193	195	196	198	199	201	203	204	205	207	208	210	211	212	214	215	217	219	220	222	225	229	233	75
77½ cents	194	196	198	199	201	203	204	205	207	209	210	211	213	214	216	217	219	220	222	224	226	229	233	236	77½
80 cents	197	199	201	202	204	206	207	209	211	212	213	215	216	218	219	220	222	224	225	227	229	233	236	240	80
82½ cents	200	202	204	205	207	209	210	212	214	215	216	218	219	221	222	224	227	228	229	231	233	236	240	244	82½
85 cents	202	204	207	108	209	211	213	215	216	218	220	221	223	224	226	227	229	231	233	234	236	240	244	248	85
87½ cents	205	207	209	211	212	214	216	218	220	221	223	224	226	227	229	230	233	234	236	238	240	244	248	251	87½
90 cents	208	210	212	213	215	217	219	221	223	224	226	227	229	231	232	234	236	238	240	242	244	248	251	255	90
92½ cents	210	213	215	216	218	220	222	224	226	227	229	231	232	234	236	237	239	241	243	245	247	251	255	259	92
95 cents	213	215	218	219	221	223	225	227	229	231	232	234	235	237	239	241	243	245	247	249	251	255	259	263	95½
97½ cents	215	218	220	222	224	226	228	230	232	234	235	237	239	240	242	244	246	248	250	252	254	258	262	267	97
100 cents	218	221	223	225	227	229	231	233	235	237	238	240	242	244	246	247	249	252	254	256	258	262	266	271	100½
105 cents	223	226	229	231	233	235	237	239	241	243	245	246	248	250	252	254	256	258	261	263	265	269	274	278	105
110 cents	228	231	234	236	238	240	242	245	247	249	251	253	255	257	259	261	263	265	268	270	273	277	281	286	110
115 cents	234	237	239	241	243	246	248	250	253	255	257	259	261	263	265	268	270	272	275	277	280	285	288	293	115
120 cents	239	242	245	247	247	252	254	257	259	261	263	265	268	270	272	274	277	279	282	284	287	291	295	301	120
125 cents	244	248	251	253	255	258	261	264	266	268	270	272	274	276	279	281	284	286	289	291	294	299	303	308	125
130 cents	250	253	256	259	261	264	266	269	272	274	276	278	280	283	285	288	290	293	295	299	301	306	311	316	130
140 cents	260	264	267	269	272	275	279	281	284	286	288	291	293	296	298	301	304	307	310	313	316	321	326	331	140
150 cents	270	275	278	281	284	287	290	293	296	298	301	304	306	309	312	315	318	321	324	327	330	335	341	346	150

COST OF CARRYING WHISKIES IN BOND.

The following table shows the cost of aging, or carrying, whiskies in bond. The calculations are based on original gauge proof gallons. Forty-seven and one-half gallon barrel. Storage, 5 cents per barrel per month. Fire insurance, one-half of 1 per cent per annum. State, county, and city taxes, 15 cents per barrel per annum. Interest at the rate of 6 per cent per annum, compounded annually.

Deposited or purchased in bond at the following cost prices at date of original inspection.	12 months.	24 months.	36 months.	48 months	60 months.	72 months.	84 months.	96 months.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
15 cents	17.55	20.17	22.86	25.61	28.45	31.36	34.36	37.45
15½ cents	18.09	20.74	23.46	26.25	29.13	32.09	35.14	38.28
16 cents	18.62	21.31	24.06	26.89	29.81	32.82	35.91	39.11
16½ cents	19.15	21.87	24.67	27.54	30.50	33.55	36.69	39.94
17 cents	19.68	22.44	25.27	28.18	31.18	34.28	27.47	40.76
17½ cents	20.21	23.01	25.88	28.83	31.87	35.01	38.25	41.59
18 cents	20.75	23.57	26.48	29.47	32.56	35.74	39.02	42.42
18½ cents	21.28	24.14	27.08	30.12	33.24	36.47	39.80	43.25
19 cents	21.81	24.71	27.69	30.76	33.93	37.20	40.58	44.08
20 cents	22.88	25.85	28.90	32.06	35.30	38.67	42.15	45.73
21 cents	23.94	26.98	30.10	33.33	36.67	40.12	43.69	47.39
22 cents	25.01	28.11	31.31	34.62	38.04	41.57	45.24	49.04
22½ cents	25.54	28.68	31.92	35.26	38.72	42.30	46.02	49.87
23 cents	26.07	29.25	32.52	35.90	39.41	43.03	46.79	50.70
24 cents	27.14	30.38	33.73	37.19	40.78	44.49	48.35	52.35
25 cents	28.20	31.51	34.94	38.48	42.15	45.95	49.90	54.01
26 cents	29.27	32.65	36.14	39.76	43.52	47.41	51.46	55.66
27 cents	30.33	33.78	37.35	41.05	44.89	48.87	53.01	57.32
27½ cents	30.87	34.35	37.96	41.69	45.57	49.60	53.79	58.14
28 cents	31.40	34.92	38.56	42.34	46.26	50.33	54.56	58.97
29 cents	32.46	36.05	39.77	43.62	47.63	51.79	56.12	60.63
30 cents	33.53	37.19	40.98	44.91	49.00	53.25	57.67	62.28
32½ cents	36.19	40.02	44.00	48.13	52.42	56.90	61.56	66.42
35 cents	28.85	42.86	47.02	51.34	55.85	60.54	65.44	70.56
37½ cents	41.52	45.69	50.04	54.56	59.27	64.19	69.33	74.69
40 cents	44.18	48.53	53.06	57.77	62.70	67.84	73.21	78.83
42½ cents	46.84	51.36	56.07	60.99	66.12	71.49	77.10	82.97
45 cents	49.50	54.20	59.09	64.21	69.55	75.13	80.98	87.11
47½ cents	52.17	57.03	62.11	67.42	72.97	78.78	84.87	91.24
50 cents	54.83	59.87	65.13	70.64	76.40	82.43	88.75	95.38
52½ cents	57.49	62.70	68.15	73.86	79.82	86.08	92.64	99.52
55 cents	60.15	65.54	71.17	77.07	83.25	89.73	96.52	103.16
57½ cents	62.82	68.37	74.19	80.29	86.67	93.37	100.41	107.79
60 cents	65.48	71.21	77.21	83.50	90.10	97.02	104.29	111.93
62½ cents	68.14	74.05	80.23	86.72	93.53	100.67	108.18	116.07
65 cents	70.80	76.88	83.25	89.94	96.95	104.32	112.06	120.21
67½ cents	73.47	79.72	86.27	93.15	100.38	107.97	115.95	124.36
70 cents	76.13	82.55	89.29	96.37	103.80	111.61	119.83	128.48
72½ cents	78.79	85.39	92.31	99.58	107.22	115.26	123.72	132.62
75 cents	81.45	88.22	95.33	102.80	110.65	118.91	127.60	136.73
77½ cents	84.12	91.06	98.35	106.02	114.08	122.56	131.49	140.90
80 cents	86.78	93.90	101.37	109.23	117.50	126.21	135.37	145.03

ALLOWANCE FOR SHRINKAGE OF WHISKY IN BOND.

The allowance for shrinkage of whisky stored in distillery and general warehouses under existing laws is as follows:

For 2 months not to exceed 1 proof gallon.

For 2 months, and not more than 4 months, not to exceed 1½ proof gallons.

For 4 months, and not more than 6 months, not to exceed 2 proof gallons.

For 6 months, and not more than 8 months, not to exceed 2½ proof gallons.

For 8 months, and not more than 10 months, not to exceed 3 proof gallons.

For 10 months, and not more than 12 months, not to exceed 3½ proof gallons.

For 12 months, and not more than 15 months, not to exceed 4 proof gallons.

For 15 months, and not more than 18 months, not to exceed 4½ proof gallons.

For 18 months, and not more than 21 months, not to exceed 5 proof gallons.

For 21 months, and not more than 24 months, not to exceed 5½ proof gallons.

For 24 months, and not more than 27 months, not to exceed 6 proof gallons.

For 27 months, and not more than 30 months, not to exceed 6½ proof gallons.

For 30 months, and not more than 33 months, not to exceed 7 proof gallons.

For 33 months, and not more than 36 months, not to exceed 7½ proof gallons.

For 36 months, and not more than 40 months, not to exceed 8 proof gallons.

For 40 months, and not more than 44 months, not to exceed 8½ proof gallons.

For 44 months, and not more than 48 months, not to exceed 9 proof gallons.

For 48 months, and not more than 52 months, not to exceed 9½ proof gallons.

For 52 months, and not more than 56 months, not to exceed 10 proof gallons.

For 56 months, and not more than 60 months, not to exceed 10½ proof gallons.

For 60 months, and not more than 64 months, not to exceed 11 proof gallons.

For 64 months, and not more than 68 months, not to exceed 11½ proof gallons.

For 68 months, and not more than 72 months, not to exceed 12 proof gallons.

For 72 months, and not more than 76 months, not to exceed 12½ proof gallons.

For 76 months, and not more than 80 months, not to exceed 13 proof gallons.

For 80 months, and not more than 84 months, not to exceed 13½ proof gallons.

Mr. STERLING. I send to the desk a proposed amendment, which I desire to have regarded as a pending amendment. I should like to have it read.

The VICE PRESIDENT. It will be read.

The SECRETARY. At the end of section 12 the following proviso:

Provided, That in order to further stimulate the production of wheat, the board of food administration herein provided for is authorized to devise and put in operation a plan for the awarding of Government prizes or bonuses for the best crop or crops of wheat, quantity and quality both considered, which may be grown on any specified area to be designated by said board. That in devising and carrying out such plan said board shall, so far as possible, advise and cooperate with the several State and county authorities in the wheat-growing sections of the United States, including State, district, and county agricultural associations. That for the purpose of carrying out these provisions the sum of $1,000,000 of the amount herein appropriated shall be available.

Mr. CURTIS. It is my desire to offer an amendment to section 12 as proposed by the acting chairman, and if the amendment is not presented before to-day at 2 o'clock I understand I can not offer it except by unanimous consent. I desire to know if it is in order to suggest the amendment now so that it may be pending.

The VICE PRESIDENT. The Senator will send it up in writing, please.

Mr. CURTIS. It is only three words, and I will state it. After the word "northern" I want to insert "or its equivalent" at the end of section 12. I will put it in writing and send it to the desk.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	James	Martin	Smoot
Brandegee	Johnson, Cal.	Myers	Sterling
Broussard	Johnson, S. Dak.	New	Sutherland
Calder	Jones, N. Mex.	Norris	Swanson
Chamberlain	Jones, Wash.	Overman	Thompson
Culberson	Kellogg	Page	Tillman
Cummins	Kendrick	Penrose	Townsend
Curtis	Kenyon	Poindexter	Vardaman
Dillingham	King	Pomerene	Warren
Frelinghuysen	Knox	Ransdell	Watson
Gore	La Follette	Reed	Weeks
Gronna	Lodge	Saulsbury	Williams
Hale	McCumber	Shafroth	Wolcott
Hardwick	McKellar	Sheppard	
Hollis	McLean	Smith, Ga.	
Husting	McNary	Smith, Md.	

Mr. FRELINGHUYSEN. I desire to announce that my colleague [Mr. HUGHES] is absent owing to illness.

Mr. CURTIS. I wish to announce the absence of the senior Senator from New Mexico [Mr. FALL] on account of illness in his family.

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. POMERENE. I desire to announce that the senior Senator from Arkansas [Mr. ROBINSON] is detained from the Senate on important business. I ask that this announcement may stand for the day.

Mr. THOMPSON. I wish to announce that the junior Senator from Arkansas [Mr. KIRBY] is absent on important business. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. HOLLIS. Mr. President, in view of what has appeared in one of the morning papers, I feel obliged to rise to a question of personal privilege. It is stated in one of the morning papers in the news column as follows:

> In the midst of caustic debate REED calls HOLLIS, of New Hampshire, a liar upon the floor of the Senate.

Of course, Mr. President, it is not agreeable to have statements of that kind published in the papers. It is perhaps less offensive in my part of the country than it is in other parts where it is warmer. I understand that in the part of the country the Senator from Missouri comes from when the word liar is used a man who is expected to maintain his own self-respect and have the respect of others is obliged to hand his coat to some muscular colleague and make a frantic effort to get at the man who employs the language and personally chastise him.

In examining the RECORD I find that the newspaper has it wrong. I will read what occurred, at pages 5256 and 5257 of the RECORD of yesterday's proceeding. I said:

> I do not know Mr. Hoover; I have never met him; I have only seen him twice, and that was twice on the same day, when he was mercilessly cross-examined by the Senator from Missouri, very much as he would have been examined if he had been on trial for some crime in a police court.
>
> Mr. REED. Mr. President——
>
> The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Missouri?
>
> Mr. HOLLIS. I do not yield. I have not the time to yield.
>
> The PRESIDING OFFICER. The Senator from New Hampshire declines to yield.
>
> Mr. REED. I simply want to challenge that statement, and say that it is absolutely untrue.
>
> The PRESIDING OFFICER. The Senator from New Hampshire has the floor.
>
> Mr. HOLLIS. The Senator——
>
> Mr. REED. And the record will show it is untrue.
>
> Mr. HOLLIS. The record will speak for itself.
>
> Mr. REED. It will.
>
> Mr. HOLLIS. It has been published; the Senator has referred to it many times; he has attacked Mr. Hoover mercilessly on many occasions, and I say the record shows that he attacked him mercilessly on that occasion, as if he had been up before a police court for stealing chickens in Kansas City. I repeat that.

A little later:

> Mr. REED. I rise to a question of personal privilege.
>
> The PRESIDING OFFICER. The Senator from Missouri rises to a question of personal privilege. The Senator will state it.
>
> Mr. REED. I say that the statement just made by the Senator that I mistreated Mr. Hoover in any respect in examining him and that I made any attack upon him in examining him is absolutely and unqualifiedly false.
>
> Mr. HOLLIS. Mr. President——
>
> Mr. REED. And that the printed record——
>
> Mr. HOLLIS. I think I ought to call the Senator to order. This is no place to indulge in words of that kind——
>
> Mr. REED. The printed record will show——
>
> Mr. HOLLIS. Or in fisticuffs or in altercations of any sort. The record will speak for itself.
>
> The PRESIDING OFFICER. The Senator from Missouri will state his question of personal privilege.
>
> Mr. REED. The question of personal privilege is just what I have said, that the statement made by the Senator is untrue, and that the record——
>
> The PRESIDING OFFICER. The Chair is of the opinion that the Senator is subject to being called to order.
>
> Mr. WILLIAMS. That is not a question of personal privilege. It is not a question of personal privilege to arise for the purpose of calling another Senator a liar on the floor of this body.
>
> Mr. REED. I have not employed any such language. It remained for the Senator from Mississippi to employ it.

It is very gratifying to me to observe in this nice distinction of language that I was not called a liar on the floor of the Senate, but that an opinion which I expressed as to a certain controversy was called absolutely false and untrue. When you get to a matter of opinion you are outside the realms of fact. To state that a man's opinion is absolutely false and untrue is to state in a rather offensive way that he is mistaken. I have practiced law for 20 years. I know the difference between the expression of an opinion and the statement of a fact. I think I am qualified as well as perhaps the average man to say whether the cross-examination of a witness is merciless, but I have never practiced law in a police court; I have never conducted a criminal practice. My opinion as to how a chicken thief might be treated in court may not be of particular value. So far as that point is concerned, being in the realm of expert discussion, I am willing to allow my statement to stand as it is in the RECORD.

Mr. REED. Mr. President, I do not know whether or not under the rules I can be allowed to say anything at this time. If I am permitted to speak I will very briefly clear this matter up.

In the first place, I am not in the habit of calling people liars, in public or in private, and I did not employ that term to the Senator from New Hampshire. Unfortunately, the Senator from Mississippi [Mr. WILLIAMS] was in the Chamber observing his opportunity, and he employed the term, I take it, in the interest of amity and peace.

If when the Senator from New Hampshire started to make his statement regarding my treatment of Mr. Hoover he had yielded to me for the mere purpose of inquiring whether he was present when I examined Mr. Hoover, or, if not, whether he had read the testimony, probably there would not have been anything unpleasant said. I do not think that the Senator from New Hampshire was present when the examination took place, and I ask him now if he was present?

Mr. HOLLIS. I was present all the time during the examination in the Senate Office Building, and I was present a part of the time during the examination in the Capitol Building, and what I said was as a result of my own personal observation at the time.

Mr. REED. Very well. The Senator evidently wants to perpetuate whatever unpleasantness exists, and in that he may have my hearty cooperation.

Some newspaper writers referred to the examination as being a "police-court examination," and so forth. I paid no attention to their statements at the time, because I did not think it meant anything more than that some partisan of Mr. Hoover was interested in doing everything possible to help him, and that he thought one of the ways to do so was to parade him as a martyr. I challenge the Senator from New Hampshire, and I hand him the record, to read a single question I asked Mr. Hoover that is not courteous, that is not absolutely within the proprieties [handing document].

Mr. HOLLIS. I have not read the record. I tried to get a copy of it this morning but was unable to do so. I can not read it now sufficiently to point it out. It may be that as it appears in the record it is not offensive, but the whole manner and appearance and effect of it to me was as I have stated.

Mr. REED. Now that explains the whole difficulty. It is not in the language that the Senator finds offense, but it is in the manner and method and appearance—not the language, for language does not have an appearance; not in the method, for language does not have a method; evidently, therefore, it was my manner and my appearance that offended the tender sensibilities of the Senator from New Hampshire. Now, it may be solemnly entered of record that my appearance and manner are highly displeasing at all times and under all circumstances to the Senator from New Hampshire.

I simply want to say that this testimony is printed. I never saw it from the moment it was transcribed until it was printed.

I, therefore, never changed a word of a question or an answer. It speaks for itself.

The truth about the whole matter is that the Senator from New Hampshire is probably just a little bit nervous about Mr. Hoover, and I can see why he and all others might be slightly particular regarding the treatment of this gentleman.

I hold in my hand a letter sent out by the publicity department of the food conservation section of the food administration, which shows that material is being sent by Mr. Hoover to the papers from time to time:

PUBLICITY DEPARTMENT, FOOD ADMINISTRATION,
FOOD CONSERVATION SECTION,
Washington, D. C., July 14, 1917.

To the EDITOR:

Herewith I am inclosing to you some material that has been sent out from the Food Conservation Section of the Food Administration to the news associations and by them sent over their wires. I feel that there are stories in this material that you have not seen and that these may be of use to you.

Your name is on the mailing list of the Food Conservation Section, and after this news stories will be mailed to you Mondays, Wednesdays, and Fridays.

I hope you will find here something useful to your paper and to the great cause of food saving.

Faithfully, yours, KATHERINE LECKIE.

I now read one of the articles sent out by Mr. Hoover's department in regard to himself. It is dated July 13, 1917. Listen to it:

[For release July 13, 1917.]

FOOD ADMINISTRATION,
FOOD CONSERVATION SECTION.

Post-office clerks rubbed their eyes to-day when they found in an incoming mail sack a letter bearing no other address than "Mr. Miracle-Man Hoover, Washington." On a guess as for whom it was intended the letter was carried to Herbert Hoover, United States Food Administrator. The guess proved correct. The writer tells of the pressing need for food conservation, and adds "God bless you in your service to our country."

And this statement is being sent out by Mr. Hoover about himself in order that he may thereby glorify himself by having it printed in all the papers of the country. It is, I assume, sent out at Government expense.

Mr. CHAMBERLAIN. Mr. President——

Mr. REED. Here is another news item sent out by Mr. Hoover.

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. REED. I do.

Mr. CHAMBERLAIN. I dislike to interrupt the Senator, but if he is addressing himself to the bill——

Mr. REED. Oh, no; I am not. I am addressing myself in reply; and I shall be through in less than three minutes.

I read the news item; it may be of interest to the Senator from New Hampshire. It was sent out by Mr. Hoover to be printed in the newspapers:

[For morning papers of July 19, 1917.]

HERBERT HOOVER,
Washington, D. C., July 18, 1917.

That the passage of the Hollis bill would permit gambling, speculation, and exploitation to proceed without restriction, and would leave the farmer and consumer alike substantially without protection, was the statement made to-day by representatives of farmers' unions, cooperative associations, grain growers, granges, farmers' societies, and terminal houses. The Lever bill was indorsed and its final enactment into law demanded. The statement, subscribed to by all the representatives, was as follows:

"We are strongly opposed to the fixing of the exact amount of a minimum price for wheat by law, because we recognize that it is an expert question to be settled after such consideration as Congress can not possibly give it, and in a manner which will give the producer a full voice. The Food Administration should be vested with power to deal with this question.

"We recognize that the minimum price of $1.75 for wheat, fixed in the so-called Hollis bill, is unwise and unjust to the producer, and was fixed without consultation with Mr. Hoover or the Food Administration, and against their protest.

"We are opposed to the passage of the so-called Hollis bill, because it permits gambling, speculation, and exploitation to proceed without restriction, exempts sugar, corn, and other products from many or all of the provisions of the bill, and leaves the farmer and consumer alike substantially without protection.

"We are opposed to the exemption of cooperative agricultural organizations from the provisions of the bill, thus preventing the Food Administration from dealing with them.

"We favor the Lever food-administration bill as it passed the House, and demand its final enactment into law in that form. It is a workable bill; the Senate amendments are not workable."

Mr. President, as severe as I have sometimes been on the Senator from New Hampshire, and as he has been on me, I have never said as uncomplimentary a thing of him as Mr. Hoover sends out at Government expense and asks the papers to publish regarding a bill pending in Congress.

The VICE PRESIDENT. The Chair feels constrained, in view of this unfortunate circumstance, to once again call the attention of every Senator to the following rule of the Senate:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The rule is being "more honored in the breach than the observance." Senators may think of each other what they please; that is no business of the Chair; but Senators from this time on must stop abusing each other in the Senate of the United States.

The pending amendment is the amendment of the Senator from Kansas [Mr. THOMPSON] to the amendment of the Senator from Oregon [Mr. CHAMBERLAIN], which the Secretary will state.

The SECRETARY. In the amendment submitted by the Senator from Oregon it is proposed to strike out in section 5, page 8, line 9, after the word "wheat," the words "which constitutes a part of interstate or foreign commerce"; in line 13, after the word "products," to strike out "constituting a part of interstate or foreign commerce"; at the beginning of line 16 to strike out the words "which enter into interstate or foreign commerce"; in line 18, after the word "machinery," to strike out "which enter into interstate or foreign commerce"; in line 21, after the word "coal," to strike out "which enters into interstate or foreign commerce"; and in line 24, after the word "ingredients," to strike out "which enter into interstate or foreign commerce."

Mr. POMERENE. Mr. President, before the Senate votes upon this subject I desire to present a thought with respect to this pending section, and I want to call the attention of the Senate to the phraseology of the section. The Senate will note that on page 8 of the printed amendment provision is sought to be made for the licensing of certain producers and dealers. There are several classes to be licensed. In the first class the phrase is used, limiting it, as follows:

Wheat, which constitutes a part of interstate or foreign commerce—

The second, after defining certain products, uses the language:

Constituting a part of interstate or foreign commerce.

The third class, relating to packing houses, and so forth, uses the language "which enter into interstate or foreign commerce." The same language is used with respect to the fourth, fifth, and sixth classes. The seventh class is as follows:

Any person not a retailer, as defined in this section, who shall engage in handling any of the foregoing enumerated products.

So that as to the dealer it seems that there is no limitation in so far as interstate commerce is concerned, save and except that when, later in the section, they attempt to define what is meant by a retail dealer, the language is:

That for the purposes of this act a retailer shall be deemed to be a person, copartnership, firm, corporation, or association not engaging in the wholesale business whose gross sales do not exceed $100,000 per annum.

I do not know, and I was anxious to inquire of the Senator having the bill in charge as to whether he used purposely the language "which constitutes a part of interstate or foreign commerce," as applied to the first two classes, and the language "enter into interstate or foreign commerce" as to the other classes.

Mr. SMITH of Georgia. Mr. President, if the Senator desires an answer from me——

Mr. POMERENE. I shall be very glad to have any information the Senator may give.

Mr. SMITH of Georgia. The way that happened to exist is this: In the Sherman Antitrust Act the first language is used, and those words are found in the Sherman Antitrust Act. The second language is used in the child-labor bill, and they were not considered materially different; but as part of the propositions were prepared with the child-labor bill before the draftsman, and part with the Sherman Antitrust Act, it just so happened that the antitrust language was used in one and the child-labor language in the other. I think the Senator in charge of the bill would say that he would be perfectly willing to use either as to both, and that there is really no substantial difference.

Mr. POMERENE. I could think of no legal reason for the distinction, if there was a distinction.

Mr. SMITH of Georgia. The difference was really largely accidental.

Mr. FLETCHER. Mr. President, I call the Senator's attention to the fact that the motion is to strike out the whole of that.

Mr. POMERENE. I realize that very fully, and it is to that that I am about to address myself.

Mr. FLETCHER. I think the real point is that that language is necessary to bring the provisions within the Constitution.

Mr. POMERENE. That is where the Senator and I must differ. I agree entirely with what was said by the Senator from Pennsylvania and the Senator from Kansas with respect to the constitutionality of the bill; but I want to point out, if

I may, very briefly, the serious difficulties which the committee are placing in the way of the administration of this bill. It seems to me that if this language is retained it will render the bill entirely inoperative. I express the hope that before this shall be finally passed upon by the Senate, the amendment which I offered, and which is the result of the collaboration of the senior Senator from Iowa [Mr. CUMMINS] and myself, will be substituted for the provisions of the pending bill in so far as they relate to coal and coke.

To say that we shall license dealers in food products who are engaged in interstate commerce, and that we shall not license dealers who are engaged in the sale of food products in intrastate commerce, is to defeat, in my judgment, the very purpose of the bill. You can not say to one man that if he is dealing in interstate commerce and his dealings aggregate $1,000 annually you are going to aid the consuming public in fixing the price of his products, when at the same time you are going to leave free from the operations of this law the dealer or producer who may be interested wholly in intrastate commerce. He may be dealing to a larger extent in the very food products the price of which we want to keep within reasonable limits than the man who is dealing in interstate commerce.

Let us see how this can operate so far as it applies to coal. I think that one of these lawyers who was referred to yesterday as "Oily Gammons" would delight in having this particular bill before him to advise clients under it. Suppose, for the sake of the argument, that I am a coal operator or miner in the State of Ohio. My output may amount to a million tons. It may be that I am selling a part of my coal to dealers within the State, to consumers within the State, and a portion of it to dealers or consumers in the State of Michigan, which is a noncoal-producing State. If this bill becomes the law, of course, under its terms I can not deal in interstate commerce; I can not sell to my customers in Michigan and transport the coal there; but I submit that if I see fit to mine my coal and sell it at the mouth of my mine to some one who may come to my mine as a purchaser, I am not dealing in interstate commerce. So that the effect of this law would be this: If I have been heretofore charging $6 a ton for my coal, and there is a limitation placed upon the coal which goes into interstate commerce of $3 or $3.50 per ton, the maximum price which was agreed upon by certain operators here, I can readily evade such arrangements as that. I can continue to sell the coal, if there is no specific regulation by the Government, at any price I see fit to make to my customer who comes to the mouth of my mine.

The VICE PRESIDENT. The time of the Senator from Ohio has expired.

Mr. POMERENE. Well, Mr. President, I am very sorry, but I realize what the rule is.

The VICE PRESIDENT. The question is on the amendment of the Senator from Kansas [Mr. THOMPSON] to the amendment of the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. KENYON. On that I ask for the yeas and nays.

Mr. SHAFROTH. Mr. President, I should like to have the amendment stated from the desk, so that we can understand exactly what it provides.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. At six places in the proposed amendment occur the words "which constitutes a part of interstate or foreign commerce" or "which enters into interstate or foreign commerce."

Mr. SHAFROTH. What page and line of the bill as amended?

The SECRETARY. In the reprinted amendment it is on page 8. The Senator from Kansas proposes to strike out those words where they appear in six places in the proposed amendment.

Mr. SHAFROTH. Mr. President, I want to say just a few words on the proposed amendment. I understand that the motion of the Senator from Kansas is to strike out those words. That would make a discrimination as between coal mined for intrastate and interstate shipments. It seems to me from the statement which has been made by the Senator from Ohio that there will be interminable confusion unless this interstate commerce provision is stricken out, so as to leave the law to apply to the production of all coal, no matter for what purpose it may be mined or sold.

It is easy, as long as that provision is in the bill, for the purchaser to represent that he intends this coal for intrastate shipments, and thereby evade the operation of the law. That being the case, it seems to me it is bound to result in an evasion of the provisions of this act, whereas if this language is stricken out, if the operation of this bill is to be made to apply to the production of all coal, which is justified under the war power of the Government, surely a more strict regulation can be had in regard to the operation, production, and the prices of coal.

In other words, as long as this measure is confined to shipments of coal in interstate commerce there is not only danger but probability that the entire operation of the coal provision of the bill will become ineffective, because it can be evaded, for whenever a mine owner sells his output at the mouth of the mine, that is not interstate commerce. The intention of the coal buyer becomes a different question. A man might buy coal at the mouth of the mine with the honest intention of using it in the same State in which the mine is located, but afterwards he might change his mind, and for that reason it does seem to me that if this restriction is placed in the bill it will very much impair the efficiency of the administration of the measure.

Mr. POMERENE. Mr. Presdent, if the Senator will yield——

Mr. SHAFROTH. I yield to the Senator from Ohio.

Mr. POMERENE. May I suggest in that connection, to follow out the illustration which I was trying to develop, that if my former customer in Michigan were required to have my coal, and he came to the mine to buy it, I could charge him six or eight dollars a ton without violating the provisions of this act, because then I would be dealing in intrastate commerce and not in interstate commerce.

Mr. SHAFROTH. It seems to me that the illustration which the Senator has given is very apt, and I can not see why there should be a limitation placed in this bill upon coal that is mined for one purpose or for another or for one kind of shipment or for another.

If it were a question as to the constitutional power, it might be that it ought to be looked into; but I take it, from the authorities that have been cited here and the general votes that have been taken, that we have the right, under the war power of the Government, to enact this legislation; and if we do, any limitation that may be placed upon any one of the products named in this bill would, it seems to me, work to the detriment of the administration of the bill. For that reason I hope that the amendment offered by the Senator from Kansas, which strikes out the interstate-commerce feature, will be adopted.

Mr. HARDWICK. Mr. President, I do not believe that we have the constitutional power to enact this legislation at all. In the first place, it is simply amazing to me that Senators who contended when the child-labor proposition was before the Senate that Congress had no right to apply the interstate-commerce clause to the products of industry in this country before they actually entered interstate commerce, and that Congress could not under the guise of regulating interstate commerce regulate the processes of production and manufacture that were anterior to interstate commerce, can now contend that any such power can be conferred as contained in this section.

I do not believe that the addition of these words, "interstate or foreign commerce," adds one particle of strength to the constitutionality of the proposition. I believe that if we have the power to do the things proposed in section 5 of this bill we have that power independent of whether they are interstate commerce or intrastate commerce, because if the power exists at all it rests on the war power and can rest nowhere else.

Personally, I am going to vote for this limitation, for the plain, simple reason that I do not believe in too much of this kind of thing, anyhow, and while I am going to vote against the bill, I want to make it as little evil as possible.

Senators, whatever popular support this bill has before the people of this country rests on a false assumption, and in my judgment we shall not be able long to deceive the American people about it. Are we going to be able to successfully tell the American producer that this bill is enacted in order to give him higher prices, and in the same breath tell the American consumer, especially in the great centers of population of this country, that we are enacting this bill to give him lower prices, and expect both statements to be believed?

Under our dual form of government, whatever of regulation, whatever of restriction, whatever of control of these matters—forestalling, regrating, and engrossing—is needed in New York, in Chicago, and in these other great cities, can only be applied locally by the authorities of those communities. The war power does not change the situation, in my opinion. Under the war power, without regard to whether it is a part of interstate commerce or intrastate commerce, we can commandeer every bushel of grain in this country, every pound of meat in it, every article of necessity that our Army and Navy needs; but we have no more right in time of war than we have in time of peace to undertake to deal with this question of the high cost of living for the consumer in localities, and to invade a province that belongs to local authorities, and over which we have neither jurisdiction nor power.

My prophecy is that before long the American consumer will be undeceived. You have taught him to expect great things

from this bill. You have told him that it is going to cut the cost of living. I here and now confidently predict that it will do no such thing. If your proposition was merely a frank proposal that since we have interfered with the ordinary and normal industrial laws applicable to wheat, we will say, because, as a part of the war policy of this country, we found it necessary to impose an embargo on wheat, then I would say it was all right for the Government to say, since we have been forced as a part of our war policy to interfere with the normal situation with respect to wheat and to change the ordinary and normal laws of trade with respect to that article, that it will make the loss it has occasioned good to the producer, to stimulate production and keep conditions as stable as possible by governmental action. So if you limited the legislation to coal and said frankly that no nation can fight a great war without controlling absolutely its coal supplies, and for that reason we must for the moment brush aside the ordinary laws of industry and economics in relation to coal production and coal selling and undertake to regulate as a matter of governmental regulation these prices and these practices with respect to coal it would be all right. If we could have confined it to two or three things like that, and to no more than that, pretended no more, everybody could have supported the proposition. But when we go before the American people promising the American consumer that we are going to do great things for him, that this bill is going to relieve the distress that he now experiences and is going to enable him to buy things cheaper than he is now buying them, it is impossible for a man as confident as I am that no such result is possible to take part in such a confidence game.

I doubt the constitutional power of Congress to undertake to deal with the high cost of living in any different manner or under any different power, or in any different way in time of war than it can in time of peace.

I am sure, Mr. President, my own opinion is fixed, that when we come to the end of all this, and the American consumer who is clamoring for this legislation gets it, he will find that instead of relief he has actually gotten a gold brick. I do not care to take any part in his deception.

Mr. JOHNSON of South Dakota. Mr. President, I shall vote for the amendment offered by the Senator from Kansas [Mr. THOMPSON] to eliminate the words "interstate commerce." I should like to ask the Senator in charge of the bill, or anyone on the committee which considered this proposed amendment to include those words, the reason why those words were inserted in the amendment offered by the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator, as I said yesterday on the floor of the Senate, when this amendment was before the Agricultural Committee there was a line of cleavage between the members of the committee which practically divided them into two contending forces, almost equally divided, and we see it now, some insisting that this should be operative on commodities entering into interstate commerce and others contending that interstate commerce has nothing to do with it; in other words, some contending that the provisions of the bill must rely for the powers granted on the war power conferred by the Constitution and others contending that it should be operative under the interstate-commerce clause of the Constitution. So out of the discussions which took place in the committee there was finally a compromise, as I understand it, so that section 4 should eliminate from its provisions the interstate-commerce provision and that this particular section should contain it. It was really a compromise, as I understood it.

I will say, so far as I am individually concerned, I do not believe that the bill is framed under the theory that it can only come under the interstate-commerce clause of the Constitution, but that, on the contrary, it is framed entirely and is dependent on the war power. But in view of the feeling in the committee and with others with whom I have discussed the matter, because there is a well-defined line of division between the sections, I felt that I ought to stand by what the committee reported out.

Mr. SMITH of South Carolina. Will the Senator allow me?

Mr. JOHNSON of South Dakota. I do not desire to yield any more of my time now.

Mr. SMITH of South Carolina. I thought the Senator asked members of the committee to state why it was left out. I shall take my own time to explain it.

Mr. JOHNSON of South Dakota. Mr. President, I am glad to get the explanation of the Senator, who has the bill in charge. I wish to say that with the application made by the Senator from Ohio [Mr. POMERENE] to coal I can not see why it ought not to apply to everything else. I do not consider it fair; I do not consider it just. I think there is only one conclusion that anyone can reach, and that is that it will limit the real benefit of the bill by inserting in the amendment the words "interstate commerce" and destroy the intended purposes of the bill in its general application.

Mr. TILLMAN. Mr. President, in order to get the amendment which I have to offer under the rule which we established in the unanimous-consent agreement, that amendments should be presented before 2 o'clock, I offer the following amendment.

Mr. SMITH of South Carolina. Mr. President, I think this is a matter of such importance that the Senate ought to be advised just what divided the Agricultural Committee in inserting the words "interstate and foreign commerce" in one section and leaving them out in another. We all recognized and agreed that whenever there was the necessity for the Army and Navy to commandeer for the support and maintenance of the Army and Navy no interstate or intrastate lines were to be contemplated, but whatever the Government needed for the support of our Army and Navy we were willing to give them unlimited power to obtain, if they did not already have it under the Constitution. But when it came to the question of going beyond that for the support of the civil population, to lower the cost of living to those who are not in the Army and Navy, we thought we were not justified in giving unlimited power or attempting to give it, to go and take the store of one man or any set of men on the same basis that we took it for the Army and Navy.

The Army and Navy as a matter of course have to be supported, and under the provisions of our Constitution as interpreted by some of the constitutional lawyers no State lines need be observed, but when you sought to commandeer the food and the property of the individuals of the country for the purpose of relieving the distress and the necessity of other individuals we thought that the interstate and foreign commerce limitation ought to apply. There is a distinction between taking food and necessities for the Army and Navy and taking food and necessities for the civil population of the country, and we drew that distinction and made it apply all through the bill.

If the Senate sees fit to grant to the administrator under the bill the power to disregard State lines, to disregard personal rights for the purpose of feeding the population that is not actively engaged in either the Army or the Navy, that distinction is made in the bill, and they can withdraw it if they see fit. The Agricultural Committee did not think we had a right to commandeer or confiscate private property for private use, and therefore we did not write it in the bill. We did think you had the right to commandeer and to confiscate if necessary for the support of the Army and the Navy.

I hope that the amendment of the Senator from Kansas [Mr. THOMPSON] to the amendment will be defeated. We want to encourage the people of America to cooperate. They are all patriotic people, and they will divide their last crust of bread, and their last dollar in helping to support our Army to a successful conclusion of the war, but I do not think the country is called upon to enter into absolute socialism in order to support the civil population. Therefore I hope the amendment to the amendment will not be adopted.

Mr. LA FOLLETTE. Mr. President, I desire to offer an amendment to be printed and pending under the provisions of the unanimous-consent agreement.

The VICE PRESIDENT. The question is on the amendment of the Senator from Kansas [Mr. THOMPSON] to the amendment of the Senator from Oregon [Mr. CHAMBERLAIN], on which the yeas and nays have been requested.

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

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the senior Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer it to the senior Senator from Maine [Mr. FERNALD] and vote "nay."

Mr. KELLOGG (when his name was called). I have a pair with the senior Senator from North Carolina [Mr. SIMMONS] and withhold my vote.

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from New Jersey [Mr. HUGHES]. I make this transfer on all votes for the day without further announcement. I vote "nay."

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].

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer the pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. I have a general pair with him, but I am advised if he were present he would vote against the pending proposition. I therefore feel relieved from my obligation, and I vote "nay."

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Arkansas [Mr. KIRBY] and vote "nay."

Mr. CALDER. I have a general pair with the junior Senator from Rhode Island [Mr. GERRY], but am permitted to vote on the provisions of the bill. I will therefore vote. I vote "nay."

Mr. McCUMBER. I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. The Senator from Wyoming [Mr. KENDRICK] has a pair with the senior Senator from New Mexico [Mr. FALL]. We have made an arrangement to transfer these pairs, so that the Senator from Colorado [Mr. THOMAS] will stand paired with the Senator from New Mexico [Mr. FALL]. This announcement may stand for the day without repetition. I therefore vote. I vote "nay."

Mr. SIMMONS (after having voted in the negative). I ask whether the junior Senator from Minnesota [Mr. KELLOGG], with whom I have a general pair, has voted?

The VICE PRESIDENT. He has not voted.

Mr. SIMMONS. Then I transfer my pair with the junior Senator from Minnesota to the Senator from Illinois [Mr. LEWIS] and let my vote stand.

Mr. VARDAMAN (after having voted in the negative). I transferred my pair with the junior Senator from Idaho [Mr. BRADY] to the senior Senator from Tennessee [Mr. SHIELDS], but that Senator has entered the Chamber and voted. I therefore withdraw my vote.

The result was announced—yeas 24, nays 51, as follows:

YEAS—24.

Ashurst	Johnson, Cal.	Myers	Shafroth
Beckham	Johnson, S. Dak.	Nelson	Sheppard
Gronna	Jones, N. Mex.	Norris	Thompson
Hollis	Jones, Wash.	Owen	Townsend
Husting	La Follette	Phelan	Trammell
James	McNary	Pomerene	Wolcott

NAYS—51.

Bankhead	Hale	New	Smith, S. C.
Borah	Harding	Newlands	Smoot
Broussard	Hardwick	Overman	Sterling
Calder	Hitchcock	Page	Stone
Chamberlain	Kendrick	Penrose	Sutherland
Colt	Kenyon	Poindexter	Tillman
Cummins	King	Ransdell	Underwood
Curtis	Knox	Reed	Wadsworth
Dillingham	Lodge	Saulsbury	Warren
Fletcher	McCumber	Shields	Watson
France	McKellar	Simmons	Weeks
Frelinghuysen	McLean	Smith, Ariz.	Williams.
Gore	Martin	Smith, Ga.	

NOT VOTING—21.

Brady	Gerry	Pittman	Thomas
Brandegee	Goff	Robinson	Vardaman
Culberson	Hughes	Sherman	Walsh
Fall	Kellogg	Smith, Md.	
Fernald	Kirby	Smith, Mich.	
Gallinger	Lewis	Swanson	

So Mr. THOMPSON's amendment to the amendment was rejected.

Mr. THOMPSON. Mr. President, I desire to reserve the right of having a separate vote on this question in the Senate.

The VICE PRESIDENT. The question now recurs on the amendment of the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. POMERENE. Mr. President, before the vote on the amendment is finally taken I desire to say just a word with reference to it as explaining what my purpose shall be later.

In my judgment the vote just taken is going to defeat the purpose of this legislation. I was not able to complete my statement a moment ago, and I am going to take the time now simply to complete it as far as it applies to this particular bill.

In the matter of wheat, for instance, it has been limited by the action of the Senate to interstate commerce. If I had an elevator with a million bushels of wheat in it in the State of North Dakota, and I wanted to evade the provisions of this law as it now is, I would hold my wheat and simply sell it in intrastate commerce and not in interstate commerce. Bear in mind, if Senators please, that at this crucial time it is not the producer or the seller who is hunting the buyer, but it is the buyer who is hunting the producer and the seller; and there would be buyers galore going to my elevator in North Dakota and buying this wheat.

Under the provisions of the bill limiting profits, the fact is that you are seeking to limit prices; it is one and the same thing. When the buyer comes to my elevator I say to him, "I am selling in intrastate business only; my transaction will be completed here at my elevator; I sell it here; I deliver it to you; and it is an intrastate transaction; it is not an interstate transaction. When it comes to negotiating the price, if the food administrator would fix the price of wheat at $2 a bushel I would say, "No; my price is $5 a bushel." I should like to have some Senator explain to me how he could subject me to the provisions of this bill if I were dealing in intrastate commerce alone? I fear that will be the effect of it in its present form.

Mr. WATSON. Mr. President, will the Senator from Ohio yield to me?

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

Mr. POMERENE. I do.

Mr. WATSON. It occurs to me that a fair interpretation of this language will exclude the idea which is advanced by the Senator from Ohio. The language is:

First, any person operating an elevator or other storage facility used for the storing of wheat which constitutes a part of interstate or foreign commerce.

Under that language, suppose the Senator were operating his elevator in North Dakota, that I were to go to him to buy a part of the wheat stored in that elevator, and that I took that wheat and put it into interstate commerce; would not the fact that the wheat, the product, goes into interstate commerce subject him to this license provision?

Mr. POMERENE. It may be after the wheat gets into the possession of the Senator from Indiana and he seeks then to dispose of it that it would be in interstate commerce. To illustrate: If I go to my shoe merchant in the city of Canton and buy a pair of shoes, it may be that I am going to wear those shoes to Washington. Is that interstate commerce?

But what I sought to say was that, if this section shall be adopted, it is my purpose and the purpose of the senior Senator from Iowa [Mr. CUMMINS], as I understand, to later offer the amendment, which was printed the other day and of which I gave notice, on the subject of coal and coke. As it now reads, it is coal, coke, petroleum, and other products. My judgment, however, is that it should perhaps be limited to coal and coke. I will offer that as an independent proposition.

Mr. KNOX. Mr. President, I think the Senator from Ohio is unduly pessimistic about the effect of the adoption of this amendment in the form which the Senate has indicated that it should take. If there were nothing but this license section of the bill, there would be much, in my judgment, to what the Senator from Ohio has said; but this license section is only one part of the bill. Indeed, in my own judgment, I doubt the necessity for the license system at all. It is not a compulsory system; it is a system which the President can impose if the necessities of the situation demand it; and nothing, in my judgment, would justify the President in imposing a license system unless the dealers in these products have been guilty of some moral turpitude in the transaction of their business. If they are guilty of moral turpitude in the transaction of their business, they are liable criminally under a distinct section of this bill. I do not know anything within the sphere or realm of moral turpitude that is not included in that other section.

Now, let us look at it. It is section 4. It is made unlawful for a person to do what? A person where situated? Not persons dealing in interstate commerce, but persons wherever they may be situated. It is unlawful for them to willfully destroy any necessaries for the purpose of enhancing the price; to permit waste or to attempt to monopolize either locally or generally; to make or engage in any unfair, discriminatory, or deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing in or with any necessaries; to conspire, combine, agree, or arrange with any other person to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessaries; to restrict the supply and distribution of necessaries; to willfully prevent, limit, or lessen the manufacture or production, or to exact excessive prices.

So it goes. I can not imagine anything that would be unfair or irregular or unjust or monopolistic or swinish in the conduct of business that is not reached by the provisions of the fourth section of this act; and those who commit those offenses are liable to be fined and imprisoned.

So, I say, taking the illustration which the Senator from Ohio gave, if a man storing a million bushels of grain in an elevator within the State of Ohio undertook, by reason of his dominion over that property, to coerce the public in any of the ways that are mentioned in section 4, he would be liable to this punishment. I think the President would scarcely be justified in using the option to invoke the license system unless the parties had been found guilty of some of the offenses prescribed by section 4.

Mr. POMERENE. Mr. President, if I may ask the Senator from Pennsylvania a question before he takes his seat, referring to the illustration which I used a moment ago, and assuming that the elevator man would sell all of his wheat in intrastate commerce, acting, we will say for the sake of the argument, in perfect good faith, I ask would he be subject to the provisions of section 5 of the bill?

Mr. KNOX. Does the Senator mean section 4?

Mr. POMERENE. No; section 5. I recognize the force of what the Senator says with respect to the efficacy of section 4. I am addressing myself now to the license provisions of section 5.

Mr. KNOX. He certainly would not under the provisions of the license section be required to take out a license if he dealt wholly with citizens of the State of Ohio, but it is just as the Senator from Ohio stated a moment ago, these are times in which the owners are not seeking the purchasers, but the purchasers are seeking the owners, and whether the primary transaction was between the owner of the elevator and a citizen of the State of Ohio or not, the wheat would ultimately get out of Ohio, because the demand from that State would not require the hoarding of the grain within the State. So that ultimately the wheat must eventually get to the consumers, and the consumers, as the Senator has well said, are scattered far and near.

Mr. TOWNSEND. Mr. President, I voted for the amendment of the Senator from Kansas [Mr. THOMPSON], believing, as I do, that the power conferred in this bill is derived from the war power of the Constitution and not from the interstate-commerce power at all; and that it should be exercised for war purposes. Therefore I can see no possible reason or sense in attempting to limit it or in putting in words which might be construed as limiting it, as might be the case, when we use the words "in interstate commerce."

I agree with the Senator from Pennsylvania [Mr. KNOX] that there are provisions in the bill to cover practically all of these cases. Hence the more reason, in my judgment, of eliminating words about which there might possibly be some controversy. Therefore, I voted to eliminate the words "in interstate commerce." I do not believe they are necessary and might possibly be confusing.

Mr. KENYON. Mr. President, under the rule I send a proposed amendment to the desk, so as to give it a parliamentary status whereby I can offer it later, for I understand that after 2 o'clock no amendments can be offered. I shall offer the amendment which I send to the desk at the proper time. I do not know what the practice is, whether it should lie on the table or simply be considered as suggested. I will later ask for a vote upon this amendment.

The VICE PRESIDENT. The Chair rules that when a Senator presents an amendment and states that he expects to have it pending and voted upon it will be voted upon.

Mr. KENYON. Mr. President, I want to say concerning this amendment that it is the identical amendment which has been adopted by the Senate in the former food-control bill with reference to the question of speculation, and which is now before the conference committee on the other food bill, with the addition of a slight clause providing that it shall not in any way affect the Sherman Antitrust Act.

I make this statement now because at the time of presenting this amendment I feel that there will be no opportunity to offer any suggesions concerning it. I believe, if it should be adopted as a part of this bill, it will relieve the work of the conference committee on the other bill.

Mr. JONES of Washington. Mr. President, I will ask the Senator if his amendment relates to hoarding, storing, and so forth?

Mr. KENYON. Yes. I want to say just a word further about the pending question. I think the gloom of the Senator from Ohio might be further dissipated by reference to section 8, which gives the President the power to commandeer—

foods, feeds, fuels, and other supplies necessary to the support of the Army or the maintenance of the Navy, or any other public use connected with the common defense.

It has been my thought that a hoarding such as has been suggested by the Senator from Ohio, if it interfered with the question of domestic tranquillity, would be so related to the common defense that the President, under section 8, could commandeer the commodity at a price to be fixed by him, subject to the appeal to the courts provided in the section.

Mr. WADSWORTH. Mr. President, do I understand that the amendment offered by the Senator from Oregon is still open to amendment?

The VICE PRESIDENT. It is.

Mr. WADSWORTH. Mr. President, I move to amend, on page 8 of the so-called committee print, on line 12, after the word "poultry," by inserting the word "eggs."

Mr. CHAMBERLAIN. Mr. President, I do not know that I understand just what the purpose of the amendment is.

Mr. WADSWORTH. It will be found, on lines 11 and 12, that amongst the persons who are to be subject to the license system, in the discretion of the President, is—

Any person operating a cold-storage establishment for the storage of meat, poultry, or dairy products.

I think, in order to be consistent and really to reach a product which is placed in cold storage in very large quantities, we should insert the word "eggs" after the word "poultry."

Mr. CHAMBERLAIN. I have not a copy of the bill before me. I will ask the Senator, How will it read with the word "eggs" added?

Mr WADSWORTH. It will read:

Any person operating a cold-storage establishment for the storage of meat, poultry, eggs, or dairy products——

Mr. CHAMBERLAIN. Mr. President, I have no objection to that, so far as I am concerned.

The VICE PRESIDENT. The Senator from Oregon has a right to modify his amendment so as to embrace cold-storage eggs. The amendment is so modified. The question now is on the amendment as modified.

Mr. HUSTING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Wisconsin will state his parliamentary inquiry.

Mr. HUSTING. Is the vote to be on the committee amendment?

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Oregon.

Mr. HUSTING. If it be proper at this time, I should like to reserve the right to have a separate vote in the Senate on the amendment proposed by the Senator from Colorado [Mr. SHAFROTH] to provide that the administration of this bill shall be placed in the hands of one man instead of in the hands of a board.

Furthermore, I should like to reserve the right to have a separate vote in the Senate on the amendment which I tendered yesterday, leaving to the President the right to bring within the provisions of this bill other commodities which might appear to him to be necessary to regulate in a similar way.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Oregon as modified.

The amendment as modified was agreed to.

Mr. McCUMBER. I offer the amendment which I send to the desk and ask that it may be read.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. The Senator from North Dakota proposes the following amendment to the bill:

In section 8, page 10, line 22, after the word "therefor," a committee amendment which has been agreed to, insert the following:

"In determining the compensation to be paid for farm products all labor employed in producing the same, whether furnished by the farmer or members of his family, including the necessary domestic service, shall be computed and allowed for at the same rate of wages paid for like labor, or labor requiring a like degree of intelligence and arduous efforts, in other lines of business or trade; and in addition thereto there shall be allowed as a charge in the cost of production a reasonable rate of interest upon the capital invested in both real and personal estate and a further reasonable charge for deterioration and upkeep. There shall also be taken into consideration the increased cost to the farmer of all necessary farm equipment, food and clothing required, and other advanced cost in the ordinary necessaries of life."

Mr. McCUMBER. Mr. President, I wish Senators to understand, first, that this amendment is not offered as a substitute for or in any way related to any proposed amendment fixing a minimum price for crops that are or may be raised. I call attention to section 8. It is a section which provides for the commandeering of different articles for the necessities of the Government. That section reads:

That the President is authorized from time to time (a) to requisition foods, feeds, fuels, and other supplies necessary to the support of the Army or the maintenance of the Navy, and he shall ascertain and pay a just compensation therefor.

This amendment applies, as I have stated, only to those cases in which the Government may see fit to requisition these articles of food; and if the Government requisitions wheat or oats or barley or rye, I simply want the Government in that case to apply the usual rule in determining what is a just compensation therefor.

If we enter into any other line of business, if I conduct a manufacturing business of any kind, and the Government wishes to take the product of that factory, it ascertains the labor cost, the taxes, the overhead charges, and every other necessary expense that goes into that production, and then it will allow a reasonable return upon the investment. Now, that is all I ask in this case—that the same rule that is to be applied in commandeering coal or steel or any other product may

be applied in taking the products of the farm. I want whatever officer exercises that authority to consider the price the farmer must pay for labor, the amount invested in farm and machinery, and the ordinary wages or going wages that are paid for like service; because in many instances all of the work that is performed is performed by the farmer and his family, and there would be no standard to go by except the standard of like wages for like character of service. No one can complain because this allowance is made; and as it does not affect the question of fixing a price in case there is a guaranty, but simply the rule of damages or compensation in case the property is taken, I ask that this amendment may be inserted and may go into conference. On this amendment, Mr. President, I ask for the yeas and nays.

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

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Arkansas [Mr. KIRBY] and vote "nay."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the junior Senator from Nevada [Mr. PITTMAN] and vote "yea."

The roll call was concluded.

Mr. OVERMAN. Has the Senator from Wyoming [Mr. WARREN] voted?

The VICE PRESIDENT. He has not.

Mr. OVERMAN. I have a general pair with that Senator and therefore withhold my vote.

Mr. FLETCHER. I make the same announcement of my pair and transfer as before and vote "nay."

Mr. FRELINGHUYSEN. I make the same announcement with regard to my pair and vote "yea."

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent from the city. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

Mr. CURTIS. I desire to announce that the Senator from Vermont [Mr. DILLINGHAM] is paired with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 32, nays 44, as follows:

YEAS—32.

Borah	Husting	McNary	Smith, Mich.
Cummins	Johnson, Cal.	Myers	Sterling
Curtis	Johnson, S. Dak.	Nelson	Thompson
France	Jones, Wash.	New	Townsend
Frelinghuysen	Kellogg	Penrose	Trammell
Gronna	Kenyon	Poindexter	Vardaman
Hardwick	La Follette	Sheppard	Watson
Hitchcock	McCumber	Sherman	Weeks

NAYS—44.

Bankhead	Hollis	Norris	Smith, Ga.
Beckham	James	Page	Smith, S. C.
Brandegee	Jones, N. Mex.	Phelan	Smoot
Broussard	Kendrick	Pomerene	Stone
Calder	King	Ransdell	Sutherland
Chamberlain	Knox	Reed	Swanson
Colt	Lewis	Saulsbury	Tillman
Culberson	Lodge	Shafroth	Underwood
Fletcher	McKellar	Shields	Wadsworth
Hale	Martin	Simmons	Williams
Harding	Newlands	Smith, Ariz.	Wolcott

NOT VOTING—20.

Ashurst	Gallinger	Kirby	Robinson
Brady	Gerry	McLean	Smith, Md.
Dillingham	Goff	Overman	Thomas
Fall	Gore	Owen	Walsh
Fernald	Hughes	Pittman	Warren

So Mr. MCCUMBER's amendment was rejected.

Mr. HARDWICK. Mr. President, I want to offer for the Senator from Oklahoma [Mr. GORE], who is absent, an amendment and have it considered as pending.

Mr. CHAMBERLAIN. Mr. President, I ask that the substitute for section 9 be submitted to the Senate.

Mr. STERLING. Mr. President, I did not understand the request of the Senator from Oregon in regard to section 9.

Mr. CHAMBERLAIN. I offer the amendment which is already pending to strike out all of section 9 and in lieu thereof to insert what the Secretary will read.

The SECRETARY. The Senator from Oregon proposes to strike out all of section 9 and to insert in lieu thereof the following:

SEC. 9. That the President is authorized from time to time, in order to guarantee reasonable prices to the producer and to the consumer, to purchase, to store, to provide storage facilities for, and to sell at reasonable prices, fuel, wheat, flour, meal, beans, and potatoes: *Provided*, That if any minimum price shall have been theretofore fixed pursuant to the provisions of section 12 of this act, then the price paid for any foods, feeds, or fuel so purchased shall not be less than such minimum price. Any moneys received by the United States from or in connection with the disposal by the United States of necessaries under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

Mr. STERLING. Mr. President, I am opposed to section 9, and have a motion pending, as a pending amendment, to strike out section 9. A parliamentary inquiry. If section 9 be adopted at the present time, will the motion to strike it out lie thereafter?

The VICE PRESIDENT. Rule XVIII provides that the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion simply to strike out.

The question is on the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I offer the amendment which is pending to strike out all of section 12 and in lieu thereof to insert the amendment which is pending on the Clerk's desk. I request the Senator to listen to this amendment attentively, because it is the one which provides for the fixing of a minimum price on wheat.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to strike out section 12 as printed in the bill and insert:

SEC. 12. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to require the board of food administration to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. Said board shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act, approved August 11, 1916. It shall from time to time establish and promulgate such regulations as it shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment and differences in price for the several standard grades in the principal primary markets of the United States, adopting No. 1 Northern at the principal interior primary market as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period not exceeding 18 months prescribed in the notice a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the board of food administration, subject to the approval of the President, shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat from the passage of this act to the 1st day of January, 1919, shall be based upon No. 1 northern at not less than $2 per bushel at the principal interior primary market. This guaranty shall not be dependent upon the action of the President or said board under the first part of this section but is hereby made absolute. When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to this section and ascertains what rate of duty, added to the then existing rate of duty on wheat and to the value of wheat at the time of importation, would be sufficient to bring the price thereof at which imported up to the price fixed therefor pursuant to the foregoing provisions of this section, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported, in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will affect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States. For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the President is authorized also, in his discretion, to purchase any wheat for which a guaranteed price shall be fixed under this section, and to hold, transport, or store it, or to sell, dispose of, and deliver the same to any citizen of the United States or to any government engaged in war with any country with which the Government of the United States is or may be at war or to use the same as supplies for any department or agency of the Government of the United States. Any moneys received by the United States from or in connection with the sale or disposal of wheat under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

Mr. CURTIS. Mr. President, I think the Secretary perhaps misread one provision there. As I heard it it said "the sales to countries at war with the United States." But I rose for the purpose of offering an amendment. I wish to propose to insert the words "or its equivalent" after the word "northern" at each place where it appears in the amendment, so as to make the price fixed on the northern wheat or its equivalent, which would include our No. 2 hard-winter wheat.

Mr. CUMMINS. Will the Senator permit me to offer an amendment so as to be within the rule, the amendment to be voted on later? I send it to the desk.

Mr. NORRIS. Mr. President——

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

Mr. CURTIS. Certainly.

Mr. NORRIS. I should like to make a request that the amendment be printed and lie over until to-morrow. The amendment read by the Secretary is not the same amendment that has been offered and printed and on our desks. It has several features in it that I never heard except as they have been read. It is the most important amendment probably to the bill, and it seems to me we ought to have an opportunity to read it at least.

Mr. CHAMBERLAIN. All right. I would be glad to let it go over until to-morrow morning.

Mr. REED. Mr. President——

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

Mr. CURTIS. If I may just make one statement I will yield the floor. If the amendment is printed I ask that the amendment suggested by me be printed in small caps.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Kansas will be complied with. The Senator from Missouri.

Mr. REED. Before it is agreed that the amendment goes over until to-morrow I wanted to have an opportunity to examine the unanimous-consent agreement. I am not sure but that if it goes over until to-morrow we can not discuss it at all. There is a limit to debate to-morrow.

Mr. McCUMBER. After 2.30 p. m.

Mr. CHAMBERLAIN. Pending that I desire to take up the motion to strike out all of section 15.

Mr. GRONNA. May I have just a word before that is done?

Mr. CHAMBERLAIN. Certainly.

Mr. GRONNA. Mr. President, I think it is very unfortunate that the leaders should have seen fit to withhold from the Members of this body an amendment as important as is this amendment. I doubt if anyone in this body understands the amendment offered by the Senator from Oregon. The effect it will have upon this industry will be staggering to humanity.

Mr. President, I think we ought at least to have had an opportunity to have the amendment presented in time to discuss it. The amendment never has been presented to the Committee on Agriculture. It has not been considered by the members of that committee. It has not been referred to members from the grain-growing States.

I think I may say it is unfair to the representatives who come from those States to be forced to vote upon it without an opportunity to discuss it. This amendment is presented and is now in the second degree. If Members who come from the grain-growing section should feel like offering a substitute it will not be in order.

Mr. President, I am not asking that the amendment shall go over until to-morrow. I think we ought to occupy the entire time necessary to discuss this question, because it is the most important question in the entire bill.

Mr. CHAMBERLAIN. Let me make a suggestion to the Senator. There has been no desire to get anything before the Senate unfairly. It has been discussed by Senators from wheat-growing States. It may not suit everybody, and nothing that has been done by the Senate suits everybody. I suggest to the Senator that we have the amendment printed at once. We can get it back here in an hour or in two hours, printed, so that Senators can devote the balance of the day and the night, if they wish, to the discussion of it.

Mr. GRONNA. I am very glad to hear that.

Mr. POMERENE obtained the floor.

Mr. REED. I should like to have the privilege of entering a motion——

The PRESIDENT pro tempore. The Chair recognized the Senator from Ohio.

Mr. GRONNA. I had not yielded the floor. I do not think my time is up.

The PRESIDENT pro tempore. The Chair did not so understand, or, of course, he would not have recognized another Senator. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. GRONNA. I shall take only another minute. The Senator from Ohio has had his time this morning, and I have not occupied a single moment.

Mr. POMERENE. I beg the Senator's pardon; I thought he had concluded.

Mr. GRONNA. I simply want to have read the amendment offered by me before my time expires.

Mr. POMERENE. Will the Senator allow me to say that I had no intention of interrupting him? I assumed he had taken his seat.

Mr. GRONNA. I should be glad to yield to the Senator if I had time.

Mr. POMERENE. I have not asked the Senator to yield to me. I thought he had yielded the floor.

The PRESIDENT pro tempore. The Chair thinks it is the fault of the Chair in recognizing the Senator from Ohio. The Senator from North Dakota still retains the floor.

Mr. GRONNA. I send to the desk an amendment I propose, and I ask to have it read in my time.

The PRESIDENT pro tempore. It will be read.

The SECRETARY. In the printed amendment offered by the Senator from Oregon [Mr. CHAMBERLAIN] strike out the proviso on page 22 of the amendment and insert:

The United States hereby guarantees and agrees to pay from the date this act becomes a law to the 30th day of June, 1919, for all wheat raised in the continental United States and tendered to it at any of the five principal interior primary markets, to be designated by the board, not less than $2 per bushel for standard contract grades in such markets. The grades shall be fixed by the Secretary of Agriculture, as by law provided, the price for other grades to be based upon the said standard grades. The board shall make rules specifying the conditions of delivery and for the proper carrying out of the provisions of this paragraph.

The provisions of this act for the execution of the guaranty by the Government of minimum prices of wheat shall apply to the minimum prices covered by this paragraph.

Mr. GRONNA. Mr. President, this amendment is drawn in very simple language, and I think no one can misconstrue it. I take it that it is the intention of the Members of Congress to guarantee to the farmers the amount specified in the amendment offered by the Senator from Oregon. If it is, it ought to be made in plain language and have no ifs and ands about it. We ought to say in specific language that we want to guarantee the farmer for his wheat. We also ought to make it plain where that price shall be obtained.

My amendment provides that at five primary markets, and these five markets may be named by the board, and based upon the highest grade, the price shall be $2 a bushel. That would not mean $2 a bushel to the farmer; it would mean in my section of the country, if Minneapolis or Duluth were designated as one of these markets, for the highest grade about $1.84 a bushel. It would mean, on an average, taking all the grades, not to exceed $1.50 a bushel to $1.60 per bushel.

But, Mr. President, if we say that the price shall be fixed and leave it to the board, the board might designate New York, which would mean at least 40 cents a bushel to be deducted in the grain sections of the West, including Missouri and the interior sections of the western country. I think we ought to make that plain. That is what my amendment does, and I trust Senators will give it consideration.

Mr. CHAMBERLAIN. May I suggest——

The PRESIDENT pro tempore. The Chair has recognized the Senator from Ohio [Mr. POMERENE].

Mr. CHAMBERLAIN. In the Senator's time I wish to take just a moment.

Mr. McCUMBER. Mr. President, I rise to a parliamentary question.

The PRESIDENT pro tempore. The Senator will state it.

Mr. McCUMBER. I will get recognition in that way. I should like to ask what is the pending question.

The PRESIDENT pro tempore. The Senator from Oregon offers a motion to strike out section 15, and that is pending, with one or two amendments, of which notice has been given to be proposed to the section.

Mr. McCUMBER. The Senator from Oregon proposes that that should be laid over, I understand, until to-morrow. I shall object to its going over.

Mr. CHAMBERLAIN. I will say that section 12 was the one that I asked might go over until to-morrow, but I withdrew that request and suggested that within an hour or an hour and a half we can have it printed and laid before the Senate.

Mr. McCUMBER. As there is no certainty at all that we will discuss it, even if it is printed within an hour, and it goes over until to-morrow, if I am still within my rights to object to its going over for printing or any other purpose, I wish to object to it. I have not heard the proposition put to the Senate as to whether the Senate would agree to that course.

The PRESIDENT pro tempore. The Chair does not understand that the Senate has agreed to anything in regard to it; and the pending question is the motion to amend of the Senator from Oregon.

Mr. McCUMBER. Very well; then, I wish that motion to be disposed of.

Mr. STERLING. Mr. President——

The PRESIDENT pro tempore. The Chair had recognized the Senator from Ohio.

Mr. POMERENE. Do I understand that that matter has been disposed of?

The PRESIDENT pro tempore. It has not.

Mr. POMERENE. I rose for the purpose of offering an amendment.

The PRESIDENT pro tempore. That would not be in order. The Senator from South Dakota.

Mr. STERLING. I offer a substitute to section 12 or the amendment moved by the Senator from Oregon.

Mr. REED. Mr. President——

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

Mr. STERLING. I ask that the substitute may be read.

Mr. REED. Mr. President, I simply desire to offer an amendment to the amendment to section 12, as proposed by the Senator in charge of the bill, in order that the amendment to the amendment may be pending. I ask that it shall be considered as pending.

The PRESIDENT pro tempore. The Senator from South Dakota has just offered an amendment to that section, which will be read.

Mr. REED. Certainly; but I simply ask that this amendment may be offered to be pending.

The PRESIDENT pro tempore. Under the unanimous-consent agreement?

Mr. REED. Under the unanimous-consent agreement.

The PRESIDENT pro tempore. Without objection, the amendment will be so received.

Mr. CURTIS. Mr. President, I desire to offer the following amendment and have it pending so as to save my right under the rule.

The PRESIDENT pro tempore. The amendment will be received under the unanimous-consent agreement. The Secretary will read the amendment offered by the Senator from South Dakota [Mr. STERLING].

The SECRETARY. In lieu of the words proposed to be inserted by the amendment offered by the Senator from Oregon insert the following:

SEC. 12. That whenever, during the continuance of the war, the President shall find that an emergency exists requiring stimulation of the production of any nonperishable agricultural products produced within the United States, in order to stimulate the production of such products, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine what, under specified conditions, is a reasonable price for any such products, in order to assure such producers a reasonable profit. Thereupon, if the President finds that the importation into the United States of any such products produced outside of the United States seriously interferes or is likely seriously to interfere with the obtaining by such producers within the United States of the reasonable price therefor determined pursuant to this section and shall so proclaim, there shall be levied, collected, and paid a rate of duty, upon the products so imported, the amount of which rate of duty shall be ascertained and proclaimed by the President, which amount shall, when added to the value of the product at the time it is offered for entry, be sufficient to bring the prices thereof at which imported up to the reasonable price which shall have been fixed therefor pursuant to this section; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon any such products under any then existing tariff law of the United States: *Provided*, That, in order to further stimulate the production of wheat, the board of food administration herein provided for is authorized to devise and put in operation a plan for the awarding of Government prizes or bonuses for the best crop or crops of wheat, quantity and quality both considered, which may be grown on any specified area to be designated by said board. That in devising and carrying out such plan said board shall, so far as possible, advise and cooperate with the several State and county authorities in the wheat-growing sections of the United States, including State, district, and county agricultural associations. That for the purpose of carrying out these provisions the sum of $1,000,000 of the amount herein appropriated shall be available.

Mr. CHAMBERLAIN. I understand that the pending question is the elimination of section 15.

The PRESIDENT pro tempore. No; section 12. The Chair was endeavoring to ascertain the exact status from the Secretary. The Chair does not understand that the Senator from North Dakota [Mr. GRONNA] offered his amendment at this time to the amendment offered by the Senator from Oregon. Is the Chair correct?

Mr. GRONNA. I did offer it as an amendment to the amendment.

The PRESIDENT pro tempore. Then the amendment of the Senator from North Dakota is in order. The Chair will recognize the Senator from South Dakota for the purpose of offering his amendment later

Mr. CHAMBERLAIN. May I make this promise to the Senator? It is objected that section 12 shall go over, and if the discussion is going on I promise the Senate within an hour and a half to have it printed. So the discussion may go on just the same, if there is objection to its going over.

Mr. REED. May I make a suggestion to the Senator in charge of the bill? When he comes to have the amendment printed the provision is that this guaranteed price of wheat shall be paid for wheat delivered up to the 1st day of January, 1919. The sole effect of that would be to compel the delivery of the entire wheat crop that may be raised prior to the 1st day of January, 1919, and instead of spreading the delivery of wheat over the entire year, which is entirely desirable, having it come to the market gradually, it would probably glut the market along about January. I suggest to the Senator in charge of the bill that in printing his amendment he insert the word "July" instead of "January."

Mr. CHAMBERLAIN. That change can be made after the amendment is printed, if it is deemed advisable.

The PRESIDENT pro tempore. The question before the Senate is the amendment offered by the Senator from North Dakota [Mr. GRONNA] to the amendment.

Mr. GRONNA. If I may be permitted, I wish to say to the Senator from Oregon that I did not object to having the amendment go over for an hour, but my colleague objected, and he is not now in the Chamber.

Mr. CHAMBERLAIN. I think he would not object to its going over for an hour. He did object to its going over until to-morrow, I think.

Mr. WARREN. I understood that he objected to its going over until to-morrow. He wanted to have it considered at the present time.

Mr. GRONNA. I think we could save time by calling for a quorum, and then my colleague will be here. I suggest the absence of a quorum.

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

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

Bankhead	Johnson, Cal.	Overman	Smith, S. C.
Beckham	Johnson, S. Dak.	Page	Smoot
Borah	Jones, N. Mex.	Penrose	Sterling
Calder	Kellogg	Phelan	Stone
Chamberlain	Kendrick	Pittman	Sutherland
Culberson	Kenyon	Poindexter	Thompson
Curtis	King	Pomerene	Tillman
France	Knox	Ransdell	Townsend
Frelinghuysen	La Follette	Reed	Trammell
Gore	Lewis	Saulsbury	Underwood
Gronna	McCumber	Shafroth	Vardaman
Hale	McKellar	Sheppard	Wadsworth
Harding	McLean	Sherman	Warren
Hitchcock	McNary	Shields	Weeks
Hollis	Myers	Simmons	Williams
Husting	New	Smith, Ariz.	
James	Norris	Smith, Mich.	

The PRESIDING OFFICER. Sixty-six Senators have answered to their names. There is a quorum present.

Mr. McNARY. Mr. President, on the 30th of June last I prepared and submitted an amendment to the pending bill. In view of the ruling of the Vice President a few moments ago, I should like to have the amendment read at this time.

The PRESIDENT pro tempore. Without objection, the amendment will be stated.

Mr. STONE. Mr. President, I desire to offer an amendment to the pending bill now under consideration, in order to have it pending.

The PRESIDENT pro tempore. The amendment will be received.

Mr. CALDER. I offer an amendment, which I desire to have considered as pending.

The PRESIDENT pro tempore. The amendment will be received. The question is on the adoption of the amendment proposed by the Senator from North Dakota [Mr. GRONNA] to the amendment of the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. GRONNA. Mr. President, I desire to say to the Senator from Oregon [Mr. CHAMBERLAIN] that my colleague [Mr. McCUMBER], who objected a moment ago to this amendment going over, has since informed me that he would have no objection to a unanimous-consent agreement to let it go over until 3 o'clock, and to let the amendment proposed by the Senator from Oregon be printed.

Mr. CHAMBERLAIN. I think I can have the amendment printed by that time.

Mr. GRONNA. Then, it will be understood that it will be taken up at 3 o'clock. I think there is no objection to that. I ask that the pending amendment also go over.

Mr. STERLING. Mr. President, if the amendment of the Senator is to go over and the amendment of the Senator from Oregon is to be printed, I ask that the substitute offered by me a while ago may also be printed.

The PRESIDENT pro tempore. The Chair understands the request to be that the pending amendment be postponed for consideration until 3 o'clock, and that meanwhile the amendment of the Senator from Oregon and the proposed substitutes and amendments thereto be printed.

Mr. CHAMBERLAIN. Amendments to section 12.

The PRESIDENT pro tempore. Amendments to section 12. Is there objection? The Chair hears none, and it is so ordered. The amendment of the Senator from Oregon will come up at 3 o'clock.

Mr. POMERENE. Mr. President——

Mr. CHAMBERLAIN. I think, if that be disposed of, that the motion to strike out section 15 is in order.

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

Mr. POMERENE. May I ask if the amendment is a committee amendment?

Mr. CHAMBERLAIN. No; it is not a committee amendment.

Mr. POMERENE. I will yield to the Senator from Oregon.

Mr. CHAMBERLAIN. The motion was to strike out section 15.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Oregon to strike out section 15.

The amendment was agreed to.

Mr. CHAMBERLAIN. There is only one other amendment which I desire to suggest, and I think it will not need any discussion at all. Senators will remember that section 17 of the bill provided, in substance, that no salary in excess of $3,500 should be paid. In view of the fact that the first section of the bill, as now amended, provides for a $7,500 salary to each member of the board, I desire to have section 17 amended by striking out and inserting, so that it will make provision for the increased salary. I ask that the Secretary read the proposed amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out section 17, and in lieu thereof to insert:

SEC. 17. That the sum of $2,500,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be available until June 30, 1918, for the payment of such rent, the expense, including postage, of such printing and publications, the purchase of such material and equipment, and the employment of such persons and means, in the city of Washington and elsewhere, as the President may deem essential: *Provided*, That all salaries and wages paid under the provisions of this act shall be the equivalent of salaries and wages paid in other departments of the Government for like services; and in no event shall any salary be paid in excess of $3,500, except as herein specifically provided.

The PRESIDENT pro tempore. The question is on the adoption of the amendment proposed by the Senator from Oregon.

The amendment was agreed to.

Mr. McNARY. Mr. President, I desire at this time to call up for consideration the amendment which I submitted a few moments ago.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend section 19 by adding a new paragraph, as follows:

Provided further, That the President, in his discretion, may expend from the amount hereby appropriated not to exceed the sum of $20,000,000 on reclamation projects in accordance with the provisions of the reclamation act approved June 17, 1902, and acts amendatory thereto.

Mr. McNARY. Mr. President, I desire to speak very briefly on the amendment which I have offered.

At the threshold of the statement I propose to make on behalf of this amendment I am frank to declare that I do not want to burden the food-control measure with unnecessary luggage, as its speedy passage in a perfected form is necessary to the accomplishment of those beneficent purposes which its advocates believe are certain to follow. Hours now are as precious as were days in normal times, and I have no doubt that the delay in passing this bill has placed a toll upon the American public which it will sorrowfully pay before the year is over. War necessities demand speedy action by the removal of all barriers to an abundant production and an equitable distribution of food products. The producer must have assurances from some governmental source of a fair profit, while the consumer must be screened from the heartless exactions of the speculator. No particular class must be made to feel the hardships of war while another class is permitted to enjoy the favor of its profits.

One of the corner stones upon which food-control legislation is founded is increased production, and that is the purpose and aim of the amendment which I have offered. We have daily referred to the necessity of man power, yet equally important is land power; that is, the ability of the available acreage to yield bountifully and the possibility and practicability of bringing more land into the fold of productivity.

If we are to feed our people, and our armies and to assist in feeding our allies, we must look in part to those vast acres of unreclaimed lands that lie to the west, for there rests the potential possibilities of war's success.

Our consumption of wheat has increased faster than our acreage, with the result that our exports to the foreign nations have decreased during the past decade over 30 per cent. A very large part of our agricultural land has been brought under cultivation, and we can increase production of food only in two ways: First, by rejuvenating our lands by the use of fertilizers, which is practical and generally employed, yet expensive, and, second, by immediately increasing the acreage of productive lands.

To a large extent our fertilizers have been imported. From Germany comes our potash, which the war has stopped, while we have drawn upon Chile for our nitrates but which beds are now approaching exhaustion. As yet we have not developed water power for the making of nitrogen, which has proven successful in Germany and Canada.

The automobile and farm tractor has curtailed the available quantity of stable manure until its cost is almost prohibitive, and for that reason green manures, such as leguminous crops, are now the farmers' chief agency in restoring to the soil the plant foods that make for soil restoration.

In view of this situation it becomes almost imperative in times of war to look for and develop latent productive sources which are calculated to increase food production, and that is the justification for adding the amendment here proposed. Extending the area of productive lands in the United States is the purpose of the work of the Reclamation Service, and this was made possible by the congressional enactment of 1902 and acts amendatory and supplementary thereto.

To some of the Senators who have not had time to consider the purpose of the amendment, it might appear that an attempt was being made to divert public money from a purpose foreign to the bill under consideration, but such is not the case, as the revolving feature of the reclamation act does not admit of the exhaustion of the funds the President, in his wisdom, might use for development of present or new projects.

Out in the 16 Western States are millions of acres of arid lands which could be made to blossom and to yield bountifully by the application of water brought about by Government aid. In the State of Oregon I will cite but one example of the prompt returns in the shape of increased food production that would follow governmental assistance. The Warm Spring district in eastern Oregon needs a dam which Government engineers say would cost $400,000 and which would require six months for its construction. In the project 12,000 acres are now annually producing 40,000 tons of hay, but the supply of water is exhausted about the 1st of July, and in consequence thereof only one crop is harvested, whereas a more liberal supply of water would insure an additional crop. Five thousand more acres now unproductive could be made ready for cultivation by the time the dam was completed. Subsequently and within the time for harvesting the crops in 1918, 15,000 or 20,000 adjoining acres could be brought to a state of cultivation.

Throughout the entire West many examples of this kind could be detailed as practical possibilities in the scheme of reclamation but are halted on account of the lack of funds. Other equally important projects in Oregon, upon which work could be commenced at once and which in the aggregate contemplate hundreds of thousands of acres of land susceptible of irrigation are the Deschutes, Malheur, and Owyhee projects; Silver Lake project; John Day and Ochoco projects; and Butter Creek, Klamath, and Rogue River projects. Similar opportunities exist in other arid and semiarid Western States.

Mr. President, I desire to place in the RECORD the following telegrams, which contain data confirmatory of that which I have said:

Amendment carrying twenty million for reclamation means a vast addition to the productive possibilities of the country. Through you we urge upon Congress that this amendment will do more to increase grain, beef, and wool production in 1918 and the future than any other feature of the bill. It will certainly do much to prevent the sure shortage of foodstuff whether the war continues or ends. Signed, John H. Lewis, State engineer; George M. Brown, State attorney; Julien A. Hurley, State senator.

If Oregon should get portion of your appropriation for reclamation, the food product of 75,000 acres will be doubled. In two years time 10,000 acres would be doubled next spring. You know character of Snake River Valley lands most productive in West, if plenty of water available. We strongly urge the adoption of your amendment and an apportionment to Oregon. Signed, Ontario Commercial Club.

Therefore, Mr. President, it will be observed that the amendment which I offer contemplates a governmental adventure quite akin to the main purpose of the measure which it proposes to amend, namely, the increase of food production.

I received yesterday a letter from the Director and the Chief Engineer of the United States Reclamation Service which is confirmatory of the telegrams I have read. I do not wish to tire the Senate by reading this letter. It covers the situation in Oregon as I have attempted briefly to outline, as well as the situation in the other arid States. I also ask, Mr. President, to have the privilege of having this letter printed in the RECORD.

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

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
OFFICE OF THE DIRECTOR,
Washington, D. C., July 18, 1917.

Hon. CHARLES L. MCNARY,
United States Senate.

MY DEAR SIR: Replying to your letter of July 16, $20,000,000 can be used to great advantage in the reclamation States, especially in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, and Wyoming.

The Reclamation Service is now developing throughout the West, including all the above-named States, some 20 projects, intended ultimately to irrigate approximately 3,000,000 acres. The principal works have generally been constructed, such as the large storage reservoirs, diversion dams, tunnels, etc. The canal systems have been extended to cover approximately 1,500,000 acres. Thus the work remaining to complete these projects is mainly (though not entirely) additional canals and extensions of existing canals to cover new lands, on account of which large investments have already been made in the major works, and drainage systems to safeguard the land already covered from waterlogging.

At present our progress is limited by the amount of money available. The annual appropriation from the reclamation fund has recently been about $8,000,000. About half of this is required for work that brings no additional land under canal. The main item in this category is the operation and maintenance of the systems already built, the cost of such operation being largely "turned over" each year—i. e., expended and collected—but the collections reenter the reclamation fund and must be reappropriated each year. Under present conditions and laws the reclamation fund will provide even less for new construction in the next few years than now.

Thus, if $20,000,000 were added to the reclamation fund, its best use would be toward completing these projects now under development. It might also be used to build or initiate one or more additional projects. There are a great many of these demanding attention, especially where projects have been partly built, or the lands covered in part by canal, requiring storage works to insure the water supply and additional canals. Some of the projects in Oregon are especially available, as we have for them more complete information gained through cooperative work with the State.

It is difficult to say for how many acres irrigation works can be provided with $20,000,000. Of course, this depends on where and how it is used. On new projects it should make water available for from 200,000 to 400,000 acres. On the extension of the present Government systems this might well reach 500,000 acres and more.

I am sending you herewith the following:

1. Fifteenth Annual Report of the Reclamation Service.
2. Preliminary reports resulting from investigations in cooperation with the State of Oregon on the following projects:
   Malheur and Owyhee.
   Deschutes.
   Ochoco and Crooked River.
   Harney and Silver Creek.
   Rogue River Valley and Willamette Valley.
   John Day.
   Silver Lake.
   Warner Valley and White River.
3. Hearing before the Committee on Irrigation of Arid Lands of the House of Representatives on April 15, 1916. This is our file copy, and I would appreciate its return at your convenience.
4. General Reclamation Circular, which contains the Federal reclamation laws for convenient reference.

Very truly, yours,

A. P. DAVIS,
Director and Chief Engineer.

Mr. MCNARY. I hope sincerely that the Members of the Senate will favor this amendment and will give it the hearty support it so richly deserves.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Oregon [Mr. MCNARY].

Mr. JONES of Washington. Mr. President, as I understand, this amendment makes available out of the $150,000,000 appropriated $20,000,000 for irrigation purposes to carry on Government projects now under way, or to take up new projects. I am very earnestly in favor of this amendment. I think I know pretty well the possibilities of lands under irrigation. In my State we have two or three projects, and as indicating what can be done, I desire to say that the reclamation reports show that the proceeds per acre from one of the irrigation projects in my State average over $70. That was before the present abnormal prices came in. The productive capacity of reclaimed lands is extremely great, and I do not believe we could expend the money of the Government more wisely than along the lines contemplated by the amendment of the Senator from Oregon.

I did not know that amendment would come up to-day, or I would have had some details and facts which I think it would be interesting to present. I am not going to take the time of the Senate further than to join with the Senator from Oregon in the hope that the Senate will agree to this amendment. I believe that it is very important as a war proposition, and that for the purpose of increasing the food production of the country we could not expend $20,000,000 more advantageously than in this way.

Mr. KENYON. Mr. President, I dislike to oppose a proposition advanced by the Senator from Oregon, but let us face the situation just as it is. Undoubtedly there are numerous projects which could be added to this bill fully as germane as the amendment of the Senator from Oregon. I apprehend the river and harbor bill might be attached to it on the same theory, and, the first thing we know, the bill would be completely loaded down with amendments which it would be impossible to hold in conference.

The last food bill that passed the Senate was loaded down at the last moment with amendments covering nearly every conceivable subject. There was a reclamation project proposition included in that measure by way of amendment, and public-lands questions that had no place there at all. All of those matters have made it difficult, if not almost impossible, to secure any agreement amongst the conferees on that bill; and the conferees and Congress have been subjected to great criticism because of the delay on that bill.

Now, if we commence to attach propositions of this kind to this bill many other propositions will go on it, and it will simply be loaded down. Consequently I hope that we may confine this bill, as far as possible, to the purposes for which it is designed, and not permit every kind of an amendment to be attached. I say this without questioning the merits of the proposition. I hope, on the theory I have suggested, that this amendment will not be adopted.

Mr. JONES of Washington. Will the Senator allow me to ask him a question in his time?

Mr. KENYON. Certainly.

Mr. JONES of Washington. I desire to ask the Senator in regard to the first food bill to which he has referred. There was an amendment put on that bill that does not exactly relate to an irrigation project, but suspends one provision of the reclamation law relating to residence upon land during the pendency of the war. It would not cost the Government a cent, but would make it possible to have cultivated a considerable area of land for which water is actually available and in that way increase the food supply. I want to take this opportunity to express the hope that the Senate conferees may convince the House conferees that that proposition ought to be retained in the bill, for, I repeat, it will not cause the Government any expense and will result in the actual cultivation of a large area of land. I do not know whether or not the Senator can express any opinion as to that.

Mr. KENYON. I will say to the Senator that the Senate conferees are trying to secure the retention of that amendment in the bill, and I am inclined to think that they will succeed.

Mr. JONES of Washington. I can not see any real valid objection to a proposition of that sort.

Mr. HITCHCOCK. Mr. President, I desire to submit the amendment which I send to the desk, so as to come within the rule.

The PRESIDENT pro tempore. Without objection, the amendment will be received. The question is on the amendment offered by the Senator from Oregon [Mr. MCNARY].

Mr. TRAMMELL. Mr. President, I am very much interested in the matter of reclamation, more particularly from the standpoint in my State of reclamation by drainage instead of the reclamation of arid lands. I wish to state that, if it shall be declared the policy of the Senate to amend this bill by providing funds to assist in carrying along arid-land reclamation projects, I shall then ask, in behalf of a very meritorious reclamation project in my own State, that the President also be authorized to use part of the funds to assist in the reclamation of the Everglades of Florida.

I have no contention to make, nor have I any disapproval to utter, as to the policy of Congress heretofore in assisting in the reclamation of the arid lands of the West; but I do think, Mr. President, there being a vast territory, practically an empire, within my own State subject to reclamation, land that is very productive and fertile, land that could be reclaimed at a much smaller sum per acre than the arid lands of the West, that my section of the country, this vast drainage district within the State of Florida, is entitled to some of the beneficent treatment of the Government. If we are to amend this bill and authorize the expenditure of a considerable part of the sum appropriated to assist in the reclamation of the arid lands of the West, if it is the policy of the Senate to authorize such an expenditure, I shall present an amendment covering a project which I think is equally as meritorious for the consideration of the Senate and ask that a certain amount of the funds be authorized to be expended in carrying on the reclamation of the drainage project now in course of progress in Florida.

We have in that State 4,000,000 acres of very rich and productive land that could be reclaimed at a very small cost per acre, considering its value. The State and the owners of the land within the territory are pushing the work forward as rapidly as possible, but some financial assistance from the Federal Government would, of course, expedite this deserving enterprise.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Utah?

Mr. TRAMMELL. Certainly.

Mr. KING. Are the lands to which the Senator refers Federal lands, or are they lands belonging to the State?

Mr. TRAMMELL. The lands belong in part to private owners and in part to the State. Possibly a third of the area belongs to the State.

Mr. KING. Does not the Senator know that the lands to which the Senator from Oregon refers are Government lands, and is there not a very clear distinction between the Government utilizing its funds for the reclamation of its own lands and using governmental funds for the reclamation of lands belonging to a State or to private individuals?

Mr. TRAMMELL. Mr. President, I am thoroughly cognizant of that distinction, but all we wish is to be placed upon the same basis. It is the policy of the Government to advance funds for the reclamation of the arid lands and then to sell the lands upon certain installments, allowing the purchasers to refund to the Government the moneys which have been expended on the reclamation project. The cost of reclamation in the West has run from $25 even to $60 per acre. We have a vast territory of exceedingly rich land that can be reclaimed, and is being reclaimed, at an average cost of from possibly $4 to $10 an acre, and all we ask is that we have similar consideration on the part of the Government and some financial assistance—not a direct appropriation, but something in the nature of financial assistance.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Oregon?

Mr. TRAMMELL. Yes, sir.

Mr. McNARY. I desire to state to the Senator from Florida, if he will permit me, that there is nothing in this amendment in the way of an inhibition of the use of the money in connection with projects in any of the States, if it is governmental in character. It is the purpose of the amendment to provide for the reclamation of lands so as to bring them into a state of cultivation, and if, in the discretion of the President, a part of the fund should be applied to the project to which the Senator from Florida refers, I presume that could be done, provided it is governmental in its character.

The money derived from the sale of land on reclamation projects becomes a revolving fund and is set aside for the purpose of reclamation. I do not know anything in this amendment or in the reclamation act or in any of the acts amendatory thereof which would prevent the use of a portion of this money in Florida, in the discretion of the President, if he thinks it proper to expend it there; provided, of course, the project comes within the operation of the reclamation act.

Mr. TRAMMELL. Mr. President, of course this amendment refers to the law of 1902. The law of 1902 was so framed as to fit the situation in the West with reference to the arid lands in that section, but does not meet the conditions in my State. Of course we would have no hope of getting any benefit from such an amendment.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from New Jersey?

Mr. TRAMMELL. Yes.

Mr. FRELINGHUYSEN. I should like to ask the Senator's permission to introduce an amendment so as to have it pending and printed. Two o'clock is the time limit under the rule for the presentation of amendments, and I should like to have the amendment I now offer introduced before that time.

Mr. HITCHCOCK. If the Senator from Florida will extend the same courtesy to me, I also offer an amendment.

The PRESIDENT pro tempore. Without objection, the amendments offered by the Senator from New Jersey and the Senator from Nebraska will be received.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield for the purpose of offering amendments?

Mr. TRAMMELL. Yes.

Mr. McCUMBER. I desire to make an inquiry.

Mr. TRAMMELL. Mr. President, I yield the floor. I have nothing further to say. I have no objection to entering upon the project to which reference has been made by the Senator from Oregon, but I wanted to bring to the notice of the Senate the fact that we have a very worthy and commendable enterprise of a similar character in Florida, except that it is a matter of reclamation by drainage instead of by irrigation. I express the hope that if it is the policy of the Senate to so amend this bill as to extend the beneficence of the Government to the projects of the West we may also have Florida included.

Mr. McCUMBER and Mr. LEWIS addressed the Chair.

The PRESIDENT pro tempore. The Senator from North Dakota.

Mr. McCUMBER. I will say to the Senator from Illinois that I am not going to make an address. I merely desire to make an inquiry, if the Senator will allow me. I wish to know under what provision of the unanimous-consent agreement there is found anything which requires amendments to be presented before 2 o'clock to-day?

The PRESIDENT pro tempore. The Senator will readily ascertain from the last clause of the unanimous-consent agreement that amendments must be presented before two o'clock to-day.

Mr. LEWIS. Mr. President, I rise for the same purpose. I was not of the opinion that the presentation of amendments was limited to 2 o'clock, but inasmuch as they are I desire to have it understood that I have tendered an amendment striking out fuel from the provisions of the bill. Later I will amplify that on the assumption that my amendment will be treated as having been offered.

The PRESIDENT pro tempore. The Senator from Illinois offers an amendment striking out the word "fuel" from the bill wherever it happens. The amendment will be considered as pending.

Mr. HUSTING. Mr. President, I rise to a parliamentary inquiry.

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

Mr. HUSTING. Before the President pro tempore took the chair I reserved the right to have a separate vote on two proposed amendments. I should like to inquire whether it is necessary to present those amendments before 2 o'clock?

The PRESIDENT pro tempore. If the amendments are pending, and have not come to a vote, they will necessarily be voted on. The Chair can not otherwise answer the Senator, not knowing the circumstances of the inquiry.

Mr. HUSTING. I will state that the amendments were pending before the Senate and were disposed of as in Committee of the Whole. Now, do I understand that they are still pending, so that the reintroduction of those amendments is not necessary?

The PRESIDENT pro tempore. The Chair does not know the circumstances regarding which the Senator inquires, and can therefore not answer, but will refer him to the unanimous-consent agreement. That is the only matter which interferes in any way with the ordinary rules of the Senate.

Mr. HUSTING. In order that there may be no question about this——

Mr. VARDAMAN. Mr. President, if the Chair will permit me, I will state that after 2 o'clock, as I understand, no amendment can be submitted to the bill, except by unanimous consent.

The PRESIDENT pro tempore. The Chair will state that that is the understanding of the present occupant of the Chair.

Mr. HUSTING. Then I offer the two amendments. I offer the amendment proposed by the Senator from Colorado [Mr. SHAFROTH] in regard to the make-up of the board, reducing it to one. I also offer the amendment submitted by me in the Senate as in Committee of the Whole providing that the President shall have the power, by proclamation, in the event he finds it necessary, to include other commodities in this bill. I refer to this so that it may be in the RECORD; and I should like to have it understood that it is in the RECORD, and that the amendments are pending.

The PRESIDENT pro tempore. Without objection, the amendment proposed by the Senator from Wisconsin will be received without prejudice.

Mr. KING. Mr. President, I should like to support the amendment offered by the Senator from Oregon [Mr. McNARY], but in view of the fact that this bill has been offered for a specific purpose and because after long negotiations and discussions this bill, by way of compromise, was tentatively agreed upon, it seems to me that to add to it extraneous matters would jeopardize its passage. Senators, in order to reach some basis of action, waived provisions that they would like to see incorporated in the measure under consideration, and it would be unwise to open the door to general legislation, no matter how meritorious it might be.

I think one of the really great acts of statesmanship on the part of the Congress of the United States within the past 25 years was the passage of what is known as the Newlands Act, which provides for the reclamation of arid lands in the West. The Interior Department has attempted to faithfully carry into effect the beneficent provisions of this law, and one of the results

is that vast tracts of arid lands have been reclaimed and have added millions of dollars in value to the wealth of States and the Nation. Upon these sterile wastes of a few years ago prosperous cities and towns have been builded and thousands of people have happy and peaceful homes. In time the Government will be repaid for the vast sums expended for reservoirs and irrigation systems. Notwithstanding what has been done by the Government, my opinion is that the best way to handle the public lands of the United States is by ceding them to the States within which they are found. It is my opinion that the record of the Federal Government in controlling and disposing of the public domain is not one that can be commended. I believe that its plan of control has been unwise, and it certainly has been exceedingly expensive. My criticism goes not to any administration but to the general plan under congressional enactment. Notwithstanding the fact that the holdings of the Government are much less than they were 15 or 20 years ago, the cost of maintaining the Interior Department and looking after the public lands, and the operations of the Government in connection with them, as I am advised, is greater now than it was then; so that with less lands it costs the Government more to look after its public possessions in the West than it ever did before. However, this must be said, the reclamation projects, the forest reserves, and the work in Alaska necessarily call for large expenditures and make a comparison of cost unfair.

When I had the honor to represent my State in the other branch of Congress I offered a bill providing a cession to the States all of the public lands within their borders; and I know that at that time distinguished Republicans and Democrats, the leaders in the House, were in favor of the passage of the measure or a similar one. My opinion is that the day will come when Congress will cede to the States the public lands within their respective borders; not only the agricultural lands, but also the mineral lands. However, there are stronger reasons for withholding a grant of the mineral lands than there is of the agricultural lands. The plan pursued by the Government in dealing with the public domain has not been satisfactory. It has proven costly to the Government and has resulted in constant friction between the Federal and the State Governments. Senators will remember that for years leasing bills or other measures have been presented affecting the public domain and the relations of the public to the same, and there has been friction and controversies between the State governments and the Federal Government with respect to the same and to the control of the public domain. The Western States feel that their growth and progress have been retarded by the paternalism of the Federal Government, and the people have opposed the rules and regulations promulgated and enforced by the Interior Department.

The whole system has been obnoxious to them; it has been bureaucratic; and resentments have been felt not only against the Government, but against the hundreds of employees of the Federal Government, who, it has been felt, have been harsh, autocratic, and unnecessarily technical and severe in the administration of the law and the rules promulgated by the department. I am making no criticism of the present administration, but speaking generally of the situation which has existed for years. There has been constant irritation and the Government has not profited by owning the land, and the growth of the States, it is felt, has been impeded.

I believe that the States can handle the public domain better than the Federal Government can handle it. The government of a State and the people within the State can in a more economical manner and in a way more in consonance with their wishes control and dispose of the public land therein. My information is that the State of Texas has handled its imperial domain far better than the Federal Government would have controlled and disposed of the millions of acres of land found within the State's border.

Mr. President, the amendment offered by the Senator from Oregon, as I understood it, contemplates the expenditure of a large sum of money in the development of lands that belong to the Government; but in his statement just submitted to the Senator from Florida, I understand that it goes further and would permit the employment of the money appropriated in the development of lands that belong to private individuals, or lands belonging to the State of Florida or any other State.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. I think there is no doubt but that the amendment simply turns the money over to the Reclamation Bureau. Of course, the Senator knows that under the reclamation law it would not be necessarily confined to public lands, although practically it has been so confined to a great extent.

Mr. KING. If the Senator will pardon me, I think the spirit of that act is that the funds shall be devoted to the reclamation of lands belonging to the United States.

Mr. NORRIS. Yes; but in almost every reclamation project there is a large amount of private land, in some projects more than half private land. As I understand, it is no technical, legal objection that the land is privately owned, but the money is a revolving fund, and all comes back, of course, to the Government. This amendment of the Senator from Oregon, as I understand it, simply adds that much to the reclamation fund, and it would be applied under the law at any place where the Reclamation Bureau might see fit to use it, the same as they use the funds now controlled by them.

Mr. KING. Primarily, however, the reclamation fund was provided for the purpose of reclaiming lands belonging to the Federal Government, and I am sure that that bill never would have received the support that it did, or have been passed, if it had been proposed that any part of the fund would be devoted to the reclamation of private lands or lands owned by States. The contention was made that the Federal Government owned millions of acres of arid land which, if water were applied thereon, would become exceedingly productive and furnish homes to hundreds of thousands of home seekers in the Republic.

Mr. NORRIS. Mr. President, will the Senator yield again?

Mr. KING. I yield.

Mr. NORRIS. The Senator states the case correctly; there is not any doubt about that; but when you come to a practical application, in laying out an irrigation project you necessarily run across a great deal of privately-owned land. I do not suppose there has been a single project where there has been nothing but Government land. It would be impossible to find such a place, perhaps, at least in any large project. So that to make it practical you would necessarily get a good deal of privately owned land. Of course, the real object was to develop the arid public lands; that is true; but in developing them you would necessarily have to develop other land that would come under the same ditch.

Mr. KING. I think the instances to which the Senator refers have occurred under circumstances like these: There have been flood waters having the same source as the low waters. The low waters were all owned and appropriated during the irrigation season by the primary water users, by those having, as we say in the West, the primary water right. The Government in some cases has entered upon those streams for the purpose of impounding the flood waters, and in order to build reservoirs and conserve the higher surplus waters for use by new settlers upon public lands it has necessarily been compelled to enter into arrangements with the owners of the primary flow in order that there should be no conflict, and both the Government and the primary owners would get what each was entitled to.

This has resulted in the Government taking control of the entire stream, both the flood and surplus waters as well as the primary flow. In so doing it has distributed to the primary holders a certain quantity of water, and the balance has been used upon lands that belonged to the Federal Government, and which the new settlers were seeking to reclaim and obtain title to. So a sort of a partnership arrangement has been made, and in some instances, as I am advised, corporations have been formed and the primary owners have conveyed their water rights to such corporations, and they have water distributed to them according to their interest in the corporation. The corporation, however, would hold only the legal title to this water in trust for the grantors.

But to come back to what I was observing. The primary object of the law was to reclaim the public domain, and to furnish homes to the courageous men and women who would enter thereon and subjugate the stubborn and arid wastes of the West, and I certainly would oppose, even in these war times, the appropriation of money out of the Federal Treasury for the purpose of reclaiming the lands of individuals, or the lands of any States within the Union. If the Government will not cede its public lands to the States, I should be glad to see it as soon as it can in a practical and proper way construct other and additional irrigation systems for the purpose of reclaiming its lands in the West; but I believe that at this time we would not be warranted in making appropriations for that purpose. Certainly nothing should be offered as an amendment that will further delay the passage of the bill under consideration.

The PRESIDENT pro tempore. The Chair must call the attention of the Senator from Utah to the fact that his time has expired.

Mr. VARDAMAN. Mr. President, the most valuable thing existing beneath the folds of the American flag is a human being. The best place to develop that human being is on the farm. I would rather have one boy raised on the farm than three raised in the city. On the farm, where a man lives close to nature, with honest and salutary environment, where morals are valued more highly than money, and character is above reputation, we find the man and woman—if not the finished product—the foundations are laid for the most perfect and symmetrical characters. Then, they have not been spoiled by the social lies that warp us from the living truth, nor their characters perverted by the social wants that sin against the strength of youth.

I think the largest returns come to all the people from money expended by the Government in aiding in the establishment of homes for the citizens in the country. Therefore, any measure or appropriation intended to promote home building in the rural sections or contributing to the comfort and well-being of the rural population of this Republic commands my most cordial sympathy and support.

But I take it that this bill should not be burdened with amendments of this character. I am afraid, as was said by the able Senator from Iowa [Mr. KENYON], that if this amendment should be adopted it would open a floodgate for other similar amendments. And yet, Mr. President, I am persuaded that the $20,000,000 proposed to be devoted for the reclamation of arid lands in the West would bring to the American people larger returns than any carried in this bill.

There is no doubt about the need of homes—country homes for the people of America. Upon the farm is produced the things that feed and clothe the world, and in addition to the fact that the necessaries of life are produced upon the farm, it is also the breeding place for the rugged virtues, the sterling qualities which shall save this Republic, if indeed it shall be saved at all, from the corroding greed for gold and other sordid influences that are eating out the hearts of the people in the urban districts of the land.

But for the large number of recruits that go into the cities every year from the rural districts, the population of those congested centers would deteriorate and rot in three generations. No; I insist most earnestly that money invested as this $20,000,000 is proposed to be invested would not be an extravagance, but on the contrary it would be a very wise and prudent economy.

But I do not want to delay the passage of this bill. The American people demand its immediate passage. As I have heretofore stated I think the results are going to be disappointing to the consumer and producer alike. The Utopian conditions which are promised by the proponents of the measure to follow its enactment will be, in my judgment, almost as disappointing as the sea fruit, which, instead of delighting the palate of the hungry, turns to ashes upon the lips.

But if this amendment is adopted other similar amendments will be proposed, and the original purpose of the bill may be defeated altogether.

I want to say to the able junior Senator from Oregon [Mr. MCNARY] that I shall be glad in the future to cooperate with him and other Senators from the West in any movement leading to the development of that great country. I want to see the latent fertilities and beneficent elements of that wonderful soil developed, which will mean much good to the American people without regard to section, because it is a fact that you can not add to the wealth of the farms in the remote West without benefit to the people of every section of this Republic.

Prosperity in the home of the agriculturist brings light and life, and hope, patriotism, strength, and virtue among all classes of people. I therefore regret that I can not vote for the amendment, not for the reason, as I stated before, that it is without merit but because I think its adoption at this time would lead to the introduction of other measures which might, if not defeat the bill, fatally impair its usefulness.

Mr. NORRIS. Mr. President, I would not want to burden this bill with anything that I thought had no connection with it, that would delay it, or that was not strictly legitimate; but the more I think about it the more I believe that the amendment proposed by the Senator from Oregon would not have the effect either of delaying the bill or of defeating it, but, on the other hand, if it were adopted and put into the law, there would be more increased production coming from that $20,000,000 than from any other $20,000,000 in the bill. The machinery is all ready; the overhead expenses are provided for; the projects, a good many of them, are commenced; the bureau is in full working order, and the effect of this amendment, if agreed to, would simply be to increase and extend their operations at once, and what would be irrigated five years from how would be irrigated this year and next year.

Mr. VARDAMAN. Mr. President——

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

Mr. NORRIS. I yield to the Senator.

Mr. VARDAMAN. I want to ask the Senator how long it would be before we could expect results from this investment? How long would it be before you would get returns?

Mr. NORRIS. I think immediately. I think on projects where, for instance, they are digging the ditch this year, next year they are going to extend it, and next year they will extend it still further; and every time they extend it, all the land under the ditch is immediately put into the crop.

Mr. VARDAMAN. Does the Senator think it will affect the crop this year or next?

Mr. NORRIS. Next year; yes. These ditches would be extended further. It would simply increase, and practically at once, the cultivated land under irrigation. Again, there is this to be said in favor of it, Mr. President: The money comes back to the Government. The only thing the Government does is to be without interest on the money; that is all. It gets back every dollar again. The men who do the work, who irrigate the land, pay the Government for it. It comes back. It does not lose the money.

Senators must not get the idea, either, that this is a local proposition. The Senator from Oregon, it is true, gave some very good illustrations of what could be done with it in Oregon; but this money would go to the reclamation fund. That covers the entire United States; and if there is any land in Florida for which it could be properly utilized, the bureau would have the right to use it there without any additional legislation. It simply increases their activities.

Mr. JONES of Washington. Mr. President——

Mr. NORRIS. I yield to the Senator from Washington.

Mr. JONES of Washington. I think the Senator is mistaken in that. I think the reclamation act names the States in which it shall apply.

Mr. NORRIS. Probably it does. I think the Senator from Washington is correct about that; in fact, since he has called my attention to it, I know he is correct; but it applies to any State where there might be a reclamation project.

I presume that the bureau, having in mind the fact that the real object of this is to increase the food supply and production of the Nation as a war proposition, would use the most of it in the extension of projects that are already under way, where the effect of it could be seen almost the next day after it was used. It seems to me that since the Government does not lose anything by the operation, it could be well utilized; and, as far as I am concerned, I should like to see the amendment agreed to.

Mr. SHAFROTH. Mr. President, since the discussion upon this bill has opened up so widely the policy of the Government with relation to the public lands, I want to say a few words with relation to it.

About 10 or 15 years ago there was adopted a policy of withdrawing public lands in the western part of the country, withdrawing water-power sites, coal lands, and forest lands; and while there was no power to make a permanent withdrawal, there was a law that the Secretary of the Interior could fix a price upon coal lands. Instead of fixing those prices at a reasonable figure, however, they were fixed at an exorbitant sum, at such a great figure that in recent years there has been no such thing as the taking up of coal lands in the West; and it is due very largely to that policy that this shortage in coal exists in the United States to-day. In the West it has given to those companies which have title to their coal lands a monopoly of coal production, which has resulted in high prices there. The Geological Survey has reported that in the public lands of the State of Colorado there are 371,000,000,000 tons of coal, enough to supply the entire world at the present rate of consumption for 300 years, and enough in the State of Wyoming to supply the world for 400 years. Had those lands been opened to entry, had they been put up at public auction and sold, there would have been, unquestionably, a great development in the western country in the way of coal production, and this shortage in coal would not have existed, at least to the extent that it now exists. We have always felt that that was a great grievance and a great wrong to the Western States, and we still feel it; and we hope that there will be some legislation during this Congress to relieve that condition.

Mr. President, with respect to this amendment which is offered, I wish to say that the reclamation act was passed some 15 years ago. The object, of course, was the development of lands that were practically worthless unless water could be gotten upon them. Private enterprise had taken all of the lands that were easy of reclamation, but it left many million acres of land that could be irrigated by the construction of

large irrigation works. The Government has undertaken some of those, and some of those projects are not completed yet, by reason of the fact that there is not a sufficient revolving fund for the purpose of aiding the construction of these ditches and reservoirs so as to include larger areas of land.

You know that irrigated lands are exceedingly productive. Applying moisture to fertile lands when needed, under almost perpetual sunshine, always yields enormous crops. It is not an uncommon thing to raise 50 or 60 bushels of wheat to the acre upon irrigated lands, and those are the very lands that the Government ought to be most interested in developing. The fund of $150,000,000 carried in this bill is a revolving fund for the very purpose of providing foods and of increasing the growth and production thereof. Now, why can not $20,000,000 of that sum be appropriated for the purpose of putting it into governmental enterprises that are already undertaken, already built, but which have not sufficient money available to complete them? As quick as the ditches are extended, or as quick as the dam is raised a little higher, these lands will be irrigated and then will follow the raising of great crops, crops that yield enormous amounts of wheat and corn and other things. You can not have a more rapid development than that which will occur by reason of finishing these projects, by reason of bringing under cultivation these lands that are now raising nothing, thereby to that extent at least relieving the shortage in food products, and in that which we most need to win the war—namely, wheat.

It seems to me, Mr. President, that the amendment of the Senator from Oregon is a reasonable one, and that it would add greatly to the supply of food products.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question?

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

Mr. SHAFROTH. Yes, sir; I yield.

Mr. VARDAMAN. I think there is a great deal of merit in the suggestion the Senator is making; and I want to ask the Senator—who has given very careful and thoughtful consideration to this bill, as he does to all public measures—if there is more money carried in the bill than will be needed; in other words, if $150,000,000 is no more money than Mr. Hoover will need to administer this bill, would it not be necessary to add to the fund if you are going to divert $20,000,000 to irrigation? Is Mr. Hoover going to have enough money left to carry out the provisions of the bill? Can the Congress afford to limit Mr. Hoover in the amount of money he needs to carry out this stupendous scheme?

Mr. SHAFROTH. Mr. President, it is uncertain as to what amount will be required. Nobody can tell.

Mr. VARDAMAN. It will not be uncertain as to the $20,000,000.

Mr. SHAFROTH. The bill is still open to amendment, and you can amend that if you think it is inadequate. It is a revolving fund. This is not an appropriation of money; it is a revolving fund; and for that reason it seems to me that it will be one of the great aids in the way of bringing food products quickly into the market and thereby relieving the condition of strain that is now upon the markets of the world.

Mr. VARDAMAN. Mr. President, I agree with the Senator that there is merit in this proposition; but certainly the Senate committee charged with the duty of bringing in this bill has not put in $20,000,000 more than is needed. Such carelessness in calculating the amount needed to carry out this measure would be inexcusable.

Mr. SHAFROTH. The Senator can amend the bill by simply adding more if he desires. It is not an appropriation of money; it is simply used for the purpose of turning it over again and getting it back into the hands and Treasury of the Government.

Mr. CHAMBERLAIN. Mr. President, I am in hearty accord with the purpose of my colleague [Mr. McNARY] in undertaking to secure an appropriation such as is provided by his amendment for the Reclamation Service. My State would be favorably affected, beneficially affected, by the amendment if it should happen to be adopted. But, Mr. President, I feel that in this great national emergency I must look beyond the advantage that would come to my own State and to the States of the West, where they have large areas of semiarid lands, and look at the question from the national, or rather from the international, viewpoint. So looking at it, it seems to me that this bill ought not at this time to be encumbered with the question of the reclamation of arid lands.

I am satisfied, as has been said here by some of the Senators, that much good would come from the expenditure of this money in bringing under cultivation larger areas of fertile lands in the West; but I doubt very much if they could be brought under cultivation within a year, possibly not within two years, and I think the Western Senators will bear me out when I say that some reclamation projects have been pending now for a great many years and have not yet been brought to their full fruition. I am led to oppose the amendment for the reasons I have stated, as I have opposed amendments which extended the scope of this bill; but I am induced to oppose it for another reason.

On the 6th of April, 1917, I introduced in the Senate a bill known as S. 758. The same bill was introduced in the House by Mr. SMITH of Idaho. It was to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands therein. This bill has been referred to the Secretary of the Interior, and has met the approval of the department. It is constructive in its nature, Mr. President, and supplements and extends the purposes of the reclamation of arid lands to the drainage of swamp lands. I believe that if Senators will look it over they will favor the enactment of this measure, and if it is enacted into law it will tend greatly to add to the agricultural area of the South as well as the West. I hope, too, that Senators will assist me in bringing that measure to early consideration.

Much as I dislike to oppose the amendment proposed by my colleague, whom I hold in the highest esteem, I think the emergency which confronts us now, the necessity for prompt food control, ought to induce us to keep out of the bill nonessentials of this kind or rather amendments which do not have direct bearing upon the subject of food control.

Mr. BORAH. Mr. President, the Senator from Oregon [Mr. CHAMBERLAIN] has just referred to a bill which he introduced in the Senate some time ago and which was also introduced in the House by a Representative from Idaho [Mr. SMITH]; and I have prepared this bill in the form of an amendment to the pending bill, which it had been my purpose to offer. After canvassing the situation, however, I came to the conclusion that my amendment, which incorporates the bill to which the Senator has referred and of which he is the author, could not be successfully presented at this time under the 10-minute rule, and possibly would be regarded as an amendment which was calculated to delay the consideration of this bill. It is a very important measure and would likely give rise to much discussion, and a canvass of the situation convinced me I could not succeed. I concluded, therefore, that while very anxious to have that bill become a law, I should not offer it at this time on this food bill.

I wish to say just a word, however, in behalf of the amendment offered by the Senator from Oregon [Mr. McNARY]. I do not see why that amendment should delay the bill at all. I do not see why it should embarrass the bill. It would not modify or change any provision now in the bill, and it would help very materially, not at once, of course, but in a few months, to supply a greater acreage for cultivation and provide greater food production in the country.

I wish to read a telegram here from a section of the country which 10 years ago was a barren waste. It was known in our State as the "desert," and it is now a very large, progressive, active community. It has been reclaimed under the arid-land laws. In my judgment, when you consider the time in which the community has been developed and the wonderful state of development it has reached, the Twin Falls country is the marvel of all the marvelous growth and development of the West. It shows how well it is to take into consideration not the things merely of a day but the permanent things which have reference to the building up of our country and to our food supply. It is dated Twin Falls, Idaho, and is as follows:

TWIN FALLS, IDAHO, *June 26, 1917.*

Hon. W. E. BORAH,
United States Senate, Washington, D. C.:

Twin Falls County, with its strictly agricultural population of irrigation farmers, who have redeemed the land from a sagebrush desert within 10 years, have contributed to the Red Cross work $80,000, which is 32 per cent of assessment placed upon entire State. Notwithstanding the lack of adequate water upon the Salmon River segregation to the present year, the townspeople and farmers on that segregation have contributed $5,000 toward the above fund. With proper new legislation concerning district irrigation projects partially completed and new irrigation segregations in the West, with their freedom from extremes of storms, droughts, and freshets, can be depended upon to duplicate this effort and assure enormous supplies of food to our common country and its allies during this great crisis.

TWIN FALLS COMMERCIAL CLUB.

This only shows how these things in a very short time come to be indeed a sustaining part of the country, contributing food, citizenship, soldiers, and all which the country now needs.

In view of the fact that this amendment will in no wise modify or change or alter any provision of the bill and will in

no wise delay its passage in any way, I do not see why we should not be making progress in taking care of the reclamation projects in our arid lands.

Mr. NEWLANDS. Mr. President, it will be observed that the amendment offered by the Senator from Oregon [Mr. MCNARY] is not compulsory, but is simply permissive. It enables the President in his discretion to expend from the amount hereby appropriated not to exceed the sum of $20,000,000 on reclamation projects in accordance with the provisions of the reclamation act, and so forth. So, Mr. President, if it should appear that the entire sum of $150,000,000 appropriated by the bill was required for the general purposes of the bill and all those purposes are superior in necessity to that covered by the amendment of the Senator from Oregon, the President will not be compelled to expend any part of this money for the purpose of reclamation.

It seems to me that this discretion might well be left to the President, and that it would be very wise to provide now for the extension of these areas of intensive cultivation, areas which raise enormous crops through the aid of scientific irrigation, crops involving a very much larger yield per acre than the crops of the humid region.

Mr. President, this war has prevented the serious consideration of a great constructive measure, which has been urged for many years, for the general development of our waterways, taking hold of them at their source, leading the flood waters out over the *arid plains*, storing these flood waters in the plains and thus preventing them from going below to the destruction of lower areas, utilizing the flood waters for water-power development, controlling them for the purpose of reclaiming arid and swamp lands, and everywhere restraining and holding them in such a way as to prevent the destructive use of the water and to promote the beneficial and compensatory use of the water, and including in this plan the scheme of river development, river navigation, and the coordination of rail transportation, river transportation, and ocean transportation in such a way as to promote the commerce of the country.

Those views were advocated by Theodore Roosevelt when he was President. They were advocated by Mr. Taft both as Secretary of War and as President, particularly as Secretary of War in an able report which was presented upon a bill which I had the honor to introduce. They have also received the substantial indorsement of four members of President Wilson's Cabinet and have received the approval of President Wilson himself. He has indicated again and again to the proper committees that his great desire is to enter upon a scheme of scientific development of our waterways.

Mr. President, war has prevented our taking up those matters seriously now, but this involves a part of that general scheme of development which can well be advanced now, because the irrigation works of the West are many of them completed, many of them are requiring additional sums immediately to open up areas that are capable of very high production, and it seems to me that we can well partially aid the general scheme of river development and at the same time meet the demand which this bill is intended to meet.

I urge, therefore, upon the Senate that inasmuch as this amendment is simply permissive and not compulsory, it may well grant the President this power.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Oregon [Mr. MCNARY].

Mr. MCNARY. On that I call for the yeas and nays.

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

Mr. DILLINGHAM (when his name was called). Because of the general pair I have with the senior Senator from Maryland [Mr. SMITH], who is absent, I withhold my vote.

Mr. FLETCHER (when his name was called). I make the same announcement as to my pair and its transfer as before. I vote "nay."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY], and I withhold my vote.

The roll call was concluded.

Mr. HARDING (after having voted in the affirmative). I notice that the junior Senator from Alabama [Mr. UNDERWOOD] has not voted, and because I have a general pair with that Senator I am going to ask the privilege to withdraw my vote.

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Arkansas [Mr. KIRBY] and vote "nay."

The result was announced—yeas 29, nays 42, as follows:

YEAS—29.

Ashurst	Curtis	Johnson, Cal.	Kendrick
Borah	France	Jones, N. Mex.	La Follette
Calder	Frelinghuysen	Jones, Wash.	McCumber
Cummins	Gronna	Kellogg	McNary
Myers	Norris	Shafroth	Watson
Nelson	Page	Sherman	
New	Pittman	Smith, Ariz.	
Newlands	Reed	Sterling	

NAYS—42.

Bankhead	Hollis	Overman	Swanson
Beckham	Husting	Owen	Thompson
Brandegee	James	Pomerene	Tillman
Broussard	Johnson, S. Dak.	Ransdell	Townsend
Chamberlain	Kenyon	Saulsbury	Trammell
Culberson	King	Sheppard	Warren
Fletcher	Knox	Simmons	Weeks
Gore	Lodge	Smith, Ga.	Williams
Hale	McKellar	Smith, Mich.	Wolcott
Hardwick	McLean	Smoot	
Hitchcock	Martin	Sutherland	

NOT VOTING—25.

Brady	Goff	Poindexter	Underwood
Colt	Harding	Robinson	Vardaman
Dillingham	Hughes	Shields	Wadsworth
Fall	Kirby	Smith, Md.	Walsh
Fernald	Lewis	Smith, S. C.	
Gallinger	Penrose	Stone	
Gerry	Phelan	Thomas	

So Mr. MCNARY's amendment was rejected.

Mr. POMERENE. I send to the desk the following amendment relating to the subject of coal and ask for its adoption at the end of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to add at the end of the bill new sections, as follows:

SEC. —. That it is necessary and proper, in order to execute the powers of Congress to raise and support armies, provide and maintain the Navy, and properly and efficiently provide for the common defense, that the President of the United States shall be, and he is hereby, authorized and empowered, whenever and wherever, in his judgment, necessary for the efficient prosecution of the war, to fix the price of coal and coke, wherever and whenever sold, either by producer or dealer, to establish rules for the regulation of and to regulate the method of sale, transportation, distribution, apportionment, or storage thereof among merchants and consumers, domestic or foreign; said authority and power may be exercised by him in each case through the agency of the Federal Trade Commission, during the war and for a period of one year thereafter, or for such part of said time as in his judgment may be necessary.

SEC. —. That if, in the opinion of the President, any such producer or dealer fails or neglects to conform to such prices or regulations, or to conduct his business efficiently under the regulations and control of the President as aforesaid, or conducts it in a manner prejudicial to the public interest, then the President is hereby authorized and empowered in every such case to requisition and take over the plant, business, and all appurtenances thereof belonging to such producer or dealer as a going concern, and to operate or cause the same to be operated in such manner and through such agency as he may direct during the period of the war and one year thereafter, or for such part of said time as, in his judgment, may be necessary.

While operating or causing to be operated any such plants or business, the President is authorized to prescribe such regulations as he may deem essential for the employment, control, and compensation of the employees necessary to conduct the same: *Provided*, That whenever any person or persons entitled to receive such wages are dissatisfied with the rate of wages so fixed by the President, he or they shall have the right to have the reasonableness of such wages reviewed and determined by the Board of Mediation and Conciliation created by the act approved July 15, 1913, and the findings of said board fixing the rate of wages shall be conclusive in the premises, and said board shall prescribe rules and regulations for carrying this proviso into effect.

SEC. —. That if the prices so fixed, or if, in the case of the taking over or requisitioning of the mines or business of any such producer or dealer, the compensation or damages fixed be not satisfactory to the person or persons entitled to the same, such person or persons shall be paid the amount prescribed by the President and shall be entitled to sue the United States to recover such other sum as, added to the amount so paid, will be just compensation in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code.

SEC. —. That any producer or dealer whose plant, business, and appurtenances shall have been requisitioned or taken over by the President shall be paid a fair and reasonable compensation for the use thereof or for damages incurred thereby during the period that the same may be requisitioned or taken over as aforesaid, which compensation and damages the President shall fix or cause to be fixed by the Federal Trade Commission or such other agent or agencies as he may designate.

SEC. —. Or if the President of the United States shall be of the opinion that he can hereby better provide for the common defense, and whenever, in his judgment, it shall be necessary for the efficient prosecution of the war, then he is hereby authorized and empowered to require any or all producers of coal and coke, either in any special area or in any special coal fields, or in the entire United States, to sell their products only to the United States through an agency to be designated by the President, such agency to regulate the resale of such coal and coke, and the prices thereof, and to fix the compensation to be paid such producers by the United States, and to establish rules for the regulation of and to regulate the methods of production, transportation, distribution, apportionment, or storage thereof among merchants and consumers, domestic or foreign, and to make payment of the purchase price thereof to the producers thereof, or to the person or persons legally entitled to said payment.

That within 15 days after notice from the agencies so designated to any producer of coal and coke that his or its output is to be so purchased by the United States as hereinbefore described, such producer shall cease shipments of said product upon his own account and shall transmit to such agency all orders received and unfilled or partially unfilled, showing the exact extent to which shipments have been made therein, and thereafter all shipments shall be made only on authority of the agency designated by the President, and thereafter no such producer shall sell any of said products except to the United States through such agency, and the said agency alone is hereby authorized and empowered to purchase during the continuance of the requirement the output of such producers.

That the prices to be paid for such products so purchased shall be based upon a fair and just profit over and above the cost of production, including proper maintenance and depletion charges, the reasonableness

of such profits and cost of production to be determined by the Federal Trade Commission, and if the prices fixed by the said commission of any such product purchased by the United States as hereinbefore described be unsatisfactory to the person or persons entitled to the same, such person or persons shall have the right to sue the United States in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code, to recover such other sum as added to the amount so fixed will be just compensation. All such products so sold to the United States shall be sold by the United States as such uniform prices, quality considered, as may be practicable and as may be determined by said agency to be just and fair.

Any moneys received by the United States for the sale of any such coal and coke, may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any moneys not so used shall be covered into the Treasury as miscellaneous receipts.

SEC. —. Then, when directed by the President, the Federal Trade Commission is hereby required to proceed immediately with all possible dispatch to make full inquiry, giving such notice as it may deem practicable, into the cost of producing under reasonably efficient management at the various places of production the following commodities, to wit: Coal and coke.

The books, correspondence, records, and papers in any way referring to transactions of any kind relating to the mining, production, sale, or distribution of all mine operators or other persons whose coal and coke have or may become subject to this section, and the books, correspondence, records, and papers of any person applying for the purchase of coal and coke from the United States shall at all times be subject to inspection by the said agency, and such person or persons shall promptly furnish said agency any data or information relating to the business of such person or persons which said agency may call for, and said agency is hereby authorized to procure the information in reference to the business of such coal-mine operators and producers of coke and customers therefor in the manner provided for in sections 6 and 9 of the act of Congress approved September 26, 1914, entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," and said agency is hereby authorized and empowered to exercise all the powers granted to the Federal Trade Commission by said act for the carrying out of the purposes of this section.

Having completed its inquiry respecting any commodity in any locality it shall, if the President has decided to fix the prices at which any such commodity shall be sold by producers and dealers generally, fix and publish maximum prices for both producers of and dealers in any such commodity, which maximum prices shall be observed by all producers and dealers until further action thereon is taken by the commission.

In fixing maximum prices for producers the commission shall allow the cost of production, including the expense of operation, maintenance, depreciation, and depletion, and shall add thereto a just and reasonable profit.

In fixing such prices for dealers, the commission shall allow the cost to the dealer and shall add thereto a just and reasonable sum for his services in the transaction. There shall be but one such dealer between the producer and consumer or user.

The maximum prices so fixed and published shall not be construed as invalidating any contract in which prices are fixed, made in good faith, prior to the establishment and publication of maximum prices by the commission.

Whoever shall, with knowledge that the prices of any such commodity have been so fixed by the commission ask, demand, or receive a higher price in violation of this section, shall, upon conviction, be punished by a fine of not more than $5,000 or by imprisonment for not more than three years, or both. Each independent transaction shall constitute a separate offense.

Nothing in this section shall be construed as restricting or modifying in any manner the right the Government of the United States may have in its own behalf or in behalf of any other Government at war with Germany to purchase, requisition, or take over any such commodities for the equipment, maintenance, or support of armed forces at any price or upon any terms that may be agreed upon or otherwise lawfully determined.

Mr. POMERENE. Senators will observe that when the bill was first prepared in its present form it applied to coal, coke, petroleum, and their products. On further reflection those who were responsible for it have stricken out petroleum and its products so as to limit the provisions of the amendment to coal and coke.

I also desire to call the attention of the Senate to line 22, on page 7. By an error the word "minimum" was used instead of the word "maximum." I ask that that be corrected accordingly.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Without objection, that correction will be made.

Mr. KNOX. Mr. President——

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

Mr. POMERENE. I do.

Mr. KNOX. Before the Senator proceeds, will he inform the Senate why petroleum and its products was stricken out?

Mr. POMERENE. For this reason: The bill thus far adopted applies to kerosene and gasoline. The word "products" was broader even than we intended, because it would include perhaps dyestuffs and various chemicals and drugs which are manufactured from petroleum.

Mr. KNOX. Do I understand that you are not moving to strike out "products," but are striking out "petroleum"?

Mr. POMERENE. The word "products" is stricken out. I am striking petroleum out because kerosene and gasoline are provided for in that part of the bill already adopted.

Mr. KNOX. Is not coal also provided for in the same way in the part of the bill already adopted?

Mr. POMERENE. That is true, but we have thought that as coal and coke were so nearly alike and the method of production of the two was so intimately associated they could perhaps be controlled by the one board provided for here much more readily than to have the whole subject cared for and administered by the commission which is created in the original part of the bill. Perhaps our judgment is wrong about it, but that is a matter which the Senate can determine later on.

Mr. KNOX. Do I understand the Senator from Ohio to say that coal is as effectually covered in the bill we are about to pass as petroleum is?

Mr. POMERENE. No; I do not think it is as effectually provided for there. That is just the reason why it seems to me that the control of the production and the price of coal and coke can be so much more easily provided for in the amendment I propose. We feel that the method proposed here will better serve the cause of the country.

Mr. KNOX. I will not take any further time of the Senator.

Mr. POMERENE. Mr. President, I desire briefly to make an explanation, and I may say this: It is my purpose, if this amendment shall be adopted, to then ask, by such parliamentary procedure as may be proper, the elimination of coal and coke from the provisions of the bill which have already been adopted.

It will occur to Senators, I think, that the subject of coal and coke can be very much more readily administered than can the subject of food, for the reason, briefly, that there is no limit to the amount of coal and coke which can be produced. We know that the quantity is unlimited. There is no uncertainty about its production, save and except the will of man and the amount of labor.

I have shown in a former speech the excessive prices which have been charged for coal and coke throughout the country. My belief is that if the prices of coal and coke can be fixed by the Government the operators will be glad to comply with those prices and the regulations which may be adopted. We have provided in this bill that the President shall have the right to determine the price of coal through the Federal Trade Commission, and also to regulate the method of sale, transportation, apportionment, and storage thereof among merchants and consumers, domestic and foreign. Then if, after notice, the producers of the country fail or refuse to comply with these prices and regulations, the President will have the right to requisition and take over the plant, business, and all appurtenances belonging to any such producer or dealer who may have failed to comply with these prices and regulations.

Then, without going into the details of it, there is another plan in the alternative, which is contained in section 5, on page 4. In brief, it provides that the President may, in his judgment——

Mr. McCUMBER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. McCUMBER. I have understood that there was a unanimous-consent agreement at 3 o'clock to take up the amendment to section 12. Three o'clock having arrived, if that unanimous-consent agreement was entered into, it is the matter that is now properly before the Senate.

Mr. POMERENE. I must say, while I presume the unanimous-consent agreement was not formally entered into, that was the understanding; and if the Senator from North Dakota insists upon that point, I shall yield the floor.

Mr. McCUMBER. I shall insist upon it if it was the understanding.

Mr. CHAMBERLAIN. Let me suggest to the Senator from North Dakota that I have just seen the printing clerk, who went down to the Printing Office personally to have the printing attended to, and he informs me that he expects the amendments to arrive in a few moments, but they have not yet been returned. The amendments will be here in a little while, however.

Mr. McCUMBER. Then it is understood that we shall continue the consideration of the present amendment?

Mr. POMERENE. Mr. President, I have no desire to interfere with any understanding that the Senate may have entered into.

We have provided, as an alternative method of procedure, that the President may, whenever in his judgment it shall be necessary for the efficient prosecution of the war, to require any and all producers of coal and coke in any special area or in the country at large to sell these products to the agency to be created by the President. In that way it is thought that not only the price but the distribution of coal can be arranged for so as very materially to improve our industrial and transportation conditions and more readily meet the requirements of our people.

Mr. President, I think this method is very much more desirable than that already provided for in the committee bill, because, in the first place, a Federal Trade Commission, which would be the agent to fix these prices if this amendment is

adopted, has already gone into the subject very fully, both so far as it applies to the anthracite region and to the bituminous region.

The questions connected with this food supply are going to be necessarily very involved and complicated, and they will tax the ability of the ablest men who can be named for that commission. Mr. Hoover, who has been considered in connection with that commission or with the food administration, has, as I understand, given almost his entire thought and study to that one particular subject. My belief is that when it comes to the question of coal and coke, the prices can be fixed by this Federal agency and the administration of the production and distribution of food can either be arranged for by that agency or by some other agency to be designated by the President, and the people will thereby be much better served.

I feel that it is necessary that we should take pretty drastic action with these necessaries of comfort and of industrial life. I have pointed out the fact heretofore that the price of coal had been doubled, trebled, quadrupled, and even quintupled. The price of coke has likewise advanced.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. POMERENE. I can not go into these details. I am sorry that I have not more time.

Mr. McCUMBER. Mr. President, I want the attention of the Senator from Ohio to two provisions in his amendment. The first provision is found on page 5, line 11, and is as follows:

> That the prices to be paid for such products so purchased shall be based upon a fair and just profit over and above the cost of production, including proper maintenance and depletion charges, the reasonableness of such profits and cost of production to be determined by the Federal Trade Commission—

Why did the Senator see fit to put such a proposition as that in this bill relating to the purchase of coal for the United States? But a few minutes ago the Senator from Ohio voted against exactly the same kind of a proposition, a proposition meaning exactly the same thing, when it was applied to the farmer's products. There are a great many farmers in the State of Ohio; they produce wheat and oats and barley and other grain and food products. Why, I ask the Senator, is it necessary to so carefully guard your coal operators to see that they have fair and just compensation, to allow them all of the labor charges and all of the other charges that are usual in making up the cost of production, while you deny those things to the farmers of the State of Ohio?

Mr. POMERENE rose.

Mr. McCUMBER. Then let us turn over another page or two, and we find that on page 7 the Senator has again carefully guarded the interest of the coal dealers in this language:

> In fixing minimum prices for producers the commission shall allow the cost of production, including the expense of operation, maintenance, depreciation, and depletion, and shall add thereto a just and reasonable profit.

That is exactly the rule that I asked to have applied in fixing the value of the products of the farmers of the State of Ohio and of the State of North Dakota. Can anyone give any good reason for applying a certain rule, which so carefully guards the interests of the coal operator in the State of Ohio, and then the Senator by his vote declaring that no such protection whatever shall be given to the farmer in the State of Ohio?

This has nothing whatever to do with the minimum-price proposition, which may come up in another phase of the bill. It is a question where the Government itself becomes the purchaser, where the Government exercises its right of requisition; and where the Government exercises that right, you very carefully guard the interests of your coal operator, while, with the same care, you determine that the farmer who produces food cereals shall not have thrown around him this protection.

Mr. POMERENE. Has the Senator from North Dakota finished?

Mr. McCUMBER. No; but if the Senator from Ohio wishes to answer in my time now, he can do so. If not, I shall go on. I have not got half through, I will say to the Senator.

Mr. POMERENE. Mr. President, I was not aware that there was anything in this matter that should so excite the irritability of my good friend, the Senator from North Dakota [Mr. McCUMBER]. The Senator from Iowa [Mr. CUMMINS] is in part responsible for these provisions, and I am in part responsible for them. I recognize the fact that when it comes to determining the cost of coal, and so forth, there are many things to be considered, as, for instance, depletion, and so forth. We have not provided for the fixing of a minimum price at all in this bill. So far as coal is concerned, we have provided for a maximum price. We expect to protect the consumers when it comes to fixing the price of coal.

Mr. McCUMBER. The Senator from Ohio will recall that the Senator from Iowa was consistent, because he voted for the same rule in reference to the farmer.

Mr. POMERENE. I have understood that the provisions of the bill relating to foodstuffs were sufficient to take care of the farmer. The Senator from North Dakota may be assured that I have no secrets from the farmers of Ohio. I am always ready to answer to them for any mistakes I may make. If I have made any mistake in this matter, I am willing to correct it, if they are not protected in this behalf. The farmers are certainly very well provided for when we fix a minimum price for their wheat, and so forth. I assume it is going to be a reasonable price. It may be that I have made a mistake in that behalf; if so, my apologies are due to the lofty-minded Senator from North Dakota, who never makes any mistakes.

Mr. McCUMBER. I think apologies are due, Mr. President, not to the Senator from North Dakota, but they are due to the farmers of the State of North Dakota.

Mr. POMERENE. Oh, Mr. President, I am not a political farmer.

Mr. McCUMBER. The Senator probably may find some doubt here on that proposition.

Mr. POMERENE. Well, if there is, and the matter is called to my attention, I can retrace my steps, as I have often retraced them. It may be that after I have drunk in wisdom at the feet of the Senator from North Dakota for a few more years my errors may be corrected.

Mr. McCUMBER. Well, Mr. President, I think by the time that the Senator has absorbed from the Senator from North Dakota a sense of justice—not wisdom—toward the farming element of the State of North Dakota, and even of the State of Ohio, he will not vote to put in the bill one provision for protecting the coal barons of his State and then vote against a provision for taking care of the farmers of the same State.

Mr. POMERENE. Oh, Mr. President——

Mr. McCUMBER. I can not yield further now, Mr. President.

Mr. POMERENE. If the Senator from North Dakota is disposed to put a wrong construction upon what I have done, I can not help it. I am always ready to answer to the voters of my own State. I always have answered to them.

Mr. McCUMBER. Mr. President, we all do that; and we can do it without boasting of it. The Senator says that he has no provision in the amendment for a minimum price on coal. I ask the Senator what he means, then, on page 7, line 22, where it is provided that—

> In fixing minimum prices for producers the commission shall allow the cost of production, including the expense of operation, maintenance, depreciation, and depletion, and shall add thereto a just and reasonable profit.

That deals, Mr. President, with a minimum price, not a maximum price.

Mr. POMERENE. Mr. President——

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

Mr. McCUMBER. I do not desire to yield all of my time.

Mr. POMERENE. The Senator from North Dakota has been so bitter and vitriolic that he failed to notice the fact that after the amendment was read I said the word "minimum" was a misprint and asked to have it changed to "maximum," and the Senate permitted it to be so changed.

Mr. McCUMBER. Well, Mr. President, it may be that I feel a little vitriolic. I confess I do feel that a great injustice has been done the farming element of this country in treating them as though they were not entitled to the same rights and consideration in connection with their products as are granted to those in every other line of business in the United States. It is absolutely true that by a majority vote of the Senate we have deprived the farmer of such right, and then there is placed in another portion of the bill the same rule that we refuse to apply to the sections relating to farming.

Mr. LEWIS and Mr. CUMMINS addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. LEWIS. Mr. President, I rather regret that the very suggestion of coal should have imparted such heat to the boilers of the two distinguished Senators that their blood should have run riot with such warmth. [Laughter.] Inasmuch, however, as the provisions of this bill might be construed to comprehend ice, there may be a chance to apply a cooling process for the moment, and return to one consideration which, I think, it is very necessary from my point of view that we indulge.

Mr. President, I am sure the eminent Senator from North Dakota [Mr. McCUMBER], whose solicitude in behalf of the farmer is always the subject of admiration, and the Senator from Ohio [Mr. POMERENE], whose industry in the matter of

the coal investigation, following his desire to ameliorate conditions so inexcusable, can find approval from this body without regard to any difference these eminent Senators may have as to ways and means; but, Mr. President, I am moved to give my support to the Senator from Ohio respecting his independent proposition for dealing with the coal situation for this reason: I think, Senators, we are making an error—with great respect for all who differ from me in that view, I make the assertion—when we put in this bill fuel. This is a food-control bill. We have tendered enough projects here to convert it into not a food bill but a fool bill; and, unless we shall be guardful, we will destroy this bill and, as I see it, destroy the objects which the bill was framed to effect.

Mr. President and Senators, I take it that we have been considering the qualifications of a certain gentleman whose name has been frequently mentioned here as food administrator. Mr. Hoover has been referred to; some advocating him as eminently fit; others opposing him as not being qualified for the superior task; but, Mr. President, when the time comes to name whoever shall be named, that administration must be conducted by one having the qualifications of a food administrator. The suggestion is that one of these administrators shall be a farmer for the protection of agriculture; but when we come to fuel, Senators, I am impressed with this view: That it partakes of a situation wholly apart from the question of food, the growing of it by the farmer, and the distribution of it by the food administrator. When we consider fuel, the public lands of the Government must be taken into consideration, the mining of coal, the bringing forth of oil, the distribution of them, the retail price for them; and all of that, Mr. President, I am thinking, sir, should constitute a separate subject and should be handled by a separate tribunal. They ought not to be taken out of the jurisdiction of the Secretary of the Interior, in so far as the jurisdiction of coal mining upon public lands or the distribution of that coal to the Government, or oil, sir, from the public lands, and the distribution of that oil to the Government for fuel, where its fuel necessities are concerned.

Mr. SMITH of Michigan. Mr. President——

Mr. LEWIS. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. Mr. President, does not the Senator from Illinois think that the question of our fuel supplies is of such transcendent importance that any remedy which may be perfected now ought to be employed? I dislike very much to think that this question will be eliminated from the present bill, and then take its usual course, without any unanimous consent, and perhaps at a time when there may not be as keen an interest as there is at the present moment. We in the Northwest, as the Senator knows, are very dependent upon a proper supply of coal; and, if I had my way about it, I would exempt every man who works in a coal mine from the draft and allow him to perform that service in the mine, where he can be of more use to the country than he would be in the field.

Mr. LEWIS. Mr. President, I may shock my able friend from Michigan by telling him that, so far as I am concerned, I have after great deliberation come to the conclusion that the coal mines of America must be taken in charge by the Federal Government and administered as a public utility, the mining to be operated under the supervision of the Government, and the same as to oil. I agree with the Senator heartily in saying that if something can be done to regulate and ameliorate the conditions of hardship suffered by the whole community, such should be done. But the point I wish to make now, sir, is that, as I see it, if we leave fuel in this bill to be administered by a food administrator, we will have it administered by those who have no personal knowledge of it whatever, who have no qualifications for settling its difficulties, or giving a solution to present problems.

I am in favor of leaving the coal matter to a separate tribunal, and settle it right now in any form any Senator may suggest. The suggestion of the Senator from Ohio meets my approval. Add it to this bill, if you please, as an amendment, and let it be administered by those who know the fuel situation, who have some qualifications, who are familiar with coal and oil production, and not have it so confused as to destroy naturally its operation and benefit by putting it in the hands of those who apparently will be consumed and monopolized with nothing but the question of food. For that reason, sir, I give my support to the independent proposition of the Senator from Ohio.

Mr. CUMMINS. Mr. President, it is quite obvious that an adequate discussion of this subject can not be had in 10 minutes. It is the most important phase, I think, of the regulation which is now asked at the hands of the Government. The bill before us is intended, I assume, to do two things: First, to encourage and stimulate the production of certain commodities which are esteemed to be necessary; second, to see that the producer of those necessaries has a fair price for his labor in producing them, and that the consumer of the product shall not be required to pay an excessive price on account of undue profits which attach to the products on their way from the producer to the consumer. I am in perfect sympathy with these objects in the bill. I am not persuaded that in all respects the bill adopts the most effective remedy to cure the evils which have afflicted us or to bring about the beneficent and desirable objects which we all seek to accomplish.

I do not intend to speak now of food, except to say that if I had my way about it I would apply exactly the same remedy to wheat that I seek to apply in this amendment to coal. I believe that the Government of the United States ought to become the purchaser of every bushel of wheat which is raised this year or which will be raised next year, and I think it ought to pay for the wheat and ought to give the farmer the assurance that it will pay a fair and reasonable price for it. I believe that the rule announced by the Senator from North Dakota in his amendment is simply the rule of justice, as it is the rule of law whenever the Government attempts to exercise its power to take property of this character.

I have not, however, sought to change the form of the bill with regard to food products; but the Committee on Interstate Commerce has been now for more than three weeks engaged in an investigation relating to the production and distribution of coal. I have not the time—I wish I had—to recite the evidence that has been developed in the investigation. It is sufficient to say that the amendment proposed by the Senator from Ohio grows out of that investigation and is the deliberate outcome of the study which certain members of the committee have given to the general subject. I believe it will accomplish the purpose which we all have in view. I do not believe that the bill as it now is will accomplish the purpose.

The object of section 5 of the bill—and it is the only section which will afford any relief whatever—is to authorize the President to license coal operators throughout the country and to allow them to proceed with their business, and if he finds that the profit which any particular mine is earning is too great, then upon review he may substitute some other profit for that particular mine, and the operator must observe the order or mandate of the President.

Senators, that will not meet the exigency of this situation. If we do not very promptly seize it, a portion of the United States will be without coal during the coming winter, and a great many of our people will suffer the tortures of a cold climate without fuel. At this moment there are, as I am informed, upon the docks at the head of the Lakes about 350,000 tons of coal intended to supply the great Northwest, whereas last year at this time there were 3,500,000 tons of coal in that vicinity; and if we do not get, before lake navigation closes, a very large supply of coal in the northwest part of the country both the railroads and the people will suffer most seriously.

I live in a town in the very heart of a coal-producing region, and such was the situation last winter that the city council of Des Moines was compelled to go into the railway yards and seize, without warrant of law, cars of coal in order to prevent the people of that community from freezing to death. That experience will be witnessed all over this country during the coming winter unless prompt and effective measures are taken for the production and the distribution of coal.

Addressing myself for only a moment to the amendment of which I am in part the author—for this is a compound of two proposals—it contemplates that the United States shall become the owner of all the coal mined, and that it shall pay to the coal operators a fair and reasonable price for it, including the cost of production, maintenance, operation, depletion, and depreciation; that then the United States shall resell the coal, shall determine where the coal shall go, to whom it shall go, and the prices at which it shall be sold.

Senators, it is absolutely impossible to fix the price of coal at the mine and secure any relief without pursuing the coal to the ultimate consumer. You can not destroy the laws of business without substituting the Government itself as a factor in the problem and without making the Government itself the distributor of the coal. It is not a radical proposition; it is vastly simpler in its operation than the effort to fix the price of coal—I mean by that, fixing the prices in the way of a regulation. It will enable the Government to do what business now does—to supply competing industries with coal at the same price, even though the cost of production of two mines which may supply these industries is different.

I may say that I have no right to claim credit for this proposal. It is the proposal of the Federal Trade Commission, or

a majority of the commission. It is the thoughtful result of the labors of a man who, I believe, knows more about the subject than any other man in the country and who has no purpose to serve except the general welfare. The Federal Trade Commission has been for months engaged in an investigation, and it has now more information than any other board, any other commission, or any other man could accumulate in months to come. It is simply the height of absurdity to take from that commission the administration of this remedy and assign it to some one, however capable, who has not given attention to it and who does not claim to know anything whatsoever about it.

I hope that the amendment will be adopted. I hope that we will at least give the President the discretion of employing the method prescribed in the bill now or the method which is prescribed in the amendment.

Mr. KNOX. Mr. President, the difficulty that I see about this amendment is that it is importing into this bill a matter of vast consequence upon which we are called to act with very little information and with very little time for consideration and discussion.

The Senator from Iowa [Mr. CUMMINS] has just said that the Federal Trade Commission is in a sense the author of this amendment, and that it is the result of laborious and continuous and minute examinations and investigations. Certainly those investigations and examinations and their results should be laid before us before we can act intelligently upon a matter of such grave consequence.

I wish to say, however, in passing, as the amendment of the Senator from North Dakota [Mr. MCCUMBER] has been referred to several times in this discussion, that I should like to explain my vote against that amendment. It was not because I did not think that all of the elements named in his amendment should be considered in fixing prices to the farmer, but because I thought, as a matter of law, they were necessarily to be taken into consideration before prices could be fixed, and because I recalled that other principle of law that the fixing of the elements of damage, the rules by which damage shall be ascertained, is not a legislative but a judicial question, and I feared that if we undertook to legislate upon the subject our legislation might be void.

Mr. President, whatever may be the difficulties and the evils and the hardships that exist in the coal situation—and they are many—they arise from one of two causes. They arise either from the fault of the coal operators themselves or they arise from reasons over which they have no control. If they arise from the fault of the coal operators, it seems to me that this bill as it has been perfected up to the present time completely covers every possible fault of which they could be guilty, and makes them guilty of crime, for which they may be punished by fine and imprisonment, because by section 4 of this bill not only do you make it a criminal offense to hoard coal, to raise the value of coal artificially, to try to create artificial conditions, to withhold an ample supply, or in any way whatever to artificially control the markets for coal, but, in addition to that, you vest in the hands of the President of the United States the power to issue a license to them prescribing the conditions under which they can do business. Now, Mr. President, is it possible to conceive any willful fault upon the part of the coal operators that would bring about any hardship to the consumer that is not reached by the provisions of this bill?

Mr. President, if present conditions are not faults of the operators, then the question arises, Should this particular business be selected out and put on a different basis from any other business? As this amendment was originally proposed it applied not only to coal but to petroleum. When I asked the Senator from Ohio why petroleum was withdrawn from the amendment, the reply was, because petroleum was dealt with in the other portion of the bill. Coal is dealt with in the other portions of the bill in exactly the same terms in which we deal with petroleum.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Pennsylvania yield to the Senator from Indiana?

Mr. KNOX. Certainly.

Mr. WATSON. Suppose that the coal operators simply decline to operate or to produce. Suppose they say, "These prices are not satisfactory to us, and we will not produce." How would the Senator handle that situation under the provisions of the general bill?

Mr. KNOX. I would prosecute such an operator under the fourth section of the bill, which distinctly contains a provision prohibiting artificial diminution of the supply of coal.

Mr. WATSON. Does the Senator think that would cover a case of nonproduction or failure to produce?

Mr. KNOX. I absolutely think so. I will read that section of the bill if I have the time.

Mr. WATSON. That is to say, does the Senator think that under the provisions of section 4 you can compel a man to produce?

Mr. KNOX. I say that under the provisions of section 4 you can punish him for restricting the distribution of any necessaries or willfully preventing, limiting, or arresting the manufacture or production of the same. If a man willfully restricts the production or willfully refuses to produce, he is liable to be punished under the provisions of this act.

Mr. WATSON. Suppose that a farmer declines to produce?

Mr. KNOX. Mr. President, I decline to yield further, because I have only a few minutes. The Senator from Indiana will have the same opportunity to address the Senate that I have myself.

The PRESIDING OFFICER. The Senator declines to yield further.

Mr. KNOX. I have only this word to add to what I have already said, that by the fourth section of this bill the same rule is applied to the coal operators that is applied to any other producer of necessities.

Now I come to the question as to how far the coal operators themselves are not responsible for the conditions that exist. Upon this question I have not the time to enter; but I received this morning from a very intelligent coal operator a letter, which I should like to have placed in the RECORD, so that such Senators as may be interested in the question as to how far the operators themselves are suffering for lack of transportation and other reasons over which they have no control may be enlightened.

The PRESIDING OFFICER. Without objection, the request of the Senator will be granted.

The matter referred to is as follows:

PITTSBURGH COAL PRODUCERS' ASSOCIATION,
Pittsburgh, Pa., July 18, 1917.

Hon. PHILANDER CHASE KNOX,
The Senate, Washington, D. C.

DEAR SIR: Legislation proposed in the Senate affecting the coal-mining industry in this State and the Nation is causing operators of the Pittsburgh district and their customers serious concern. We are asking no special favors nor any special treatment. We do desire, however, that Congress shall act in the light of accurate information.

I shall not enlarge upon the conditions causing the complaint. You are doubtless familiar with the difficulty consumers have had in obtaining coal and with the fact that prices have been unduly high. In considering remedies for these conditions it is important to understand their causes and to fit the treatment to the ailment. You have doubtless heard it charged that high prices have been caused by concerted action on the part of coal operators, in violation of the law. Your own understanding will assign due weight to these unfounded and unjust allegations when you consider that the United States Department of Justice, the Federal Trade Commission, and dozens of State, municipal, and county official and grand juries have been constantly inquiring into all the activities of every organization in the business, have examined the correspondence, the sales books, and the records of scores of coal companies, and that the entire business of the coal industry has been conducted for months under the searching scrutiny of all the agencies for the enforcement of the State and Federal antitrust laws.

Briefly, the real causes for the trouble are as follows: Extraordinary industrial demand for coal has coincided with a shortage of available transportation and consumers have bid against each other in a scramble to obtain coal. Such action under such conditions produced the logical effect on prices. This country is asking this year some 50,000,000 tons more of coal than ever before. The United States Geological Survey and the Federal Trade Commission state that the mines can readily produce two or three times that much additional coal over and above the production of 1916 if they have sufficient railroad cars. Railroad cars are essential to steady mine operation, because bituminous coal is not stored at the mines, and hence the mines are unable to run unless they can dump their output constantly into waiting railroad cars. Moreover, storage of coal at the mines is not desired, because such storage ought to be made at the places of consumption so that stored supplies can be drawn on promptly and surely when and as needed.

The mines in the Pittsburgh district alone can ship nearly 1,000,000 tons more of coal each month if they have adequate transportation. The mines here and throughout the country generally have not at any time since last October had sufficient railroad cars to ship the coal which consumers were demanding. The mines in this association, which are only a portion of those in the Pittsburgh district, have a capacity for the current year of 34,200,000 tons of coal, provided they have sufficient cars in which to ship this coal. Contracts with customers dependent on these mines for their coal supplies call for the shipment of approximately 27,000,000 tons during this year, leaving more than 7,000,000 tons which should be available for additional demands. To date, however, solely because of the lack of transportation, production and shipments from our mines have been running at the rate of less than 24,000,000 tons for the year, which is typical of the general conditions. You will understand the results of such conditions too readily to require extended exposition.

It is true that the railroads have moved more coal during the first six months of this year than in a similar period during the preceding year, but the country needed even more coal than they moved. This coal was not supplied simply and solely because the railroads could not move it from the mines. While that condition has improved somewhat, the mines in this important producing region and in many others are still operating at only 70 to 75 per cent capacity because of a lack of sufficient railroad cars. This means that the mines are necessarily idle one or two days each week at a time when the country is clamoring for coal.

As we see it, this is the essential fact in the coal problem: Unless sufficient cars are furnished to permit the mines from their abundant reserve capacity to supply the coal which the Nation needs, factories

must inevitably be closed next winter, and people will suffer simply because at the time the coal is needed it will be in the mines instead of in Boston, Springfield, New York, Cleveland, Duluth, Minneapolis, and other places of consumption. No amount of price fixing or regulation or commandeering of mines will change that situation in the slightest particular unless transportation is available to haul the coal required to the points where it is needed. This is the carefully considered conclusion of the Federal Trade Commission as given in its official report to the Senate on the bituminous-coal industry and as amplified and emphasized in Commissioner Colver's testimony on this subject before the Senate Committee on Interstate Commerce.

Since transportation is obviously the key to the solution of this problem, it is desirable to understand what is being done to improve transportation. You are doubtless familiar with the efforts being made by the railroads themselves. In addition, the recent car-shortage amendment to the interstate-commerce law gives ample authority to the Interstate Commerce Commission to stop the transportation abuses and inefficiencies which are primarily responsible for the transportation troubles. The commission is now taking this matter in hand and has organized a new division to administer the authority conferred by this amendment. We are satisfied that the commission, with the assistance of the railroads, will find means to assure the shipment of all the coal which the country is demanding. If the Senate doubts this, permit me to suggest that it should direct the Interstate Commerce Commission, by resolution, to see that the coal mines are given sufficient transportation to supply the country with coal.

If adequate transportation is furnished the mines, it is a plain conclusion that coal prices will return to normal levels, because no buyer will pay exorbitant prices when he can obtain supplies from a dozen different sellers all eager to dispose of their production. As we see it, this is the real remedy for the present coal problem of the Nation, because at one stroke it will furnish the tonnage of coal required and at the same time will reduce prices naturally and without any arbitrary and disturbing interference with the usual business procedure. On the other hand, Government price fixing and regulation can not add one pound to the production, but are almost certain to reduce the output, complicate the distribution of coal, make it difficult for the consumer to obtain the particular kind which his business especially requires, and lead to dangerous disorganization. Tying this industry up with red tape can cause irretrievable disaster.

Coal operators recognize the fact that until the transportation shortage is remedied some control of prices in the interest of the consumer may be necessary. They have already voluntarily accepted the suggestion of Secretary Lane to reduce prices and are observing the prices he fixed pending fuller investigation. They will observe any others that he suggests later. Not another industry in the country has gone so far as this. Through Secretary Lane, the Federal Trade Commission, and the committee on coal production effective temporary control of coal prices can thus be exercised to protect the consumer until adequate transportation renders such control no longer necessary.

For these reasons we hope that Congress will give the Interstate Commerce Commission time to exercise the broad authority which has been conferred upon it for the express purpose of solving just such problems as the coal business presents, and will not, before the commission can even begin its remedial action, add to the difficulties of the coal industry by ill-advised, revolutionary legislation except as a last resort should the efforts of the Interstate Commerce Commission prove unavailing.

Please understand that we do not in any way oppose the efficient organization of industry in this Nation for the successful conduct of the war, but we are genuinely concerned for fear that through failure to understand the real crux of the coal situation Congress may enact hasty legislation which will precipitate a grave coal crisis next winter that should never occur. The causes of the trouble have been clearly pointed out by agencies of the Government commissioned to discover them. Ample authority has been given other Government agencies to remove these causes. We trust, therefore, that the Senate will not disorganize this industry by hastily enacting the legislation proposed.

The fear of such disorganization is already alarming many of our customers. As you know, great industrial enterprises dependent on coal mines in this district have contracted with Pittsburgh coal operators for their coal supplies. The operation of their power plants and of their factories depends upon obtaining the kind and quantity of coal called for in these contracts. But if the entire output of our mines is to be purchased and sold by the Government, as provided for in the legislation now pending, these manufacturers are left with no assurance whatever as to the quantity or kind of coal which they may be able to obtain. The consequences of such disruption of settled arrangements for fuel supply should be too obvious to require discussion.

We are placing these facts before you because we believe the Senate should wait to legislate upon this subject until the competent agencies of the Government duly authorized to solve the coal problem satisfactorily to all parties concerned have completed their efforts.

Very truly, yours,

J. D. A. MORROW, *Commissioner.*

Mr. SMOOT. Mr. President, I think that the people of the country ought to know just what are the causes of the shortage and the extreme prices of coal.

There are at least three causes for the unfortunate condition in which we find ourselves at the present time. The first and foremost of those causes is the shortage of available transportation; the second is, through that shortage of available transportation, an unusual scramble for the coal that can be delivered to the users of coal in the United States; and, third, there is a shortage of labor.

I was talking the other day to a gentleman who has been in the coal business for at least 30 years, not merely in one of the coal districts of the United States but in many of them, and he told me that the labor situation was such that it was impossible, in his opinion, to furnish the necessary coal the coming winter. He said that when the war in Europe first broke out, 40 per cent of all the employees working in the coal mines operated by him were taken out of his employment. They were foreigners and left for Europe to enter the war. Then, when the eight-hour law was passed, it reduced his production some 12 per cent more. He wound up by saying, "God only knows, when the draft for men takes place in this country, where I am going to get employees in sufficient numbers to work the coal mines to produce coal sufficient to meet the demands."

I have here a letter from Mr. J. D. A. Morrow, commissioner of the Pittsburgh Coal Producers' Association, of Pittsburgh, outlining in detail the coal situation to-day, and speaking of the shortage of available transportation. Mr. Morrow says:

Briefly, the real causes for the trouble are as follows: Extraordinary industrial demand for coal has coincided with a shortage of available transportation, and consumers have bid against each other in a scramble to obtain coal. Such action under such conditions produced the logical effect on prices. This country is asking this year some 50,000,000 tons more of coal than ever before. The United States Geological Survey and the Federal Trade Commission state that the mines can readily produce two or three times that much additional coal over and above the production of 1916 if they have sufficient railroad cars. Railroad cars are essential to steady mine operation, because bituminous coal is not stored at the mines, and hence the mines are unable to run unless they can dump their output constantly into waiting railroad cars. Moreover, storage of coal at the mines is not desired, because such storage ought to be made at the places of consumption so that stored supplies can be drawn on promptly and surely when and as needed.

Mr. Morrow calls attention to the fact that the mines in the Pittsburgh district are not working full time even under present conditions, because of the fact that it is impossible to secure transportation for the coal to the factories and to the customers desiring coal even at this time of the year. In other words, he calls attention to the amount that is being produced, the amount that could be produced, and the amount that they would like to produce if they could possibly secure transportation for the coal. Mr. President, it seems to me that the thing Congress should do is to provide some means to transport the coal that can be produced, and when that is done I think the problem will be solved. It is not because there is not enough coal in the United States; it is not because the owners of the coal mines would not like to produce all the coal that is wanted, not only for this country but for foreign countries as well. If you take the reports of the Geological Survey and study them and see what has been the price of coal produced in the United States for past years, you find that the coal producer has been satisfied, judging from the reports of that department, with a profit over and above actual cost of something like 12 to 13 cents per ton.

Mr. POMERENE. Mr. President——

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

Mr. SMOOT. I do.

Mr. POMERENE. Is the Senator advised as to what the profits have been during the last six months?

Mr. SMOOT. Mr. President, I am perfectly aware that the profits of the producer have been large during the last six months. That comes about for this reason: They have got two or three buyers for every ton of coal that is produced. The manufacturers are fearful that they can not get the coal to run their mills and they compete against each other, and through that fierce competition the price has advanced. There is no question of doubt about it.

I want to say to the Senator that I have no doubt but that many of the coal producers of this country have made more than 12 per cent—yes, more than a dollar—a ton; they have taken advantage of the market conditions. I do not deny that; but I want to say to the Senator that if we had transportation facilities and every coal producer in this country could get all of the cars he needed, then there would be competition, and competition would bring down the price, because the consumer, if he could not buy it from one producer, would purchase it from some other producer that could and would give it to him if he had the transportation.

Mr. POMERENE. Mr. President, if the Senator will permit me, I recognize the fact that transportation has something to do with it; but every one of these operators will tell you, and many of them did tell the committee, that there was more coal mined, more coal transported, and more coal consumed in the last six months than ever before in the history of the country. That being so, the transportation problem has not been the great element in the increase in price which they endeavor to make us believe that it is.

Mr. SMOOT. Well, Mr. President, we all know that there has not been transportation facilities for handling the coal that has been demanded by the manufacturing concerns and by all other kinds of industries in the United States requiring coal. There is no need of denying that there would have been much more coal consumed, and there would have been more coal stored if we had had ample transportation that to-day is lacking.

If there is a shortage of coal this winter it will not be from the fact that the coal producer has any disposition not to store coal during the summer months. It will come from the fact that he can not get transportation to take the coal to the place

at which he wants to store it and where he can store it; and the Senator knows that around the mine is no place to store coal.

Mr. WATSON. Mr. President——

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

Mr. SMOOT. Yes; I yield.

Mr. WATSON. The coal operators in Indiana entered into a verbal agreement with the governor and the public utilities commission that if they would give them complete car service they would reduce the price of coal. The car service was then 50 per cent. Under the operation of the public utilities commission in Indiana, they furnished 100 per cent car service to every coal operator in the State, and have done so for the last 60 days, and yet the price of coal has gone up instead of down.

Mr. SMOOT. I understand, Mr. President——

The VICE PRESIDENT. The time of the Senator from Utah has expired.

Mr. PENROSE. Mr. President, I do not imagine that anything I or any other Senator may say will be listened to in the light of logic or of reason in connection with this bill. In my opinion the bill is monstrous in its present shape.

The Senator from Indiana [Mr. WATSON] asked my colleague, the Senator from Pennsylvania [Mr. KNOX], I think, whether under this bill a person could be put in jail for not producing coal. Why, Mr. President, under the terms of section 4, I challenge contradiction of the statement that every farmer of the United States can be put in jail who reduces his production of wheat, and every coal operator can be put in jail for curtailing the production of coal; and there will not be enough jails in the country to accommodate all the persons who are amenable to the very heavy penal provisions contained in this measure, of a fine of $10,000 and two years' imprisonment.

If the American people realized the character of this measure, the storm of protest would be so great as to cause its immediate repeal should it be enacted into law in this shape; and should an attempt be made to carry it into effect, it would cause riot and revolt all over the country.

The farmer and the coal operator are made the objects of this extraordinary measure. A number of articles were put in the bill, and as rapidly taken out. Why should not cotton have been retained in the measure, as well as coal? I get a large number of letters from northern manufacturers demanding that cotton be put in this bill, if control of commodities is to be part of the policy of the Government.

Here is a letter from a representative citizen of Pennsylvania, Mr. Robert P. Hooper. He says:

I take the opportunity of asking if you will not support the proposed addition to the food bill now before the Congress which calls for Government control of cotton. The various industries which I am connected with use enormous quantities of raw cotton, and we are working with every facility we have with the interests of the Government before us. In order to show our patriotism to the country we are now working altogether on as low a margin of profit as possible, and feel that it is the duty of every man in the country to do likewise. Unfortunately, the cotton grower and those who handle in a speculative way the raw material do not seem to feel this way, and they are continually advancing the price of raw cotton to such an extent that the manufacturers are compelled to advance their prices to the Government accordingly. This is costing the Government a loss of many millions of dollars. It is very evident that cotton is on a fictitious basis from the fact that even the mention of a Government control of the price of cotton caused it to drop a few days ago practically $10 a bale. In my judgment, the raiser of cotton and the speculator should have their prices controlled in exactly the same way as the growers of wheat and the miners of coal.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Idaho?

Mr. PENROSE. I do not want to be interrupted in my limited time unless the Senator would like to interrupt me as my time is about to expire; then I can answer in his time. I will answer a brief question, however.

Mr. BORAH. I was simply going to say that we made a tactical mistake in framing this bill. We put in too many articles, so that there were too many who were anxious to take articles out.

Mr. PENROSE. Yes; that is very evident, Mr. President. There seems to have been some kind of a mysterious, subterranean agreement for mutual protection and defense, which the coal operators and the farmers apparently failed to get into.

The end of this kind of legislation, Mr. President, will be the ruin of the coal industry and the closing of the mines, and neither the Government nor the private consumer will have any coal at all. There has been much hysteria on the subject. Everybody has been supplied with coal up to date; and while, of course, there may be speculators in the coal business, as there undoubtedly are in the cotton business, they are only a small percentage of the trade.

Representatives of the coal producers from over 30 States came here to Washington at the request of Mr. Lane, the Secretary of the Interior, contained in a communication addressed to Mr. Peabody, of the advisory commission of the Council of National Defense. They consulted with the officials of the Government to arrange for a fair and equitable price; and here is what Mr. Lane says of their action:

DEAR MR. PEABODY—

I quote in part from his letter—

I have just learned of the action of the coal operators, and I wish to express my appreciation of the generous, prompt, and patriotic manner in which they have acted. They have dealt with the situation in the way that I had hoped they would, as large men dealing with a large question.

I intend to have the letter put in the RECORD, so I will not read it at length.

Mr. Lane expressed the highest gratification, and no word in the dictionary was too laudatory apparently when he commended the action of the coal operators from all over the country.

Not only that, but they made arrangements to supply the Northwest with coal and the Atlantic seaboard on the basis agreed upon by the Secretary of the Interior. It was the subsequent interference of the Secretary of War, Mr. Baker, that upset the whole situation, and humiliated the coal operators of the United States, and is the direct and responsible source of whatever speculation there is in the coal business at the present time, because the Secretary of War attempted to reflect upon the action of the Secretary of the Interior, and he seemed to be joined in that action by the Secretary of the Navy. The consequence was that the speculator was not kept within bounds and resorted to the previous practices which had been complained of.

I want to give the Senate some idea of the knowledge of the coal business displayed by the Secretary of the Navy. Secretary Daniels' support of Secretary Baker rests upon a fact that the Nation ought to know. Secretary Daniels asserted that he purchased coal for the Navy last year at $1.38 per ton, but he did not state the conditions under which the coal was produced. It came from West Virginia and from companies which were willing to sell to the Government at almost any cost as an advertising proposition for the balance of their output. The coal was produced by nonunion miners, all officials of the United Mine Workers being driven out of the region by detectives hired to terrorize the mines. The living conditions among these workers are subnormal and un-American, negroes and the lowest class of southern European labor living together amid conditions which are a shame to democracy and a blight upon the physical and moral life of the Nation.

That is the commercial standard which the Secretary of the Navy saw fit to apply to the adjustment of prices consummated by the Secretary of the Interior, showing a confusion, indecision, delay, and demoralization in the administration of the Council of National Defense that to my mind is impressively striking.

I know my time is limited, Mr. President, under the 10-minute rule, and I shall not detain the Senate longer. I have prepared some memoranda concerning the coal situation and its relation to the Government. I will ask to add them to my brief statement.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"MEMORANDA CONCERNING THE EXCLUSION OF FUEL, PARTICULARLY BITUMINOUS COAL, FROM THE FOOD-CONTROL BILL NOW PENDING.

"1. There is absolutely no disposition upon the part of the bituminous-coal operators to hold back from cooperation with the Government in the matter of coal production upon terms fair and just to the three parties concerned, namely, the mine owners or operators, employed labor, and the consuming public, especially the Government. Indeed, it can be stated, as Secretary Lane has already recognized, that the operators have manifested and are still manifesting a desire to cooperate enthusiastically upon patriotic grounds. The only reservation to this is that Secretary Baker has considerably chilled the ardor and undermined the confidence of the operators by his violent attack following the agreement reached June 28. Men who wish to do everything in their power to aid the Government in such a critical period as this are not sure of their standing when one member of the Cabinet violently overthrows the agreement of another, especially when that agreement was simply tentative and pending a further and complete investigation of costs of production.

"2. There are certain facts which should be clearly recognized in this discussion. Under the Sherman law, with its prohibi-

tions and penalties and the threats of overzealous public prosecutors looking for political reputation, it has been impossible for the coal operators even to think of getting together in any way looking toward the regulation of prices and production, even with a view to controlling irregularities detrimental alike to their own and the public interests, as all extremes of prices always are detrimental. The conference held recently, culminating in the agreement of June 28, was upon the invitation of accredited Government officials with a view to securing the assistance of the responsible coal-producing companies in preventing the extortionate prices which had prevailed for spot or free coal; such extortionate prices having been established here and there during recent months by speculative interests keen to take advantage of the consumers who had failed to provide by contract for their usual deliveries of coal. However—and this point is exceedingly important—not 10 per cent of the coal produced in the past six months has realized to the producer the high prices which have been so much criticized and which have formed the basis of more than one attack upon the coal producers. Indeed the responsible coal producers have deplored these erratic price movements as being just as detrimental to their own interest as to the interest of the consumer.

"3. It is a noteworthy fact that in spite of all the wild talk about a coal famine no important industry or producing or manufacturing concern has had to cease business because of fuel shortage. There may have been delays which gave rise to unnecessary alarm for the future, but the delays were due entirely to car shortage; the panic aspect given recently to the coal situation has been entirely fictitious and has been created largely by those men whose political creed urged them to bring as many elements of industry as possible under Government control or into a state of Government ownership.

"The committee on coal production of the National Council of Defense undertook, at the request of the council, to bring order out of chaos, to speed up production, to settle prices upon a reasonable level throughout all sections of the United States, and, above all, to secure promptly the fuel supplies necessary for the Government in war time. The following copy of Secretary Lane's letter to Mr. F. S. Peabody, of the committee of coal production, gives the motive which inspired and regulated the conference:

"JUNE 28, 1917.

"Mr. F. S. PEABODY,
"*Chairman Committee on Coal Production,*
"*Council of National Defense.*

"DEAR MR. PEABODY: I feel that the present extremely high prices on coal require immediate action by the coal operators, and therefore would urge upon you that they should be reduced at once and maximum prices fixed which would apply to sales on and after July 1, 1917, and continue until such time as the investigation which you propose into costs and conditions shall warrant a reduction or increase. These prices should not be used to affect present contracts or apply to export or foreign trade. In other words, the people of the United States should have, as I urged upon the operators the other day, immediate relief and knowledge of their disposition to make a reasonable price irrespective of the possibilities of obtaining higher prices. This would be regarded by the people as meeting the situation promptly and wisely if the prices materially cut those which exist.

"Cordially, yours,

"FRANKLIN K. LANE.

"The response of the representatives of the bituminous operators was prompt and unequivocal, as shown in their resolution given below. It will be noted that this resolution on their part authorized the Government to fix a 'tentative maximum price':

"This convention, by resolution heretofore adopted, having requested the Secretary of the Interior, the Federal Trade Commission, and the committee on coal production to fix a fair and reasonable price at which the several operators in the several coal districts of the United States shall sell coal, do hereby further authorize said Government representatives, so named in said resolution, to forthwith issue a statement fixing a tentative maximum price which, in their judgment, is fair and reasonable, as applied to the several coal districts, at which coal shall be sold from and after the 1st day of July next and until the accurate costs have been ascertained and a fair and reasonable price based thereon fixed by said Government agencies designated under said resolution: To this end, therefore, be it

"*Resolved*, That the several States here represented do present to the chairman of this convention a suggestion for use by said agencies in fixing the price which the several interests here represented feel should be the fair and reasonable price to be so tentatively fixed by the said agencies.

"Adopted June 28, 1917.

"Secretary Lane's recognition of this action leaves no doubt whatever that the arrangement was highly satisfactory to the Department of the Interior and the Federal Trade Commission. Mr. Lane frankly recognizes that the coal operators had shown a spirit of cooperation and subordination of their own interests unparalleled in the history of the relationship of Government to an important industry:

"JUNE 28, 1917.

"Hon. F. S. PEABODY,
Chairman Committee on Coal Production,
Council of National Defense.

"MY DEAR MR. PEABODY: I have just learned of the action of the coal operators, and I wish to express my appreciation of the generous, prompt, and patriotic manner in which they have acted. They have dealt with the situation in the way that I had hoped they would, as large men dealing with a large question. They manifestly see that this is no time in which to consider primarily the opportunities which the war gives for personal aggrandizement. We must gain for each by gaining for all. The country is in a mood for sacrifice. It is intent upon the success of the war and is willing to do everything needed to give insurance to the world against a repetition of this awful condition.

"Will you not be good enough to express to the coal men my appreciation of the spirit they have shown in determining that their prices shall be reduced so that the industries of the country may not feel hampered and the people may not feel that their spirit is broken down by the thought that this is to be a war for individual advantage instead of self-protection? I felt from the moment of my talk to them that no body of men more truly represented the high purpose to yield personal desire for general good than did they. Now I trust that we shall immediately put into concrete form the spirit of your resolution.

"Cordially, yours,

"FRANKLIN K. LANE.

"The splendid piece of constructive patriotism, to which Mr. Lane refers as a large question dealt with by large men, was carried out, notwithstanding the fact that some of the operators were under indictment charged with an agreement to fix prices and who still feared the possibility of further prosecution by the Department of Justice. Nevertheless, they responded cheerfully to the urgent appeal of Secretary Lane to do something sacrificial to meet the tremendous emergency which had arisen in the Nation.

"4. It immediately was recognized that coordination and cooperation of the transportation and producing interests must be secured promptly in order to bring about instant improvement. The first step taken was in the interest of the great Northwest. In order to secure for that section an adequate supply of fuel at reasonable rates a pooling arrangement was made, under the title of the Lake Erie Bituminous Coal Exchange, whereby during the period of open navigation the classifications of coal were reduced by producers from over 1,000 to 100 grades, thereby greatly facilitating the movement of coal over the docks. This not only expedited its distribution but it resulted in a prompter return of cars to the mines. A similar arrangement was made and will shortly go into effect for all Atlantic tidewater ports whereby it is expected that an additional 6,000,000 tons of coal can be put over the Atlantic docks annually as a result of the pooling.

"In these particulars, as in everything affecting the present situation, the producers responded cheerfully and energetically to the appeal of the coal-producing committee, with the result that adequate supplies for Government use were delivered with unusual promptness.

"5. In order to relieve the consumer of the evil effects of extortionate prices demanded and obtained by a few speculative interests and in order to allay the fictitious feeling of panic upon the part of the purchaser, the committee on coal production invited all the coal operators of the United States to meet in Washington. Their cooperation in correcting the present situation and in guarding against possible future evil was asked by Secretary Lane, Gov. Fort, of the Federal Trade Commission, and Mr. F. S. Peabody, of the coal-production committee. The first thing to develop in this conference was the immediate need of cooperation upon the part of railroads and shipowners. For instance, shipping facilities from the southern coal ports for the northeastern manufacturing districts, where the great munition plants abounded, have been diverted to other purposes and bottoms were not available for coal carrying. Consequently coal had to be shipped by rail, which congested traffic, diverted cars from their usual runs, filled the sidings, and made normal transportation for the other operators a most serious matter.

"6. Evidence is abundant that the one great need to relieve the coal situation is an adequate supply of cars. There is an abundance of available coal. The mines are adequately equipped and labor is ready to do its share, but the cars are lacking. If the distributing facilities were available, 75,000,000 more tons of coal per annum could be mined and shipped to the consumer. The operators are anxious to produce, the laborers are willing to work, but the cry in every coal field is 'Cars! Cars! Cars!' Successful coal-mine operation is absolutely dependent upon a constant, regular, and adequate supply of railroad cars. (Reference: Federal Trade Commission Report and Colver's testimony before Senate Committee on Interstate Commerce.)

"It is obvious, therefore, that the Interstate Commerce Commission and the Federal Trade Commission must cooperate with the coal producers to immediately remedy this condition.

"7. Herewith find the statement given out by the Department of the Interior (office of the Secretary) concerning the conference held in Washington at the invitation of the Council of National Defense:

"DEPARTMENT OF THE INTERIOR,
"OFFICE OF THE SECRETARY,
"*Washington, D. C., June 28, 1917.*

"As a result of the conference between the mine operators, the Secretary of the Interior, Federal Trade Commissioner Fort, Chairman Peabody, and the committee on coal production of the Council of National Defense, the following reductions were made to go into effect July 1 next in the prices of coal. This, according to the statement of Director George Otis Smith, of the Geological Survey, of the Interior Department, will effect a reduction to the consumers east of the Mississippi River of $15,000,000 a month, based on the output of free coal in May of this year. These prices are maximum prices per ton of 2,000 pounds aboard the cars at mine, pending further investigation. These prices do not affect in any way contracts in existence or sales of coal for foreign or export trade.

"The operators tendered to the Government a reduction from these reduced prices of 50 cents per ton for coal that the Government may need.

"No action was taken upon anthracite prices because of the fact that these prices had already been acted upon by the Federal Trade Commission.

"Twenty-five cents per net ton was fixed as the maximum price for coal jobbers' commission, with only one commission, no matter how many jobbers' hands the coal may pass through.

"On account of an inadequate representation of operators west of the Mississippi River, no maximum prices were fixed for coal from those districts. A supplementary statement will be issued within a few days covering prices on coal produced in those districts.

"The action taken at this conference brings about the following results:

"Present prices on bituminous coal mined in Pennsylvania have ranged from $4.75 to $6. Under the ruling the price is reduced to $3 for mine run and $3.50 for domestic lump, egg, and nut.

"The present range of prices in West Virginia is from $4.50 to $6; price reduced to $3 for mine run and $3.50 for domestic lump, egg, and nut.

"The range of prices for Ohio coal has been from $4.50 to $5; prices reduced to: No. 8 district, the thick-vein Hocking and Cambridge districts, $3 for mine run and $3.50 for domestic lump, egg, and nut; thin-vein Hocking, Pomeroy, Crocksville, Coshocton, Columbiana County, Tuscarawas County, Amsterdam-Bergholz district, $3.25 for mine run and $3.50 for domestic lump, egg, and nut; the Massillon and Palmyra districts and Jackson County, $3.50 for all grades of coal.

"The prevailing prices in Alabama have been from $5.50 to $5.75; prices reduced to: Cahaba and Black Creek, $4; Pratt, Jaeger, and Corona, $3.50; Big Seam, $3 for all grades.

"The prevailing prices for coal mined in Maryland have been from $5.75 to $6; reduced prices will be $3 for mine run and $3.50 for domestic lump, egg, and nut.

"The prevailing prices on coal mined in Virginia have been $4.50 to $5; reduced price, $3 for mine run and $3.50 for lump, egg, and nut.

"The prevailing prices on coal mined in Kentucky have been from $4 to $4.50; reduced price, $3 for mine run and $3.50 for the domestic sizes.

"The prevailing prices on coal mined in Illinois and Indiana have been from $3.50 to $4; reduced price, $2.75 for mine run and steam sizes and $3.50 for screened domestic sizes.

"The prevailing prices on coal mined in Tennessee have been from $4.50 to $5; reduced price, $3.50 for all sizes.

"The first thing to be noted concerning the above prices is that they are tentative and are subject to modification by the Federal Trade Commission after the commission has determined the real cost of production. Before making any mention of the actual cost of production your attention is called to the serious blunder made by Gov. Goodrich, of Indiana. Gov. Goodrich has claimed that the tentative rate is in excess of the recent selling rate, which is absolutely untrue. The above memoranda in the last parargaph but one shows the prices on coal mined in Illinois and Indiana to have been from $3.50 to $4, while the reduced price according to the operators' agreement will be $2.75 for mine run and steam sizes and $3.50 for screened domestic sizes.

"At this point it seems advisable to insert Secretary Lane's remarks to the assembled operators:

"Gentlemen, this is a very novel proceeding. I think I am within the fact when I say that no such hearing or gathering as this has ever been held in the United States before, or perhaps in the world. You are, I hope, pioneers in a good movement. I come from the land of pioneers, the far western country, where we look back with respect and admiration and some reverence upon those who crossed the hard and stony and waterless places to the richer spots beyond, and I hope that you will be looked back upon not only by those who succeed you in the coal business, but by the industries of the United States, with respect and admiration for the manner in which you have acted at this conference. You have responded, as men should, to a call made upon you in the name of the people of the United States. You are not a removed class. You are of us. You belong to the people. Most of you are men who were not born to wealth. You come up out of the soil like the rest of us and you have shown a sympathy and an understanding of your relations with the people from which you spring. That is the essential quality in democracy. Unless we can maintain in our minds always a consciousness of the source of power in this country, democracy is a failure. There is a strong contention made that this Government can not so organize itself as to meet to the full the demands that are to be made upon it, that other forms of government in times of stress or, in fact, in any times, are more competent and more efficient, because there is the strong hand of the Government above, threatening, menacing, compelling. If we in the United States are to work out our problems economic, social, as we have worked out our problem political, we must work it out, in my judgment, in the spirit in which you have worked—with sympathy, with recognition of those whom you serve. There is a kind of corporation in this country that we know as a public utility. A public utility is one that is at the service of anyone and must render him the kind of service that it holds out to give. In the biggest and broadest sense, each one of you in running a coal mine is managing a public utility, because the public is dependent upon you. And this world is going forward and not backward; it is going to keep its confidence in democracy, if the men who have the management of industry and the men who give direction to the thought of the country have in their hearts always the welfare of the people. The one thing that will turn us back is the exercise of arbitrary power by those who have power and who exercise it ruthlessly. You have been up against an extremely odd situation. And now you have gathered here and met that situation in man fashion. I think you have reason to be proud of what you have done. Speaking for Gov. Fort and for Mr. Peabody and his committee and for myself, we are proud of what you have done. You have said to the American people that within your power, exercising your judgment, protecting yourselves, you will not be oblivious to the rights of those whom you serve; you will, within your power, protect them. That is the spirit that makes for the success of our country. And if all the industries of the United States will have that same spirit, there will be no question as to our ability to mobilize the resources of this country and carry this war to a successful conclusion. Good sense, common sense, vision, the judgment of large-minded men—those are the things that must characterize us if we are to carry on this great venture. We must not work singly and alone, for selfish ends, in the hope of reaping rich rewards which will distinguish us merely as men who are in industry as makers of money. We must work as the men that the papers said landed in Europe yesterday will work. We must work in companies, in battalions, in regiments, and we must have in our minds the purpose that we are going to march forward to victory, victory not for ourselves, but victory for the country that is dearer to us than anything we have except our own families. This war is not a war of a day. It is not a war upon which we entered lightly. It is not a war in which any man, no matter how old he is, no matter what his resources may be, will not be compelled to play his part. We are the greatest business Nation on earth, and therefore we must look to the business men of the country to lead our people in spirit. And I think that the word that comes out from this gathering will be an inspiration to the people of the country.

"8. When Secretary Baker repudiated and denounced the agreement made with Secretary Lane it was an act hardly short of a national catastrophe. Backed by Secretary Daniels, it disclosed a glaring and ominous crevice in the national administration, but even that was the least important feature of the situation. Secretary Baker's repudiation undermined and probably demolished the foundations upon which cooperation could be built up between the Government and the great industrial interests of the country. What encouragement could there be for any other body of producers to negotiate or cooperate with one department of the Government when all the work could be knocked to pieces by another department? Confidence has been shot to shreds. Men who a few weeks ago were enthusiastic to make vast sacrifices of time and money for the Government now are afraid to lay themselves open to the humiliation which has overwhelmed the coal operators.

"9. Secretary Daniels's support of Secretary Baker rests upon a fact which the Nation ought to know. Secretary Daniels asserted that he purchased coal for the Navy last year at $1.38 per ton, but he did not state the conditions under which that coal was produced. It came from West Virginia and from companies which were willing to sell to the Government at almost any cost as an advertising proposition for the balance of their output. The coal was produced by nonunion miners, all officials of the United Mine Workers being driven out of the region by detectives hired to terrorize the region; living conditions among those mine workers were subnormal and un-American, negroes and the lowest class of southern European labor living together amid conditions which are the shame of democracy and a blight upon the physical and moral life of the Nation.

"10. Unconscious or malicious misinformation has been spread broadcast concerning the cost of producing coal. Such information has been accepted as correct even by Government officials and responsible legislators. There is hardly a coal-producing region in the United States which can actually mine coal at a labor cost of less than $1.50 per ton. In some regions where the veins are thin and the mining conditions exceptionally bad the cost runs considerably above this, but these figures take into consideration only the actual work of mining. There are a number of very material elements of cost which do not appear on the operator's books at all.

"SOME COSTS NOT ON THE BOOKS.

"First. Capital investment cost.

"(a) Sinking fund to refund capital.

"A sinking fund must be created to return the money the plant cost and the size of this fund is 20 cents a ton.

"(b) Interest on capital.

"On almost any reasonable capitalization this interest charge will be 24 cents per ton.

"(c) Leasehold value, 15 cents per ton.

"Second. Selling cost.

"Some operators pay 10 cents per ton while others pay 10 per cent of the sales price. A fair estimate throughout the coal regions would place the selling cost to the producer at 16 cents per ton.

"Third. Managerial cost.

"Very many operators manage their own property, their only return being the interest on their capital if such be earned. Whether it is earned or not a charge for management should be made which would amount to 7½ cents per ton.

"Fourth. Pensions and charities.

"In the last few years the larger producers have inaugurated pension and sickness benefits for their workers, but at the present no definite percentage can be worked out for this.

"Fifth. Welfare work. It is now recognized that one of the most important things in the coal regions is to stabilize the industry. This can be done not only by guaranteeing continuous employment at fair wages but by thoroughly humanizing the conditions of living. Every operator of importance now recognizes that tenements must be really habitable; that there must be recreational and educational facilities for the workers and their families; that the mining population must live in a community that approximates to the conditions enjoyed by other industrial workers in the larger communities. The cost of this can not be worked out to-day on a per ton of coal produced, but every month it is becoming a more important factor in the coal-mining world.

"The position of the bituminous operators respecting Government action now pending and legislation in Congress is that the agreement reached with Secretary Lane should be allowed to stand because it is eminently fair and just. The prices agreed upon are only tentative and are subject to revision or confirmation based upon the findings of the Federal Trade Commission regarding the cost of coal production. The alternative proposed, namely, to handle the entire coal of the country by a separate Federal commission in which no experienced coal operator shall have a part is a step toward catastrophe. It is inconceivable that improvised bureaus and drafted officials from other walks in life can handle such a vital and basic interest during a period which is straining the strength of even the most experienced coal operators. Government control of coal should be stricken out of the food-control bill and the agreement reached between Mr. Lane, the Federal Trade Commission, the National Defense committee on coal production, and the coal operators should be allowed to continue, subject to such revision as the investigation of the cost of production may justify."

Mr. WEEKS. Mr. President, the coal question is about the most intricately involved of all the questions treated in the bill. In my judgment we can supply food products sufficient for the needs of the people of the United States and for all the shipments abroad for which we can find transportation. The coal question is different, and it is especially different in the section of the country which I represent.

New England obtains all its coal from the West Virginia or Pennsylvania fields, about 36,000,000 tons a year—12,000,000 tons of hard coal and about 24,000,000 tons of soft coal. Last winter soft coal reached the price of $12 a ton and was sustained at that price for a considerable time. It was not due to the cost of coal at the mine or the profit that the miners made as much as it was to the question of transportation. What the Senator from Utah [Mr. SMOOT] has said about the importance of transportation in connection with this question is of the utmost importance and is quite correct.

The cost of coal at $12 a ton in New England as divided up last winter, and the price will be as high again this winter, was about $3 a ton at the mine. The transportation from Norfolk to New England ports was $6 a ton. The railroad transportation from mine to water $1.40 a ton, and about 50 cents a ton from the port in New England to the manufactory or other place where it was used, leaving a profit of perhaps half a dollar a ton or three-quarters of a dollar a ton. It is water transportation that is the greatest difficulty to the New England consumer, and as such it is one that influences and affects the business of the whole country and the prosecution of the war.

Very largely the New England manufacturing industries are engaged in manufacturing for war purposes and unless they are supplied with sufficient coal to carry on their operations it will be impossible for them to carry out their contracts to supply the Government's needs.

This whole question is so disjointed that it is pretty difficult to place the responsibility for any failure. For example, at one time the Navy Department enters the field and takes the tugs belonging to a transportation company and turns them to naval uses. At another time the owners of shipping sell their shipping because they can make more money in some other operation and so divert it to some other purpose. There must be some strong hand if New England is going to receive a fuel supply this winter that will provide transportation sufficient to get the coal from the mines to the market.

I think that last year there were probably 15,000,000 tons of coal taken by water from New York, Philadelphia, and Norfolk to the New England ports. There is not more than two-thirds of the amount of water transportation that there was last year. The business of that section of the country is greater than it was last year; therefore the demand for coal is greater and the means of getting it are less. It is quite likely that the requirements will aggregate 40,000,000 tons this year. So unless transportation is furnished we must close down many of the most important industrial concerns of that section of the country, and, as I have said, that means a failure to supply the Government with its needs to carry on the war.

So the question itself is most involved. It can not be charged that the coal miner is alone responsible or in many cases even largely responsible for this situation. The needs of New England are not the needs of Ohio, which mines it own coal, or the needs of Illinois, which mines its own coal. The transportation questions are much more involved than in those States.

When I listen to these amendments and the propositions of the committee I feel like saying, "A plague on all your houses!" I do not know how any one of them can answer the purposes which they claim to be able to do. It is utterly repugnant to me to think of the Government taking over the coal mines and operating them. In my judgment it would curtail rather than increase the coal supply of the country.

On the other hand, I do not see how any man is going to be wise enough to fix a price for coal which will not do a material injustice to one section of the country even if it does justice in another section. I do not believe there are men living who are wise enough to handle that kind of a question without doing as much harm as they do good. If we were doing the wise thing, or if we had done it months ago, we would have undertaken to prepare this country for the transportation of its products. If we had devoted our money and our time to the transportation questions and forgotten all these other correlated ones, we would to-day and next winter be infinitely better off than we are going to be. It is too late now to build cars, it is too late to build vessels for this purpose, and it does not make any difference how many committees or commissions you have—the only possibility of relieving the New England situation is for the railroads to stop doing one kind of business and devote their equipment to the coal business.

I presume to some degree that may be done and will be done under the direction of the committee connected with the advisory commission as it has been in other cases, but this very advisory commission may not be all wise.

The New Haven Railroad has just been asked to send 1,500 freight cars to Florida to transport the products of Florida which are ready for market to the northern market. That delays every kind of business in New England, because the New Haven has not any more equipment than it needs, probably less than it needs. So while we are saving one industry or one product we may be doing irreparable damage in another case.

I never was as much at sea on what seems to be the best course to take on any question as I am on this one relating to fuel. I think in the final analysis if we would do what we can now to provide transportation facilities, if, for example, Congress would appropriate $100,000,000 to build coal cars, we could not spend that money as wisely in any other way, because the car industry of the country is not overworked. If that industry could obtain material, without any question it could turn out a great many cars before the snow flies next winter, and if the motive power could be obtained and those cars were available we could care, very largely at least, for the situation as it exists.

Mr. CUMMINS. I wish to ask the Senator from Massachusetts whether he knows that we already have enough coal cars to do the business of the coal transportation. The difficulty is that the railroads are using the coal cars for other kinds of traffic.

Mr. WEEKS. That is because they have been directed to do so by the railroad committee of the advisory commission.

Mr. CUMMINS. I do not know anything about that. The railway committee, I suppose, can not change it in a moment, but the real difficulty is not the scarcity of coal cars, although there may be a shortage of cars of all descriptions.

Mr. WEEKS. Undoubtedly there is a shortage of all kinds of equipment, and if you use coal cars for another purpose you simply prevent the possibility of transporting sufficient coal for the needs of the country.

Mr. CUMMINS. For that reason I think the amendment I proposed on the floor will do some good.

Mr. NEWLANDS. Mr. President, I agree with the Senator from Massachusetts [Mr. WEEKS] that the coal question is an exceedingly involved one. But we are called upon now to un-

ravel this tangle. The first question that arises is as to what committee has made the most thorough investigation of this subject. This bill emanates from the Agricultural Committee, and was originated, I understand, as a bill for the control of foods and feeds. I heard the examination of Mr. Hoover before that committee, and whenever reference was made to any commodity other than food my recollection is that he indicated that that was outside of the bill which was originally contemplated, and he knew nothing or little about those subjects.

The examination and the investigation related almost entirely to food and feeds in that committee. The bill was reported covering all three—food, feed, and fuel. Then an investigation was commenced in the Interstate Commerce Committee upon the bills introduced by the Senator from Iowa [Mr. CUMMINS] and the Senator from Ohio [Mr. POMERENE], and an exhaustive inquiry was made covering some five or six hundred pages. At that inquiry the operators of the mines, who had gathered here at the invitation of the advisory commission, presented their views. The Federal Trade Commission, represented by the new members, Gov. Fort and Mr. Colver, presented their views and the views of that commission after a very thorough investigation not yet completed of this subject. Before that committee also appeared Mr. Thorne, of Iowa, the transportation expert, who had made a very thorough study of this subject, and gave very valuable information and views regarding it.

Now, then, as a result of that investigation we find an amendment to the pending bill offered as the joint product of the Senator from Ohio [Mr. POMERENE] and the Senator from Iowa [Mr. CUMMINS], and I submit that that amendment represents as thorough an investigation as has been had of the subject by competent men, and that it is entitled to the careful consideration of the Senate.

Mr. President, with reference to the question of transportation, to which the Senator from Massachusetts has alluded, of course shortage of cars has had a great deal to do with the rise in prices and the scarcity of coal, the rise in prices being caused by the scarcity of coal in different localities, precipitating upon the free or spot coal an extraordinary demand and raising that coal to skyrocket prices. The operators who had contracts at low rates, all the way from $1.10 to $1.40 per ton at the mine, saw the opportunity of making some money in an industry which for five or six years had not been a profitable one; perhaps profitable to some, but not profitable in its entirety, and we know how split up the industry is. It is not concentrated, as is the anthracite industry, but is divided among thousands of operators throughout the various bituminous fields operating either in a large or a small way.

They were eager to make up some of their losses, and some of them violated their contracts for the delivery of coal and turned their coal into the free-coal market, and as new contracts were sought they raised the price or refused to make contracts, reserving their coal for the free-coal market. The result was that these men, yielding to a natural impulse urging them to recover losses that they made in the past, availed themselves of the prices which they could get in the market, and all they had to do was to accept the high prices offered by the purchasers, who were becoming hysterical and alarmed.

Take New England itself. Deprived of its usual supply of two and a half million tons from Nova Scotia, the factories there rushed into the Ohio and Indiana fields and demoralized the market by their offers for coal, and inflicted an injury upon local consumers of coal in those States. So it has been throughout. This extraordinary demand precipitated upon a somewhat restricted supply has raised the price of coal to an abnormal figure.

Mr. President, the coal operators are now in a position where they can get high prices and they are not going to yield, in my judgment. They have made a moderate concession in response to the appeal of the Secretary of the Interior, but not such a concession as wisdom should have dictated, in my judgment. They agreed to lower the current price from $5.50 to $3, but they ignored the fact that only the year before the price at the mine was less than $1.50, and that under these conditions the cost of production having increased but little, $3 a ton was unreasonably high.

The result, Mr. President, of the scarcity of transportation has been that certain sections of this country are to-day without a coal supply. The great Northwest has only 10 per cent to-day of its usual coal supply, and there is a supreme necessity now of a thoroughly organized and coordinated effort to save sections of the country from coal famine.

The thing that is now operating upon the minds of the coal operators is not so much the necessity of the various sections of the country as their own desire for a large profit to take the place of the losses of the last five years. By limiting production slightly they can maintain high prices. We can not therefore trust to them for a solution of this question, and the Government must intervene.

The industry is not such a very large one when you measure it in dollars. Five to six hundred million tons annually is the normal production.

We could buy up the entire soft-coal crop of the country at a less cost than the entire wheat crop; and not a large sum would be needed, because a revolving fund could take care of it. As the coal is purchased, it would be sold and the money would be restored to the fund, so that a moderate revolving fund would take care of the business.

Now, undesirable as it is that the Government should go into the business of handling coal, it seems to me that there is no alternative. The Government must either control the prices or purchase the coal, and then set it moving in the ordinary channels of commerce. This bill provides, in the alternative, for both of those plans.

To whom should this work be intrusted—the food commission under this bill, headed by Mr. Hoover, a very capable man, who is absorbed entirely in the study of the food question and has little time to apply his great organizing capacity to this question, or should it be the Federal Trade Commission, organized by us years ago for the consideration of all these economic questions, and which, at the request of the President, has, I may say, for some weeks been, by a trained corps of men, making a thorough study of this question; a commission composed of capable men, a commission recently reenforced by two very strong men—Gov. Fort and Mr. Colver—both of whom appeared before our committee and indicated that they had a thorough knowledge of the situation and were animated by a desire to solve this difficult question? It seems to me that the task should be, without question, intrusted to the Federal Trade Commission, originally organized for just such work, with its experienced corps of investigators and experts, its accumulated knowledge, and its records of previous inquiries made by the Bureau of Corporations, to which it succeeded, and composed of able and experienced men, who have for weeks been familiarizing themselves with the present situation.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. HOLLIS. Mr. President, this is a bill for the control of food and fuel, which are prime necessities; but there is one great difference between them: Food is produced only by the farmer, who goes out and adds to the gifts of nature his own judgment and labor, and thereby raises a crop; the coal was placed in the bowels of the earth by the Creator, and all that man has to do is to go and get it and distribute it. There is therefore a great difference between undertaking to run all the farms in the United States and undertaking to run the coal mines of the country.

The Committee on Agriculture very carefully considered the question of food control in the bill, but it was not equipped to consider carefully fuel control under the bill. We have a Committee on Interstate Commerce, one in which we all have confidence. The chairman of that committee, Mr. NEWLANDS, has just given his views in regard to this amendment. The amendment was produced by the joint efforts of the Senator from Ohio [Mr. POMERENE] and the Senator from Iowa [Mr. CUMMINS]. When those two men consider a subject, listen to the testimony of those who understand the situation, and collaborate on an amendment which they present to the Senate, I feel not only glad to follow them, but bound to follow them.

The Senator from Massachusetts [Mr. WEEKS] has explained to us the very serious situation in New England so far as coal is concerned. A committee of very prominent men from New England were in Washington last week, or the first of this week, I think, explaining the situation. The manufacturers in New England are desperate because of the prospect of having a small supply of coal next winter. I see no way to relieve that situation but for the Government to take over the coal mines and to mine the coal and distribute it throughout the country according to its legitimate needs.

Moreover, it is true that the question of transportation plays a very leading part in the distribution of coal, and under the priority of shipment bill, which passed the Senate a few weeks ago, the Government will have control of the railroads of the country, so that it can send the coal where it ought to go and where it is the most needed. Thereby each section of the country will have a fair chance.

Considering further the question of transportation, we can remember that the Government now has control of the shipping; that it has control of it because it has the right to take off tugs and steamboats from the work which they have heretofore been

doing, and to apply them to the public use of transporting troops and munitions and other supplies for troops.

This amendment does not provide that the President shall take control of the coal mines; it does not provide that the President shall fix the price of coal; but it does give the President authority to set such machinery in motion, if he decides that the fuel problem is not being handled for the best interests of the country.

For these reasons, Mr. President, I am heartily in favor of the amendment, and I hope it will be adopted.

Mr. GRONNA and Mr. SHIELDS addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. GRONNA. I do not wish to address myself to this particular question, but I understood that we should at 3 o'clock take up section 12 of the bill, and I therefore ask for the regular order.

Mr. SHIELDS. Mr. President, some days ago I presented, and it was read to the Senate, a letter from Gen. W. L. Welcker explaining the coal situation in the district of Tennessee. I have now a letter, not very long, from a prominent operator of that district, who presents some facts tending to illustrate the conditions of the coal situation in that section, and, to some extent, being an answer to the letter of Gen. Welcker. I ask consent that this letter be read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

KNOXVILLE, TENN., *July 13, 1917.*

Hon. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

DEAR SIR: I feel it is due you that some reference should be made to the communication of W. L. Welcker, of this city, addressed you recently in respect of the coal situation, and which, the press reports, was read to the United States Senate.

The communication is an unwarranted and unjust attack upon those engaged in the production of coal and those dealing in coal products, and is so replete with erroneous and misleading statements that it deserves the condemnation of all who are acquainted with the merits affecting coal production and trade conditions.

Gen. Welcker's criticisms of the President and a member of the Cabinet and others with conferred authority concerning their action in respect to the adjustment and modification of coal prices is without justification, and it is evident that he did not inform himself, as it is inconceivable that he would willfully indulge such criticisms of the Government authorities, and offer such a tirade of maledictions against the operators, denouncing them as robbers, etc., unless he believed the statements he made to be justified. At the same time one should not be excused for such carelessness.

As you know, the coal interests of our whole country, by invitation of the Government authorities, were in a convention at Washington during the latter part of June for the purpose of stabilizing the prices of coal, and if consistent with the cost of production, conditions, etc., secure some modification from the then prevailing prices, which resulted in a voluntary agreement on the part of the coal producers that the Government might name the maximum price for the sale of its product to apply under the present crisis, and so far as is known is the only industry in the United States that has taken such action.

This arrangement provided a reduction in price of coal from $1.50 to $2 per net ton, and, as Secretary Lane properly stated, it means that the coal producers, who were engaged in a legitimate business—and which for the past 10 years has been substantially without any profit—and which has been operating without any monopoly or combination in restraint of trade, voluntarily surrendered to the people of the United States from the gross proceeds of its sales a sum aggregating $180,000,000 per annum, regardless of the fact that the prices of all other commodities, including material and mine supplies that enter largely in the cost of production of coal, as well as foodstuffs and other items generally, were then and are still without limit of restriction.

As a matter of information I recite that the price of other industrial products, foodstuffs, etc., began to advance practically 12 months before there was any advance whatever from the extremely low coal prices that then prevailed, there being no advance whatever in the price of coal until about October 1, 1916, and while the advance subsequently became material, it was the inevitable result of the law of supply and demand, accelerated by the fact that industrial plants and purchasers generally apparently anticipated further advances and made a practice of offering more for coal than the producers were asking.

However, the percentage of advance in the price of coal has not kept pace with the percentage of advance in other products, the present price of coal being 75 to 100 per cent advance as compared with the prices obtaining 12 months ago (that advance applying only to such coal as was not under contract), while the average advance of all other staple products is substantially 300 per cent.

Mr. Welcker makes reference to the price paid for coal by the Southern and Louisville & Nashville Railroads prior to a year ago as $1 and $1.12½ per ton, respectively, but does not mention the fact that both railroad companies, notwithstanding each of them had contracts with the producers for even a lower price than Mr. Welcker states, realizing the material increase in the cost of production was materially more than their contract prices, voluntarily offered and did increase the price they should pay, and at present each of them is paying above 100 per cent higher price than prevailed 12 months ago.

His reference to the previous and present cost of production of coal indicates he is altogether ignorant of the facts. As a matter of fact, the wages of operatives of the mining companies generally throughout southeastern Kentucky and eastern Tennessee have been advanced variously from 50 to 100 per cent, while the advance in the cost of material termed as "mine supplies," and which is a considerable item entering into the cost of production of coal, has advanced from 100 per cent to 660 per cent—reduced to an average means substantially 300 per cent.

As further information I recite that for the past 12 months substantially 75 per cent of all coal produced throughout this entire section has been applied on contracts made under normal conditions as to the coal trade and before any increase accrued in the cost of production, and which condition precluded any profit whatever to the coal interests, and in the majority of cases offered material losses.

Added to the increase in the wage scale, the unprecedented advance of material entering into the cost of production of coal, the unusual shortage of cars as well as the shortage of labor resulting in an important restricted output, was a more potent factor in increasing the cost of production per ton.

In conclusion, I beg to state that, so far as we are advised, the public and the trade generally approve of the action of the Government and the operators in the convention referred to. The maximum prices determined are reasonable and just, and which will preclude the necessity of disturbing the present high wages paid to the miners and laborers, and the only complaints and criticisms are from chronic agitators and those with socialistic tendency, and business disturbers generally.

The coal interests and the informed public generally here feel that more or less harmful results may have resulted from such a communication as Mr. Welcker's, in that it may have a tendency to incite prejudices of those who follow blindly or who do not take into consideration the integrity of such attacks against an important industry; an industry that needs encouragement rather than condemnation; that employs more labor for the same amount of capital invested than any other industry in existence; an industry that is a legitimate business and that is entitled to reasonable profits in order that the production may be at least maintained and, if possible, stimulated commensurate with the Nation's needs, together with the needs of our allies.

I am inclosing herewith a clipping from the Knoxville Sentinel of the 13th instant containing reference to President Wilson's appeal to the business interests of the country, and the response of the coal operators in this territory, and which is followed by reference to the coal convention at Washington, and the remarks of Secretary Lane at the conclusion of that conference, and which you will note is a justifiable variance from the attitude of a few agitators and self-constituted regulators.

With kindest regards, I beg to remain,

Yours, very truly, JNO. L. BOYD.

Mr. SHIELDS. Mr. President, I have some other letters from the same district and from other places which concur with Gen. Welcker's views. I ask that they may also be read.

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

The Secretary read as follows:

GREENEVILLE, TENN., *July 7, 1917.*

Hon. JOHN K. SHIELDS,
Washington, D. C.

MY DEAR SENATOR: After reading some extracts from W. L. Welcker's letter, I certainly agree with him on the outrageous prices on coal.

This great concession of the coal operators looks to me like these "Jew sales," goods marked up very high one day, then marked down about one-half the marked-up price, and in flaming letters the advertisement reads, "Great reduction sale!" This wonderful concession of the coal barons is something that will not go down the common people's throats.

Last September I was quoted by the United Colliers (Inc.), St. Charles, Va., run of the mines, at $1.35. The year before I bought same coal from same company at $1.10. Now, with their great concession, they want $3 or $3.50. Has the wages of the miners been increased so much that this exorbitant price is demanded?

I can send you last year's quotations should you so desire.

Very truly,

A. J. PATTERSON.

ROGERSVILLE, TENN., *July 6, 1917.*

Hon. JOHN K. SHIELDS,
Washington, D. C.

DEAR SENATOR: I have read the letter which Mr. Welcker, of Knoxville, wrote you and Senator MCKELLAR with regard to the price of coal as agreed upon by certain parties and the coal operators. The people here generally—in fact, everyone that I have heard speak—agree with Mr. Welcker to this extent, that the price of coal as fixed by these parties is outrageously high and an extortion upon the public.

We who live in these parts near the coal fields know that the price for labor in the coal mines has not been increased by the coal operators to any considerable extent the past year—at least nothing in proportion to the increased price of coal. And while we realize that materials for mining coal have increased, yet the price of coal as represented by this agreement is outrageous, and to fix it at the price agreed upon for the coming winter plus the freight rate and other overhead charges as therein agreed will be prohibitory to a large element of the people and will bring about great suffering, and this applies even to us who are so near the coal mines.

It seems to me that these coal operators, who I personally know are making enormous profits, should be forced to sell coal to the people at a reasonable price, and at a much less price than was agreed upon at this conference. Otherwise the Government should take charge of the mines themselves, pay the operators a reasonable profit on their investment, and furnish coal to the people at an equitable price; and something of this kind will have to be done, else there will be great suffering and the people will be heard from.

Again, while writing you upon this question, on which I know you are well advised and are thoroughly conversant with the facts, some restraints ought to be put upon the farmer along with the balance, because I am able to foresee that in this county—and I know it is the same everywhere else—the farmer is preparing to hold back and to charge extortionate prices for the products of his farm. The farmer should not be permitted to rob and extort from the people any more than the coal operator.

So I trust that you will see your way clear to assist in bringing about the passage of the food-control bill as well as the control of a lot of other necessities of life, as, of course, it is not fair to force the farmer to sell at a reasonable price when at the same time he must pay exorbitant prices for the things he buys.

Living here in an agricultural section, I am satisfied there will not be the slightest complaint among the farmers if a reasonable maximum price is fixed for his products, as well as a minimum; and most cer-

tainly it seems to me that this ought to be done along with the other necessities of life, as above stated.

I write you this in order that you may be advised of public opinion along these lines generally in this county.

Respectfully, C. W. MARGRAVES.

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DYERSBURG, TENN., *July 9, 1917.*

Hon. JOHN K. SHIELDS,
Washington, D. C.

DEAR SIR: I have read with interest the letter of Mr. W. L. Welcker, of Knoxville, to you, and by you furnished to Senator POMERENE and afterwards published in Memphis Commercial Appeal.

I am not informed as to conditions in east Tennessee coal fields, of which Mr. Welcker writes, but I would like to give you some facts concerning the fields contiguous to this market and the so-called "sweeping reductions" agreed to by the 400 bituminous mine operators east of the Mississippi River and the Government officials in Washington on June 28.

In May, 1916, acting for my company—Dyersburg Ice & Coal Co.—I made a contract with ——— mine, issuing one of the best products of the southern Illinois field, adjoining some of the most popular mines in the Franklin County district, covering our wants until April 1, 1917, at $1.50 per ton for domestic grades, and while we got only about 40 per cent of our requirements, I am satisfied the shipper did for us the best he could under the very great car shortage then existing.

In April, 1917, I again contracted with this same mine for our needs for the months of May, June, and July, at $3 per ton for domestic sizes—100 per cent increase in price, mark you—and in the first two months, when we should have gotten 65 per cent of our purchase, we received less than 25 per cent of this amount, due to car shortage.

This week I have received a communication from this same corporation, from which I quote: "At present the price is * * * $3.50 for domestic sizes," a raise of 16⅔ per cent since the wonderfully magnanimous agreement on the part of the operators in June.

I send you herewith a circular, Illinois Coal Prices, issued by the different associations of that State. You will note the universal price for domestic sizes, $3.50 per ton at the mine.

I have in my files quotations offering us the choicest products in domestic grades of the Franklin County field for July and August, 1916, delivery at $1.60 to $1.75 f. o. b. the mines. At the same time, many mines that now ask $3.50 per ton would have jumped at contracts for $1.25 to $1.50.

It looks to me that the coal operators in their excessive patriotism and generosity have put a home run over on Uncle Sam and the people.

Very truly, W. O. BRANDON.

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BRISTOL, VA.-TENN., *July 7, 1917.*

Judge JOHN K. SHIELDS,
Washington, D. C.

DEAR SENATOR: There is so much talk now about the high cost of living and that the Washington Government is going to take charge of regulating and reducing prices. You and I live in a section of the country that produces coal. And many of our friends are in the coal business. In my judgment the lowering of prices on coal is just as important and necessary as the reduction on wheat, potatoes, corn, etc. Coal can be put on cars at the mine from 90 cents to $1, and yet the poor people of Bristol, Knoxville, and elsewhere have been paying from five to six dollars a ton. A laborer working at $1.25 per day and paying $6 for coal has all of his patriotism destroyed on account of this high price. I have some friends in the coal business who have been making from $3.50 to $4 per ton; about $200 a carload. I have a friend who says that he is making about $3 a ton and is hauling it on wagons about 2 miles to the railroad. Soft coal on cars at the mine should not be over $2 per ton; this will give them fully a hundred per cent profit. I call your attention to these facts, and I hope you will give it your very serious consideration.

Very truly, J. M. BARKER.

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THE JACKSON ASSOCIATION OF COMMERCE
FOR JACKSON AND MADISON COUNTY,
Jackson, Tenn., July 6, 1917.

Senator JOHN K. SHIELDS,
Washington, D. C.

MY DEAR SENATOR: I am writing you about the coal situation. I have talked to numbers of citizens who must have coal to keep themselves and their families from suffering, if not freezing next winter, also to manufacturers who must have coal to keep their plants going. Numbers of our people work in these factories and depend on their daily wage to live. All must have coal. Without exception they think the Congress should take immediate action in the matter and pass some law or laws to protect them from the rapacity and greed of the mine owners. If something isn't done for relief much misery will be the portion of thousands of your fellow citizens the coming winter. May we not have an expression from you?

With best wishes, I am,
Cordially, yours, S. P. ANDERSON, *Secretary.*

Mr. SHIELDS. I also present resolutions adopted by citizens of Knoxville, Tenn., and a clipping from the Knoxville Sentinel, which I ask to have incorporated in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

KNOXVILLE, TENN., *July 6, 1917.*

Whereas we are involved in a world-wide war for the cause of humanity—a greater and wider democracy—which is calling for the strongest and best manhood of the country; and

Whereas our country is being taxed and drawn upon as never before: Therefore be it

Resolved, That we, the citizens of Lincoln Park, in mass meeting assembled, who live within 50 miles of enough coal to supply the entire South for a hundred and more years, are in favor of keeping this coal for our own consumption and giving it to the consumers at a fair and reasonable price; that we are unalterably opposed to the prices fixed last week at Washington and New York City; that they are unreasonable, unjust, oppressive, and that we refuse to abide by them; be it further

Resolved, That the said prices, purported to be fixed upon the coal of the Nation, is without authority and not binding, and that we denounce the coal operators who attended this meeting and fixed said prices to be oppressors, disloyal citizens, and in rebellion against struggling humanity; be it further

Resolved, That we are opposed to oppression and unjust legislation everywhere, at home as well as abroad; that we favor giving every man a fair opportunity to live; that this guaranty comes from the Ruler of all governments and worlds, and that it is what our fathers fought for; and if it is revolution to live and enjoy what we have at a reasonable price to all men, let us have revolution rather than starve and freeze to death or be unreasonably oppressed; be it further

Resolved, That we call upon loyal citizens everywhere to come together in mass meetings, as we have, and protest against the price fixed upon coal by the coal operators and send delegates to Washington at some future day and prevail upon the Government to fix a price that will not be burdensome or oppressive to the people; be it further.

Resolved, That we favor organizing a cooperative coal company and invite all loyal citizens of Knoxville to join with us in this movement, and that we are in favor of not buying any coal for the present from any of the companies doing business in Knoxville; be it further

Resolved, That we furnish each of our Senators, Messrs. SHIELDS and MCKELLAR, and Congressman a copy of these resolutions; be it further

Resolved, That we furnish each of the daily papers and the Knoxville Plain Dealer a copy of the same.

C. W. LESTER, *Chairman*,
W. K. WOLF,
W. M. HENRY,
Committee on Resolutions.

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[From the Knoxville Sentinel, July 13.]

COAL OPERATORS PLEDGE TO HELP—PRESIDENT WILSON GIVEN ASSURANCE OF THEIR CORDIAL COOPERATION.

At a meeting of the coal operators in the city, reference was made to the appeal of President Wilson to the business interests of the country, and a committee representing the Tennessee and Kentucky coal operators wired President Wilson as follows:

"Your appeal to business interests of the country is heartily indorsed by the Tennessee and Kentucky coal operators, and they feel will find a no less ready response from every coal industry in our whole country than will be offered by other lines of business. We challenge all other interests to do even as much as was determined at the coal convention at Washington on June 28."

"It will be recalled," said a coal operator after the meeting, "that by invitation of the Secretary of the Interior Lane, the chairman of the Federal Trade Commission, ex-Gov. Fort, and the chairman of the coal-production committee of the National Council of Defense, F. S. Peabody, the coal operators and the Government officials above mentioned met at Washington, and on June 28 concluded an arrangement whereby the operators voluntarily agreed to permit the Government to name the maximum prices for which coal should be sold beginning July 1. This agreement provided a reduction from the market price of $1.50 to $2 per ton, and which Secretary Lane estimated to be in round numbers $180,000,000 per year.

"As showing the spirit of the Government authorities and their attitude toward the operators for their generous and patriotic action, Secretary Lane spoke as follows:

"'Gentlemen, this is a very novel proceeding. I think I am within the fact when I say that no such hearing or gathering as this has ever been held in the United States before or perhaps in the world. You are, I hope, pioneers in a good movement. I come from the land of pioneers, the far western country, where we look back with respect and admiration and some reverence upon those who crossed the hard and stony and waterless places to the richer spots beyond. And I hope that you will be looked back upon not only by those who succeed you in the coal business but by the industries of the United States with respect and admiration for the manner in which you have acted at this conference. You have responded as men should to a call made upon you in the name of the people of the United States. You are not a removed class. You are of us. You belong to the people. Most of you are men who were not born to wealth. You come up out of the soil like the rest of us, and you have shown a sympathy and an understanding of your relations with the people from which you spring. That is the essential quality in democracy.

"'Unless we can maintain in our minds always a consciousness of the source of power in this country, democracy is a failure. There is a strong contention made that this Government can not so organize itself as to meet to the full demands that are and are to be made upon it; that other forms of government in times of stress, or, in fact, in any times, are more competent and more efficient, because there is the strong hand of the Government above, threatening, menacing, compelling. If we in the United States are to work out our problem economic, social, as we have worked out our problem political, we must work it out, in my judgment, in the spirit in which you have worked—with sympathy, with recognition of those whom you serve.

"'There is a kind of corporation in this country that we know as a public utility. A public utility is one that is at the service of anyone and must render him the kind of service that it holds out to give. In the biggest and broadest sense each one of you in running a coal mine is managing a public utility, because the public is dependent upon you. And this world is going forward and not backward, it is going to keep its confidence in democracy, if the men who have the management of industry and the men who give direction to the thought of the country have in their hearts always the welfare of the people. The one thing that will turn us back is the exercise of arbitrary power by those who have power and exercise it ruthlessly. You have been up against an extremely odd situation. And now you have gathered here and met that situation in man fashion. I think you have reason to be proud of what you have done.

"'Speaking for Gov. Fort and for Mr. Peabody and his committee and for myself, we are proud of what you have done. You have said to the American people that within your power, exercising your judgment, protecting yourselves, you will not be oblivious to the rights of those whom you serve; you will, within your power, protect them. That is the spirit that makes for the success of our country. And if all the industries of the United States will have that same spirit there will be no question as to our ability to mobilize the resources of this country and carry this war to a successful conclusion. Good sense, common sense, vision, the judgment of large-minded men—these are the things that must characterize us if we are to carry on this great venture.

"'We must not work singly and alone, for selfish ends, in the hope of reaping rich rewards, which will distinguish us merely as men who

are in industry as makers of money. We must work as the men that the papers said landed in Europe yesterday will work. We must work in companies, in battalions, in regiments, and we must have in our minds the purpose that we are going to march forward to victory, victory not for ourselves but victory for the country that is dearer to us than anything we have except our own families. This war is not a war of a day. It is not a war upon which we entered lightly. It is not a war in which any man, no matter how old he is, no matter what his resources may be, will not be compelled to play his part. We are the greatest business nation on earth, and therefore we must look to the business men of the country to lead our people in spirit. And I think that the word that comes out from this gathering will be an inspiration to the people of the country.' "

Mr. CHAMBERLAIN. Mr. President, the arrangement made a while ago was that as soon as the proposed amendment to section 12 had been printed it would resume its place for discussion. I ask now that section 12 be taken up for consideration.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Oregon as a substitute for section 12.

Mr. KELLOGG. Mr. President, the amendment of the Senator from Oregon which is now before the Senate proposes to give the board the power to fix the minimum price of wheat, and contains a clause guaranteeing a minimum price of $2 per bushel for No. 1 northern at the principal primary market. I desire to say a few words upon that amendment, because there seems to be a general impression that $2 per bushel is a very high price for wheat. I think I can demonstrate, taking the price of wheat to-day and the prices of other products in the country, that it is a very low price for wheat.

It does not mean $2 to the farmer; it means $2 for the highest grade at an interior market point, like Minneapolis or Chicago. From that is deducted the elevator charges of at least 4 cents a bushel, the railway freight from 5 to 10 or 15 cents per 100, and the difference between the first grade and the other grades of wheat, varying from 4 to 6 cents per bushel for each grade. There are four or five grades of wheat, and very little of the No. 1 northern grade on the market. The farmer, under this clause, will not receive $1.90, but probably will receive something from $1.66 or $1.70 to $1.85 a bushel for his grain.

Mr. President, that, compared with the price of other products in this country, is not conferring upon the farmer any benefit or any great boon, when we compare it with the price of wheat to-day in the market. Wheat is selling to-day in Oklahoma at $2.35 a bushel at the station of the farmer.

I have telegrams from many elevator men and farmers all over the country as to these prices. I have not time to read them into the RECORD, but I desire to call the attention of the Senate to one, which is as follows:

Washington dispatches indicate a so-called minimum price for standard grades of wheat, one seventy-five at interior terminal markets. As I understand the plans of the food administration, this would represent the price which Government agents would pay for wheat in these markets. If this is the case you will find the farmers will refuse to sell their wheat, and in my judgment they would be entirely warranted in so doing. The world wheat situation justifies a materially higher price. In this opinion I have the indorsement of a number of Canadian board of grain supervisors.

I might say here that the Canadian supervisors referred to are fixing the price in Canada at $2 or above to the farmer—

Suppose you are aware that southwestern farmers are holding their wheat, although in Oklahoma two thirty-five per bushel is obtainable for such quantities as mills require for current use.

I might remark, in passing, that the elevator companies are not buying because they are afraid to buy. They can not hedge their purchases in the market, and therefore will not invest in wheat. The mills are buying some, but they are paying the farmer to-day much more than $2 at his market town.

That telegram was sent to me by a man having a large line of elevators in the Central West and in Canada, one of the largest grain buyers in the country. Every telegram from every grain buyer and mill recommends at least $2 a bushel for wheat, and from that up to $2.25 a bushel.

Now, the crop in the Northwest is not a bumper crop. I have a telegram from a man who has just returned from an extensive trip through Minnesota, North Dakota, and Canada who estimates the crop at about 50 per cent normal.

In my judgment, in Minnesota it is better than that. I do not think it is much better than that, if any better, in North Dakota, from the telegrams I have received, but I know that the crop conditions throughout the Northwest, so far as wheat is concerned, are below normal.

Mr. President, when the price of wheat to-day is compared with the price of other products in the country, $2 seems very cheap; and let it be remembered that that means $2 at the terminal market; the farmer must take much less than that. Compared with the price of coal, $2 wheat is very cheap. Compared with iron, it is the same. Pig iron was selling last October at $18 a ton; to-day it is selling to the manufacturers throughout this country at $55 a ton; and structural steel and clothing and many other things in this country are bringing prices corresponding to those—much higher than the prices of wheat.

Mr. President, I believe that these elevator men and these farmers are correct when they say that if a low price is paid for wheat the farmer will not market it, and he will not raise it another year. In 1914, in three days of about the same time as the present, there were 10,733 cars of wheat marketed, and in the three corresponding days of this year only 733 cars of wheat. The farmer is not asking you to single him out and to guarantee him a minimum price. All he asks is that you will leave his market the same as all the other markets in the country—free and open. If you are not going to do it, if you are going to take away his market and control the prices, then it is for the interest of the whole country more than it is for the interest of the farmer that the President be authorized to guarantee him a good, liberal, minimum price.

Of course the farmer's market will be in the control of the Government when this bill is passed. The embargo bill, of course, took away his entire foreign market and placed it in the hands of this Government. We thought it was necessary to pass that bill. I believe it was, and I should vote for it again. It was necessary as a war measure in this great conflict, but nevertheless it took his market. Now we propose to give to the food-control board the power to control the purchasers of his grain at the terminal markets, to wit, all the elevators and all the mills; and of course the food commission can, therefore, fix his price. If you would leave this an open market, the farmer would much prefer to have it done; but if you think it is necessary to pass this bill and to confer these powers—and I do not say it is not, nor do I argue against it—then you should not be at all niggardly in placing the minimum price where it will be liberal. I do not believe $2 a bushel at the terminal market, less the freight charges and less the elevator charges and less the difference for lower grades of wheat, is a liberal price to the farmer. In fact, in view of the world's crop condition, the demands of the allies and foreign countries, the shortage of the world's crop and the shortage of our crop, it is a very small price, and much less than he is receiving to-day or would receive if his market were left open.

I do not wish to argue as a general proposition for fixing minimum or maximum prices. I am aware that as an economic proposition it is indefensible.

Mr. WADSWORTH. Mr. President, will the Senator submit to a very brief question?

Mr. KELLOGG. Yes.

Mr. WADSWORTH. Does the Senator believe it wise for the Congress to attempt to fix a minimum price?

Mr. KELLOGG. The Congress has not attempted to fix the minimum price, but it says that it shall not be less than $2.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. KELLOGG. I ask permission to print a letter as a part of my remarks, without reading.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The letter referred to is as follows:

NATIONAL COUNCIL OF FARMERS' COOPERATIVE ASSOCIATIONS,
Hotel Bellevue, Washington, July 19, 1917.

Hon. FRANK B. KELLOGG,
United States Senate, Washington, D. C.

DEAR SENATOR: I am writing you at this time in regard to the minimum price which the Senate proposed to fix for wheat in the food-control bill. I note that the price of $1.75 is being considered. If the purpose of the minimum price is to stimulate production, I have no hesitancy in saying that $1.75 will not tend to produce that result under present conditions. My conclusion is based on the following reasons:

Since coming to Washington I have received many telegrams direct from organized grain farmers indicating what they consider a fair price for the next crop of wheat. Thirty-three telegrams coming from the 12 leading grain States average as follows: Twenty-five telegrams $2.11, Chicago; eight telegrams, $1.90 at the farm. These telegrams speak the mind of a very large number of farmers. So far as I am able to determine, this is the minimum price which the farmers of these States think they should have for their next wheat crop, so that a minimum price of $1.75 will be no inducement for them to sow more wheat.

As an expression of my second reason, I quote from to-day's New York Commercial:

"Trading in the wheat market was again of limited volume yesterday, but there was a big bulge in prices. The gain was attributed to the strong cash wheat markets, particularly in the Southwest, where overnight advances of from 10 to 30 cents per bushel were reported, this in time resulting from the unwillingness of farmers to sell at the present level and the limited receipts of new wheat. A good deal of attention was also given to the report that in the food-control bill a minimum price of $1.75 for No. 1 northern wheat is to be included. Of course, as a market factor it had no value, for cash wheat is well above that figure and in the Southwest is selling at from $2.30 to $2.45

a bushel, despite the absence of demand. The crop news as a rule is favorable, in many cases the yield being above expectation."

The time is almost at hand when the farmer of the winter wheat belt must decide how much he will sow this fall. His idea of the future price is going to have much to do in determining his decision. Evidently, he believes that prices are going higher than those mentioned above, because he is not selling freely. Receipts at the three principal winter wheat markets for the last three days of last week, compared with the receipts for the corresponding periods one, two, and three years ago, show that very plainly. By car loads, they are as follows:

1914	10,733
1915 (wet year)	1,056
1916	2,532
1917	733

This convinces me that $1.75 will not look attractive to the farmer.

The third reason why this minimum price of $1.75 is too low is because it is proposed to eliminate any control over the prices of the necessaries which the farmer has to buy. If this be done, the farmer will naturally expect a higher minimum price than would satisfy him if the control of those other necessaries were to be retained in the bill.

I will say in conclusion that there is no doubt in my mind that a minimum price of $1.75 for the next crop will not encourage the farmers of the winter wheat belt to increase their acreage of wheat this coming fall. Nothing less than $2 for No. 2 hard winter or No. 1 northern will tend to produce that result, and if present prices of cash wheat are maintained, the guaranty of a minimum of even $2 will not be considered by the farmer in deciding the acreage that he will sow, because farmers like all others are strongly influenced by present conditions.

Since you represent one of the greatest of the wheat producing States and that you are much interested in this legislation, I ask your careful consideration of this letter and beg to remain,

Very truly, yours,

J. W. SHORTHILL, *Secretary*.

Mr. CURTIS. Mr. President, I believe it is a mistake to fix the price of wheat in this bill; but if the price is to be fixed, the farmer should not be paid less than $2 a bushel for his wheat.

There are a good many reasons why the farmers this year should have that amount of money for their wheat. In our State this year the crop is about 45,000,000 bushels. The crop last year was about 98,000,000 bushels, the year before it was about 106,000,000 bushels, and the year before that 177,000,000 bushels. I am told by reliable farmers in Kansas that this year's crop will cost them more than $1.75 a bushel to produce.

It must be remembered that a large part of 6,000,000 acres of wheat in Kansas was winter-killed; this, as I am informed, covers about two-thirds of this year's crop, and accounts for the small yield. Then, again, the Senator from Minnesota [Mr. KELLOGG] tells the Senate that the Canadian commission had fixed the price of Canadian wheat at above $1.80. I am informed to-day that the price to the farmer has been fixed at $1.87. This is true all over Canada, so I am informed. I am also told that the price has been fixed to the producer in England at $1.80. It does not cost as much to produce wheat in Canada as it does in the United States. It will not be necessary for me to give the reasons for this. If the farmers of Canada are to receive $1.87 per bushel, then the farmers of this country should have at least $2 a bushel for their wheat.

Again, a day or two ago No. 2 winter hard wheat was selling for $2.45 a bushel in Kansas City. No. 1 northern was selling for $2.61 a bushel in Duluth. If that is so, then why should the price be fixed at $2 at the market place in this bill, which means about $1.85 to the farmer?

I have proposed two amendments to this bill—one in reference to the grade. The bill fixes the price of wheat at $2 per bushel for No. 1 northern. I have asked the Senate to accept an amendment in these words, "or its equivalent," and I hope the chairman of the committee will accept that amendment. I have also offered an amendment to the original provision fixing the price at $2.25, because if the price is $2.25 at the market place that would bring the farmer about $2 or $2.10.

As I said a minute ago, I believe it is a mistake to fix the price in this bill; but if it is to be fixed, I hope the Senate will fix the price at not less than $2 per bushel to the farmer.

Mr. PAGE. Mr. President, I should like to know from the Senator to what time he would have this guaranty continued?

Mr. CURTIS. Only while it was necessary.

Mr. PAGE. To cover the crop of this year and the crop of next year?

Mr. CURTIS. It should cover this crop and the crop of next year, if necessary.

Mr. PAGE. Until what time would the Senator think it was necessary to continue the guaranty to fairly take care of the crop of 1918?

Mr. CURTIS. That would depend upon circumstances.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Kansas a question. If the price of wheat is fixed either by statute or by a board or commission, ought it not to be a price varying with the season of the year? In other words, the wheat must be held by somebody. It can not be consumed at once, and if you fix a price the 1st of September that is the same as the price the following January, if that should become the prevailing price—as seems to be the judgment of a great many, if not most, of the Senators—it would mean that all of the wheat would be put on the market immediately, because there would be no object in holding the wheat. I had supposed, earlier in the consideration of this question, that if the board or some individual fixed it, he would fix a price commencing soon after harvesting and increase it month by month a few cents until about the time of the next harvest.

Mr. CURTIS. I think the Senator from Nebraska is right, and that is one of the reasons why I believe it would be a mistake to fix a flat price in this bill, and think it would be better to leave it to the judgment of a board who would be governed by circumstances and fix the prices as the circumstances at the time justified.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

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

Mr. CURTIS. Certainly.

Mr. SMOOT. I wanted to make this suggestion to the Senator: This being a minimum price, I can not see why there should be a graduated minimum price. If we were fixing the maximum price, the suggestion made by the Senator from Nebraska would be absolutely right; but the farmers expect and no doubt in many, many cases and in many parts of the year will receive more than $2 per bushel. Therefore, it seems to me that one price, and that being a minimum price, is the proper policy to pursue; but if we were naming a maximum price, then, as I say, I think the suggestion of the Senator would be proper.

Mr. CURTIS. Mr. President, I desire to read just a few words from this amendment:

This guaranty shall not be dependent upon the action of the President or said board under the first part of this section, but is hereby made absolute.

Mr. SMOOT. That is true; it is an absolute minimum price, and that is what it ought to be. If those words were not put in the bill, then, under the provisions of the bill, there may have been a change even in that minimum price, less than $2; but the minimum price is made absolute at $2.

Mr. CURTIS. That is at the market center. The original provision fixes a flat price, and the amendment offered by me was drawn with that provision before me. I notice that the new amendment, the one just printed, contains the words "not less than $2 per bushel at the principal interior primary market." The words "not less than" have been added to the original provision.

Mr. STERLING. Mr. President, I want to say just one word in explanation of my vote on the amendment offered by the Senator from North Dakota. As he is aware, I think, I am opposed to any price fixing in this bill; but if a price is to be fixed I think that the price for wheat under all the conditions should not be less than $2 per bushel. Hence I shall vote for his amendment.

Mr. REED. Mr. President, let me first dispose, if I can, of the objection raised by the Senator from Kansas, which is that if there is a fixed price for wheat all of the wheat might be delivered immediately after harvesting.

That objection or difficulty can be easily met under the bill. Two dollars is named in the bill as the minimum price below which the board can not go, but the board can go above that price if it sees fit; and therefore if the board sees fit to regulate the flow of wheat by raising the prices a little from month to month, or fixing graduated prices applicable from month to month, the board can do so. That difficulty, therefore, ceases to be a difficulty.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. REED. Yes. I have only a moment, however, so I will ask the Senator to be just as brief as possible.

Mr. NORRIS. I was going to ask the Senator what, in his judgment, line 2, page 3 of the amendment means when it says "at the principal interior primary market"? Does not that confine it to one place?

Mr. REED. That should be "principal interior primary markets."

Mr. NORRIS. It seems to me it ought to be plural.

Mr. REED. I have just spoken to the Senator in charge of the bill about it, and clearly the words "the principal interior primary market" ought not to be in the singular; they should be in the plural. I ask the Senator from Oregon to accept that amendment.

Mr. CHAMBERLAIN. Mr. President, I have looked at it since the Senator spoke to me. It is intended to be "market." That is the price at the primary market, and the differences are adjusted by rules and regulations that may be adopted.

Mr. REED. Well, that would be highly unfair. I shall move the amendment, but I do not desire to speak of it now.

Mr. CURTIS. Mr. President, may I make a brief statement?

Mr. REED. Yes.

Mr. CURTIS. I read from the original amendment, and the words "not less than" were not in it. It fixes the price at $1.75, which caused me to make the statement I did in regard to the flat price. I did not know that the words "not less than" had been added in the new amendment until I read it a few moments ago. The new print only reached our desks a short time ago.

Mr. REED. Mr. President, that clears up that matter. Let me state this case very briefly as I see it.

World conditions are making high prices—high prices for everyone. When I say "world conditions" I eliminate therefrom unjust speculative movements, which ought to be, of course, reached by law, and hoarding and forestalling, which ought to be reached by law. But eliminating those conditions, world-wide conditions have made high prices for almost everything.

The farmer, like everybody else, buys his products affected by those world conditions. If you let the American farmer alone, and leave to him the world markets, he will accept them without complaint and will ask no favors or patronage at the hands of Congress. But, as everybody knows, we have taken away from the farmer his world market. We have done this first by giving to the President the right to declare a general embargo upon all exports, and that embargo is already being employed, so that it will control the products of the farmer. It was necessary to give this power in order to prevent our own food products being employed by our enemies to perpetuate the war against us.

In addition to the power of embargo and to its employment, we find that the allies have agreed upon a common agency through which to purchase their supplies, and it is pretty well understood that all neutral countries will purchase through that same agency or through some common agency. Thus, so far as the foreign market is concerned for the farmer's surplus, it is completely brought within one control, and that of course is equivalent to denying him the world competition. When we come to local conditions, home conditions, it is proposed in this bill to place in the hands of the food controller $150,000,000 to be used as a revolving fund so that he may go into the market and buy, and likewise he may go into the market and sell. Thus it is proposed and it is the intendment of the bill that the home market shall be controlled artificially. So we have taken away from the farmer both his foreign and his domestic market.

Mr. President, that might be done, and so far as the present crop is concerned it might result and probably would result in a low price for wheat, but if you were to so treat the farmer this year, then it is as certain as anything can be in the future that next year he would protect himself against further injustice or injury by limiting the amount of his product. Thus we would find that in the end the evil would fall upon the consumers in our great cities. They would be compelled to pay exorbitant prices because of underproduction.

In order to meet these conditions it seems, therefore, only fair and just that we shall by law guarantee to the farmer immunity from injury by virtue of the laws which we have enacted, for as we by law have taken away from him his open market by a law we ought to guarantee him something in lieu of that open market—a fair equivalent.

Mr. President, it is my opinion that it would be a mistake to place the figure in this bill at less than $2. If perchance that shall produce an unusually large crop next year, then we make it certain that the wheat can be kept, that the hungry world can be fed, and if there is a surplus it can be carried into the next year's crop; it will not be lost.

I believe that no greater mistake can be made than to alarm the great agricultural population of the country. Mark you, the farmer to-day is paying $60 and $65 a month for farm labor where a few years ago he paid but $15 a month. Mark you, he is paying an enormous advance upon everything that he consumes. Remember that the farmer is a consumer the same as all the rest of the people are consumers; and bear in mind, if you deprive the farmer of the assurance of good prices on his wheat the result will be that instead of planting a greater acreage he will plant only that which he and his family can harvest and care for, because he will not go to the hazard of employing exceptionally high-priced help in order to take care of his crop.

Mr. President, the last thing we ought to do is to disturb the source of supply. The one thing we can best do by such a bill as this is to assure a large production, and if too much is happily produced then the result will be reduced prices to the consumer.

Mr. HARDING. Mr. President, I have had the impression that the primary inspiration of the pending bill is the world's shortage of food supply. If that be true, the American farmer and the world farmer have the best guaranty of price that can be given. It is far more valid than any act of this body, omnipotent as we have assumed ourselves to be.

In passing, Mr. President, I must speak of that assumed omnipotence. Not a little has been said here about the omnipotence of the Executive. A Senate which undertakes to perfect a system of food regulation down to the last detail must assume omnipotence. Nay, more, any legislative body that seeks to reform human nature must be doubly omnipotent. I venture to make the remark now that the best-intentioned Congress in the world can not alter the tendencies of human nature. If any man thinks that Congress can legislate so that there shall be no profiteering, he is as much mistaken as the Kaiser was when he thought to eat his Christmas dinner in Paris in 1914. If any man thinks that there can be enacted a law for food control, for war taxation, to meet the exigencies of these difficult times and have it apply equitably and justly to all alike, he is very much mistaken.

I share the anxiety to strike at greed. I should like to strike at the greed for power. I would be agreeable to strike at the manifest greed in some agricultural sections of the United States. I am willing to join in striking at the greed of some of the great industrial institutions of the United States. Sometimes I am inclined to utter a warning to them that he who is in business in these difficult times, who expects to make an abnormal profit, is riding to his own destruction, because in the turmoil of the world this sort of thing is not going to be tolerated.

It does not make so very much difference what we say just now about the American Constitution. Government is a failure if it does not meet the requirements of the people who constitute that government. I do not know whether that is a Wilsonian doctrine or not; but in times like these the popular will is going to be very much insistent; and, manifestly, there has been created in this country an impression that food control will relieve a difficult war-time situation. Because of that, Mr. President, I am inclined to give my vote to a food dictatorship, because a food dictator can do what the Senate might well put aside as an impossible thing.

But, Mr. President, if Congress itself means to write into this law minimum or maximum prices we will fail, and I doubt if I can in good conscience give it my support.

Now, let us see where we arrive. All these problems of existence have an intimate relationship. Primarily this bill is designed for the American consumer. It is designed to meet a condition incident to the inordinately high cost of living that comes from the war, even more than to encourage production to meet the needs of war. Let us take the workingman whose wages, we will say, are $25 a week. Now, we are proposing to either adjust the price of wheat to that wage or higher than it ought to be for that wage. If you fix the price by law then there must be a readjustment of wage throughout all the lines of employment in this country, so the toiler may pay for bread at the prices established by legislative enactment.

Now, what difference does it make to that workingman whether he gets $25 a week and under the present cost of living has a margin, we will say, of $5 at the end of the week—I am putting it too high—or whether he makes $50 a week and has $10 left at the end of the week, when the $10 has only the purchasing power of $5 under former conditions? It is not what a man earns in the activities of life, it is what he has left after he has paid his expenses in earning it. If you fix the minimum price on wheat, which forms the great staff of life, then you must necessarily bring about a readjustment of wages throughout the country, which rate of wage conforms to that cost of living. Now, assume that we fix a $2 minimum price on wheat, and you readjust the wages in the United States of America to the basis of $2 wheat, double the normal top price in peace, then you will have doubled the cost of employment throughout the United States and will have fixed a scale 100 per cent higher than we had prior to the war. I should like to have some Senator on this floor, before we are called to vote on this question, tell me what the harvest will be when the war is ended—when readjustment comes.

Mr. President, I know what the country is calling for. I know at the same time that the country is very much mistaken in the impressions it has as to what will result from this bill, but there has been created a state of mind throughout the United States that Congress is going to provide for an adjustment of the food situation. The American farmer, so far as I know

him, is reconciled to this proposition. He is the one first affected. I have a letter on my desk from an Ohio farmer who tells me that $1.50 wheat would be highly acceptable to the farmers of our State, but he closes his letter very significantly and says, "In the name of God, why does not Congress act?"

I do not think it will bring about the desired relief; but I venture to say, Mr. President, that if the qualities of American patriotism are such that you must guarantee the American farmer a price for his wheat in the face of a world famine, then there is not patriotism enough in this country to win the war.

Mr. President, I saw a letter yesterday from one of the executive or administrative departments of the Government to a great industrial institution, and, without my giving to the Senate now the name or the particular article ordered, let me say that that official letter said, "Gentlemen, you are directed and hereby ordered to deliver to the United States, at such and such a point, so many tons of a certain article, for which you will be paid so much per ton. We will allow you approximately 80 per cent of the price named for this article, and if you are not satisfied with the price the balance can be properly adjusted." I have not the exact language. In short, Mr. President, the Government takes the captain of industry and says, "You are hereby directed to do so and so," and the captain of industry to whom this letter was addressed said to a Member of this body, in writing concerning it, that a previous contract at the same rate had been executed at a loss.

Mr. President, if America is going to win this war the workingmen of the United States, the captains of industry of the United States, the farmers of the United States, and the professional men of the United States must say, "These are our offerings of material, of strength, of talent, of industry, of cash, and of blood; take them in the name of our common country; let us win this war for continued American nationality."

Mr. McCUMBER. Mr. President, I shall vote for the amendment. I shall vote for it because it does fix some standard of value, and that standard of value, to my mind, is a reasonable standard. I am not deceiving myself one moment with the belief that that standard will ever be put into effect. It is simply discretionary with the President of the United States, and he may exercise that power to encourage the production of crops if he sees fit.

There is another section—section 8—of the bill that does subject every bushel of food cereals in the United States to condemnation or to seizure under the war power to requisition or commandeer. I believe before we get through with this war section 8 will be put into force. I have no assurance that section 12 will be left in the bill at all. It may be destroyed entirely in conference, but the influence that it will have in producing in the minds of the Senators and Representatives what is considered to be a reasonable price for grain will have some effect. I do not desire to place the price very much higher than that.

There is another feature that has not been considered by the Senate. You do not fix any price for corn; you fix no price for barley or rye or oats. If I were a farmer and no price was fixed for corn or oats or barley, next year I would put every acre into wheat at the minimum price of $2 a bushel, and I would plant no corn; I would plant no rye and no barley. I am fearful that if you put in too much and make the price of wheat too great you will have an enormous surplus of wheat without a corresponding production of corn and rye and oats.

Mr. HARDING. Mr. President——

Mr. McCUMBER. I yield to the Senator from Ohio.

Mr. HARDING. I wish to ask the Senator from North Dakota if he is not aware of the fact that the price of wheat fixes the price of corn and barley and rye; that the prices are ever maintained in the same relation?

Mr. McCUMBER. Not always, Mr. President; but there is some relation.

Mr. NELSON. The price of corn to-day is $4 a bushel. The distillers are buying it at $4 a bushel. The price of wheat is only $2.30 a bushel.

Mr. McCUMBER. Mr. President, I have stated that I do not believe section 12 will ever be put in force. I am especially desirous of bringing to the attention of the Senate again the propriety of placing in section 8 the same provision that we have placed in a provision for commandeering the coal of the country. You who by your votes stated that you would not fix the same rule to measure the farmer's product say to him, what? You say that he shall not be treated with the same consideration which you accord to the producers of anything else which you may take for the benefit of the Army and the Navy.

I know what the meaning is, Mr. President. You say to the farmer, "You have heretofore lived for your bed and your board and your clothing. You can get along with one suit of clothes a year, and you can wear it two years with necessary patching, as you have done in the past, and one suit for Sunday. That is sufficient for you. You never had anything to the good at the end of the year heretofore. With a mortgage upon your farm, why should you be so presumptuous as to ask now that the Government by any rule should put you in any better place?" A boy is sent to the nearest little town to hire labor, and he brings home a man, and the one whom he selects is from the I-won't-work class. You have got to pay him, according to the latest returns from my State, from $3.50 to $4.50 per day, and he works leisurely five or six or seven hours in the day. You say to that boy, who works 16 hours per day, "We will not allow you a compensation of $60 a month; we will not allow you such a price for your products as will assure you what you pay for these tramps." You say to the good housewife, "You have got along heretofore with one calico and one gingham dress and two gingham aprons a year; if you have lived in the past and got your board and that much, and have raised a family by working 14 hours a day, and then sent the family into town to make a living, why, that is all you are entitled to." I want to say to that wife, "You shall receive for your labors as much as you pay," as I said yesterday, "to your colored cook in the city of Washington or any other city."

Mr. LEWIS rose.

Mr. McCUMBER. I can not yield now. When you do that you bring your wheat up to more than $2 a bushel, and I want to assure you that that will be the result.

My good friend from Ohio [Mr. HARDING] stated yesterday that he could raise wheat in Ohio with the land they have there at $1 a bushel and make money. Oh, Mr. President, I would advise my State to hire the Senator from Ohio next year, and to pay him a million dollars for his services, to teach our farmers how to raise wheat in the State of North Dakota for a dollar a bushel.

But let us analyze that proposition. Good farm land in Ohio is worth from $100 to $150 an acre. Six per cent upon that investment means from $6 to $9 an acre, merely upon the money invested in the land alone. Then you have got to add a dollar or two dollars an acre besides that, for the money invested in farm machinery. Then you hire these I. W. W.'s on that farm for $4.50 a day. Do you then tell me that you can raise wheat for $1 a bushel? You can not raise it for $4 a bushel. Of course, if you say to the farmer, who has already earned his farm by the savings of a hundred years on his part and on the part of his ancestors, "You work for your board and get nothing else but a suit of clothes and a pair of overalls"; if you say to the good wife, "Be satisfied with your gingham and your calico dress and your board," of course, you can raise wheat for that price.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. LEWIS. Mr. President, I was merely intending to ask a question of the Senator from Minnesota or the Senator from North Dakota, if I should be recognized, but the Senator has taken his seat, and, of course, I can not ask him unless I am recognized.

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. LEWIS. I only want to ask the Senator from North Dakota or the Senator from Minnesota, did I correctly understand the statement that corn is $4 a bushel?

Mr. McCUMBER. I did not make that statement.

Mr. NELSON. I make the statement that the cash price of corn to-day in Chicago is $4 a bushel—not the future price.

Mr. LEWIS. I was merely seeking information. I represent a great corn State, and I was interested in that fact, in view of my vote on the bill.

Mr. SMITH of South Carolina. I have the quotations here.

Mr. HARDING. Mr. President, if I can have the floor, as I have the market reports in my hand, I shall be delighted to read them, because I esteem the Senator from Minnesota so highly that I want him to be set aright. Spot corn sold in Chicago to-day at $2.02; September corn at $1.62½ to $1.62¾; December corn at $1.15¼ to $1.15½.

Spot corn in Baltimore——

Mr. NELSON. Those prices, I think, refer to futures.

Mr. HARDING. No; I have the price of spot corn right here in the Baltimore market for to-day, July 20. I think perhaps this is authority. Baltimore, as I understand—I am not defending the distillers—is in a distilling district. Spot corn sold to-day in Baltimore at $2.02¾ per bushel, and the receipts were 63,000 bushels.

Before I take my seat, Mr. President, I want to say to the Senator from North Dakota [Mr. McCUMBER], who has talked about farm wages, calico dresses, and all that, that I know of

nothing more beautiful in all the world than a charming country girl in a fresh calico dress starting out for a Sunday ride.

Mr. LEWIS. Mr. President, the Senator from Ohio is taking my time, but I am willing to allow him to make these observations. I have not had the experience which seems to have been his, but I am willing to appropriate that which has been his, if I can experience the joys of the Senator. This is where I "acknowledge the corn." [Laughter.]

Mr. HARDING. I hope I do ample credit to the junior Senator from Illinois.

Mr. CALDER. Mr. President, the object of this bill is to stimulate production and to conserve the food supply. It is not meant to be wholly in the interest of the farmer but in the interest of the consumer as well. It is expected to adjust the prices equitably both to the producer and the consumer.

Mr. President, I am thinking a good deal to-day of the people in the densely populated sections of the country. This discussion has proceeded as if we were only considering the farmer. In this Nation perhaps 65 per cent of the people are engaged in industries and 35 per cent in agriculture. I live in the great city of New York and represent in this Chamber a State which is first in population, first in industry, and among the first in agriculture. Because of our great population this bill means more to my people than to any other State in the Union. Much has been said here, Mr. President, of the wage of the farmer. Do you realize, Senators, that at least one-fourth of the men in the city of New York, of its population of approximately 6,000,000, receive an average year-around wage of less than $13 a week? The distinguished Senator from North Dakota [Mr. McCUMBER] remarked a moment ago that the farmers in his State receive $4.50 a day.

Mr. McCUMBER. No; 20 cents.

Mr. CALDER. I understood the Senator to make that statement in his colloquy with the junior Senator from Ohio [Mr. HARDING].

Mr. McCUMBER. I said the farmers of my State had to go to town and hire one of your I. W. W.'s and pay $4.50 a day to him.

Mr. CALDER. At any rate, Mr. President, the farm laborer to-day receives wages equal to, if not greater, than many of the laboring men in our large cities.

I am in favor of this measure; I am in favor of giving to the food commission the right to fix the minimum price on certain farm products. I shall vote for that because I believe the very fact that we give the right to fix a minimum price will stimulate industry. I shall not vote to fix a price here, because perhaps within a month the price we fix may be too low or it may be too high. If we fix a minimum price of $2 a bushel for wheat, that does not necessarily mean that the farmer will only get $2 a bushel. He may get $3 a bushel; he may within a year get $4 a bushel for wheat. If we fix the minimum price at $1.50 a bushel, perhaps it may be deemed unwise almost before the bill becomes a law.

So I say, Mr. President, in the interest of the whole country, in the interest of the producer, who, after all, we must encourage to produce the things that the people in the cities need—in his interest first, and in the interest of the great consuming masses of this Nation, it seems to me that the best interests of all will be conserved if we leave to the food commission, in its judgment, the right to fix the minimum prices as we go along in the years before us.

Mr. JOHNSON of California. Mr. President, the Senator from New York [Mr. CALDER] has touched upon the thought that has been agitating me during the day while I have listened to this particular discussion. This question seems to me two-sided. It is not alone a question which involves the stimulation of production by fixing a price to the farmers of the Nation, but as well there is involved the consideration as to what the fixing of that price may mean to all the others of the Nation; for it would be of little value to us to stimulate production, to fix a minimum price, and then have flour manufactured and bread made that the rest of our citizens, who constitute the great majority, could never obtain under the price that we fix.

Mr. CURTIS. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from California yield to the Senator from Kansas?

Mr. JOHNSON of California. Certainly.

Mr. CURTIS. I am advised by those who control the food administration that at $2 a bushel to the farmer for wheat bread can be sold to the consumer at 5 cents a loaf.

Mr. JOHNSON of California. That was exactly the inquiry that I desired to put to those who are experts upon the subject. I confess that I am not. What does $2 per bushel minimum price for wheat mean when it comes to the price of flour? What does it mean in bread to the great body of consumers of the Nation? I will be very glad to have a response from any of those who are familiar with the subject.

Mr. McCUMBER. It means the equivalent of 75 loaves of bread for each bushel. The Senator can figure it out for himself.

Mr. JOHNSON of California. What does it mean in the price of flour?

Mr. McCUMBER. There are 4½ bushels of wheat to one barrel of flour.

Mr. NELSON. Mr. President, if the Senator will allow me, I will say that it takes 4½ bushels of wheat to make a barrel of flour. Therefore, $2 a bushel for wheat would be the equivalent of $9 for a barrel of flour, but about 70 pounds of feedstuffs, bran and shorts, are derived from the wheat in the milling process. During the present year, on account of the scarcity of feed, that millstuff or feedstuff has averaged from 1½ to 2 cents a pound. So, taking four bushels and a half of wheat to a barrel of flour, it costs the millers $9, but they have the profit derived from the sale of the bran and shorts, which under present prices would bring them upward of $1.50 for every barrel of flour milled.

Mr. JOHNSON of California. So I take it that those of us who are interested in the subject of the inquiry may understand then that a minimum price of $2 per bushel for wheat would mean an actual cost of flour in the market of about $9 per barrel, and would mean bread at 5 cents a loaf.

Mr. CALDER. Mr. President, I may say, if the Senator from California will permit me, that several weeks ago in a talk with Mr. Hoover he told me that $1.75 a bushel would mean about $9.50 for a barrel of flour.

Mr. JOHNSON of California. If that estimate be correct, then with $2 wheat the price of a barrel of flour would be about $12.

Mr. GRONNA. Mr. President, will the Senator yield to me for a moment?

Mr. JOHNSON of California. Yes; I would be very glad to secure information. This is something that we wish to know about, so that we may justly decide both sides of this question.

Mr. GRONNA. I care not whether made by Mr. Hoover, the Senator from New York, or anyone else, the statement that $1.75 wheat means $9.50 for flour is absolutely untrue. It is incorrect. The Senator from Minnesota gave the figures. It takes 4½ bushels of wheat to make a barrel of flour. I have figured it out, and taking the bran at $20 a ton—and it never sells for less——

Mr. JOHNSON of California. If the Senator will pardon me, my time is very limited, but if the Senator will answer me a question I will be delighted.

Mr. GRONNA. Yes.

Mr. JOHNSON of California. Would $2 per bushel for wheat enable us to buy flour at $9 a barrel?

Mr. GRONNA. Yes, sir, and it will pay the miller a good profit—$1.05 a barrel.

Mr. JOHNSON of California. That is the exact point I wanted to know. That will enable us to have bread at 5 cents a loaf, as I understand the Senator from Kansas. We settle, then, those two propositions. It would be perfectly absurd for us, of course, to endeavor to fix a minimum price which would stimulate production and then make it impossible for our great purchasing public to obtain the very thing the production of which we are endeavoring to stimulate.

I have just sat, Mr. President, for six long weeks on a committee investigating a strike of the street railway employees of the city of Washington. I found in that investigation that men who had worked 25 and 30 years as platform men for a street railway company received in this city, the Capital of the Nation, between $60 and $70 per month, and some of those men had families of three, four, five, and six children. I am very glad to fix a price of wheat profitable to our farmers, but I am not prepared to fix a price upon wheat in this Nation which will not enable a man working for between $60 and $70 a month in the Capital of the Nation to obtain bread during this period of crisis and of peril.

Mr. THOMPSON. Mr. President, I shall first support the amendment offered by the distinguished Senator from North Dakota [Mr. GRONNA], who is not only a practical farmer but who has given careful study to this problem. If that amendment fails, I shall support the substitute offered by the committee, with the amendments tendered by my distinguished colleague [Mr. CURTIS].

Mr. President, I offered an amendment to this section providing that the minimum price of wheat from the passage of this act to the 1st day of January, 1919, shall be $2 per bushel for

No. 2 northern, based on the Chicago market. I shall not press that amendment, because I think the other amendments tendered better meet the present situation, and I am not particular whose amendment I vote for, just so it accomplishes the desired purpose.

Personally, Mr. President, I would prefer not to fix the minimum price of wheat in the bill. I believe that not to do so would give better general results in the long run; but I feel that the sentiment of the Senate, which is responsive to the sentiment of the country, is to the effect that the price should now be fixed owing to the present situation and the unreasonable delay in the passage of this bill. The farmers are demanding to know what the price of wheat will be next year. They are getting ready for the coming crop, and I think they now prefer that Congress itself fix a definite reasonable minimum price rather than leave it to the uncertain arbitrary action of some board.

As bearing on this question, I have here a letter from Prof. Henry J. Waters, president of the Agricultural College of Kansas, and who is also chairman of the Kansas State Council of Defense, which I ask, Mr. President, to have printed in the RECORD as a part of my remarks, as I have not the opportunity in my limited time to read the letter.

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

The letter referred to is as follows:

WASHINGTON, D. C., *July 19, 1917.*

Hon. WILLIAM H. THOMPSON,
United States Senate.

MY DEAR SENATOR: Answering your inquiry regarding the necessity of fixing a minimum price on wheat, will say that because of high-priced seed, labor, and machinery, the farmers of Kansas will hesitate to sow a normal wheat acreage unless they are protected against a possible decline in price if the war should end before the crop is sold.

The farmers in the wheat belt consider that $2 at their station or $2.25 at Chicago as a reasonable minimum price. This is about equivalent to $1.75 last year, and perhaps no more than $1.25 at their station two years ago.

An accurate survey made by the defense council shows that Kansas farmers will seed a million acres less of wheat this year than last unless a reasonable price is fixed. Preparation of land and arrangements for the purchase of seed must be made now, hence a minimum price that will stimulate winter-wheat production for next year must be fixed immediately.

Comparison is frequently made between wheat prices in this country and in Europe. Wages, rent, machinery, and standards of living are much higher here than there. It would be just as fair to try to base American wages on European wages as to attempt to base the American wheat prices on European prices.

Very cordially, yours,

H. J. WATERS,
Chairman Kansas State Council of Defense.

Mr. THOMPSON. Mr. President, one of the principal objects of this bill is to increase production. The farmers of the hard-wheat belt of Kansas, Oklahoma, and Nebraska suffered severe losses last winter by winter killing. In many counties of my State they produced less than the seed they planted. While the original total acreage of the State was about 9,000,000, which is a good average for Kansas, it was reduced by winter killing to only 3,325,320 acres.

Mr. President, to stimulate production under conditions when the farmer has lost nearly two-thirds of his crop we must offer some special inducement. I think this bill will accomplish the purpose, and, notwithstanding their losses and despite the very high prices of feed, labor, seed, and machinery, I believe that the farmers of Kansas are more than willing to do their part in the present emergency. As evidence of this, I want the country to know that they are now planning, through the help of the State council of defense, to double their acreage, so that it will next year amount to about 18,000,000 acres, hoping and fully expecting to produce 200,000,000 bushels of wheat, and thereby lead the States of the Union in contributions to the world in the most needed product at this time. While we have this great loss of crop this year, it gives some encouragement for the future, for Government statistics show that in Kansas one failure has not followed another in the last 20 years. So, although we produced only 42,000,000 bushels of wheat this year, there is every reason to believe that with this increased acreage and the bright prospect we will be again the banner wheat State of the Nation, which is the agricultural ambition of Kansas at this time. If we pass this bill as amended, according to the suggestions which have been made here, I have no doubt but Kansas will again bountifully respond to the call of the Nation in this great crisis.

Mr. STONE. Mr. President, I shall not discuss the amendment before the Senate. I wish, in a few minutes, to discuss another amendment, the only one I have proposed or shall propose. That amendment is as follows:

The sum of $2,000,000 is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to aid in the support and proper maintenance of educational sanitariums or other like institutions organized for the care and industrial education of soldiers and sailors of the United States crippled or disabled as the result of injuries received by them in the line of duty. The President is hereby authorized and empowered to distribute said funds hereby appropriated to such sanitariums or other like institutions in such amounts and in such manner as in his judgment will best promote the purposes for which this appropriation is made.

Mr. President, I desire to read a part of an article appearing in a St. Louis paper. I am not able to give the name of the paper. It came to me as a clipping:

WHITE CROSS FOUNDED IN ST. LOUIS—ORGANIZATION OF NEW RELIEF BODY APPROVED BY "AD." CONVENTION—CARE FOR MAIMED SOLDIERS—ORGANIZATION EXPECTED TO SPREAD ALL OVER THE UNITED STATES.

A St. Louis movement, which is expected to become national in scope, to take care of the soldiers maimed and crippled in the war, yesterday was indorsed at the convention of the Associated Advertising Clubs of the World. It is planned to call it the "White Cross."

The National Hospital-School for Cripples was organized by a score of St. Louis women several weeks ago and was granted a charter by the State on June 2.

The organization, which has gained more than 1,000 members in a remarkably short time, has the following officers—

And then it gives a list of among the leading and most prominent ladies of the city of St. Louis. The remainder of the article I will ask to have inserted.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

President, Mrs. J. G. Nugent; treasurer, Mrs. Colin M. Selph; chairman, Mrs. A. E. Morgan; secretary, Mrs. Charles H. McDaris; corresponding secretary, Mrs. F. H. Littlefield; vice presidents, Mrs. W. H. Hudson, Mrs. John C. Roberts, and Mrs. E. P. Melson. Gov. Fred D. Gardner and Postmaster Selph are members of the advisory board.

The plan of the organization is to retrain and reeducate all of the soldiers who return from the war crippled. The association also has pledged itself to educate all crippled children of sound mind who are not taken care of through the present educational system of the schools.

The present medical staff of the hospital are Dr. Alexander E. Horwitz, Dr. Julius Rotteck, Dr. Cleveland H. Shutt, Dr. I. Lee Kelly, jr., Dr. Max W. Jacobs, and Dr. J. J. Houwink.

A campaign to get a membership of 25,000 and to raise funds to establish a permanent hospital will be started in a few weeks, following the drive of the Red Cross.

Mr. STONE. I also have a copy of a letter sent to me from St. Louis, addressed to the Council of National Defense. I will ask to have that inserted.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The letter is as follows:

ST. LOUIS, MO., *June 25, 1917.*

COUNCIL OF NATIONAL DEFENSE,
Washington, D. C.

GENTLEMEN: A news report in this morning's St. Louis Globe-Democrat advises that a number of physicians have made a report to the medical board of your body with reference to the education and training of maimed and crippled soldiers and sailors.

Inclosed is a copy of the constitution of the National Hospital-School for Cripples, which is self-explanatory.

This organization was incorporated by the State of Missouri as a benevolent corporation on June 2, 1917. Since that time and while the general plans were being worked out its membership in the city of St. Louis alone has grown to nearly 5,000 without any intensive effort. Within the next two weeks the St. Louis membership will have totaled more than 25,000. A definite working organization has been evolved. It is now ready to forge ahead. It has already been established and proven that the idea, which is known as the White Cross, finds a ready response in the hearts of our people. Within the next 90 days the White Cross idea will have spead throughout the entire United States and its membership will have reached the million mark.

An organization has been perfected. The advisory board in St. Louis is composed of 150 of the most prominent citizens—male and female. Among others are the governor of the State and the postmaster of the city of St. Louis, and others as influential though perhaps less prominent.

The idea has received the enthusiastic indorsement of the Associated Advertising Clubs of the World, the United Spanish War Veterans of Missouri, the Egyptian Hustlers (an organization of traveling salesmen of the States of Illinois, Indiana, and Kentucky), and many minor organizations. All of these have not only pledged themselves to membership but have agreed to put forth their individual efforts when called upon.

Inclosed you will find clippings from the various papers showing the impetus that has already been given to the movement. The idea has sprung from the existence of a similar organization in England and to which the English public has subscribed the sum of £700,000. The inceptors of this movement felt it to be a subject for private charity and that inasmuch as the governments of other lands had left the matter to the initiative and generosity of their citizens, such should be done in the United States.

If, in accordance with the above-mentioned newspaper item, it is the council's intention to take up the matter in addition to its other arduous duties, the National Hospital-School for Cripples desires the cooperation of the council, or should the matter be considered a proper subject of direct governmental action, then it desires to cooperate with and aid the movement whenever and wherever possible.

It should be noted that the idea of the White Cross is feasible as a private charity since the Red Cross, an organization operating on identical lines, has just raised a sum of money in excess of $100,000,000, thereby relieving the Government and administration of all expenses and responsibility.

Inasmuch as the National Hospital-School for Cripples is at present directing most of its work to prepare for the care and retraining of the crippled soldiers and sailors, it would appreciate an immediate and direct advice as to what action is to be taken by the Council for Defense, to the end that should the Government take up the work,

the energy and finance of the National Hospital-School for Cripples can be devoted to its more permanent end—the care and education and training of the crippled child, whose numbers in the United States count up to approximately 300,000.

Very truly, yours,

NATIONAL HOSPITAL-SCHOOL FOR CRIPPLES,
MRS. J. G. NUGENT, *President.*

Mr. STONE. The letter gives a history—a brief history, of course—of this movement organized in St. Louis, and which has the indorsement of a number of organizations of greater or less importance. Among other things, attention is called to the fact that in England £700,000 have been appropriated to support institutions of this kind. I have asked to have the letter inserted in the RECORD, because I have not time to read it, and I do not think many Senators would listen to it if I did.

I also ask to have inserted the articles of incorporation of the organization, headquarters of which are located at St. Louis, known as the White Cross. I wish to have these papers in the RECORD for future reference at least, whether anything comes of it now or not.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

ARTICLES OF AGREEMENT OF NATIONAL HOSPITAL-SCHOOL FOR CHILDREN.

Know all men by these presents:

That the undersigned residents of the State of Missouri, desiring to establish hospital schools for cripples for educational purposes, as in these articles set forth, do hereby associate themselves together and form an association to be incorporated under and pursuant to the provisions of article 10 of chapter 33 of the Revised Statutes of Missouri, 1909, and acts amendatory thereof, and do hereby adopt for the said corporation the following:

CONSTITUTION.

ARTICLE I.

Name: The name of the corporation shall be National Hospital-School for Cripples.

ARTICLE II.

Location: The location of this corporation shall be at the city of St. Louis and State of Missouri.

ARTICLE III.

Objects: The objects and purposes of this corporation shall be:

First. For the purpose of reducing mendicancy, vagrancy, and pauperism; to promote the educational, moral, mental, spiritual, and physical betterment of all crippled children of mental power, and of all persons who may be now or hereafter become crippled or disabled on account of having participated in any lawful war to which these United States shall be or become a party.

Second. To promote social service among crippled children and crippled soldiers as above.

Third. To promote the employment of crippled children and crippled soldiers as above under the name of the National Hospital-School for Cripples.

Fourth. To initiate, promote, and aid in the passage of such legislation—municipal, State, or National—as will further the educational facilities and opportunities of crippled children and crippled soldiers as above and concerning any other matter conducive to the needs, objects, and purposes of this corporation.

Fifth. To own, operate, erect, or maintain, or assist in the erection, maintenance, and operation of schools, industrial colleges, universities, and hospitals, wholly or in part especially constructed, equipped, and fitted for the training, education, and medical and surgical treatment of crippled children and crippled soldiers, as above, in which shall be taught such trades, occupations, or professions as in the discretion of this corporation may be suitable and practicable to the physical and mental needs of the individual requirement.

Sixth. To solicit, receive, hold, manage, and dispose of all money and property—real, personal, or mixed—which may from time to time be given, loaned, conveyed, devised, bequeathed, or endowed in any manner to the said corporation for the objects and purposes aforesaid, and to sell, pledge, transfer, and mortgage the same. And the said corporation shall have the power to recognize or cause to be recognized, affiliate, or cooperate with such auxiliary persons, societies, associations, or corporations as in its judgment may be useful to promote or further any or all of the objects and purposes of this corporation.

Seventh. To provide or aid in providing the necessary medical or surgical treatment for any crippled child and crippled soldier, as above, in whose welfare this corporation is concerned.

Eighth. This corporation shall be forever exclusively charitable, nonsectarian, and nonpartisan, and shall be operated solely through humanitarian motives and for the purposes heretofore set forth, and, as it is not formed for pecuniary profit, all money and property and income and the increase thereof, if any, shall be held by the corporation upon express trust to apply and use the same for the purposes aforesaid.

ARTICLE IV.

The membership of this corporation shall consist of the signers hereof and such other persons as may be hereafter admitted as members of this corporation under and in pursuance of the by-laws of this corporation.

ARTICLE V.

The first officers of this corporation shall be: President, Mrs. James J. Nugent; secretary, Dr. Julius Rotteck; and treasurer, Mrs. Colin N. Selph.

ARTICLE VI.

In the event that it should become necessary, in the judgment of the membership of this corporation, to dissolve this corporation and abandon the objects for which it has been formed, then in that event all of the assets, both real and personal, of this corporation shall be sold and the proceeds thereof applied in payment of the debts of this corporation and the remainder, if any, shall be given to the Red Cross Society in part or all or to any other association or society that this corporation may choose: *Provided,* That in the absence of any other choice the Red Cross Society shall receive same.

ARTICLE VII.

First meeting: The first meeting of this corporation for the adoption of by-laws and for the transaction of such other matters and business as may properly come before it shall be held at the city of St. Louis, Mo., at 10 o'clock a. m., on the 14th day of June, 1917. No further notice need be given of such meeting. Other meetings of this corporation shall be held as provided by the by-laws.

ARTICLE VIII.

This constitution may be amended by a two-thirds vote of the membership present at any annual meeting or any special meeting called for that purpose: *Provided,* That notice of the proposed amendment or amendments shall be given as provided by the by-laws.

Mr. STONE. Now, Mr. President, just a word.

This bill is a conservation measure. You are proposing to conserve coal and fuel for the factory, to conserve feed for animals, and to conserve food for men. I propose here, by this amendment, to aid organizations, established and being established, for the conservation of men themselves.

We can well anticipate that out of this war in the very near future thousands of men will be sent home from the fields and the hospitals of Europe, blind, armless, legless, or in part so; so wounded and disabled as to be unfit to earn a livelihood. The purpose of these good women is to establish a sanitarium school devoted to the education or reeducation of these unfortunate soldiers of the Republic, to aid them to live, to earn a living in the future, and, by earning a living, by having employment, to enjoy life to a degree far in excess of what would be possible if they should become mere dependents upon the charity of the Nation.

I wanted to say this much now, for I shall have no chance to say it to-morrow. I shall have a chance to have the amendment voted on; whatever is the result, I wish to make this feeble, humble effort to encourage the most laudable movement among the good men and women of the Nation.

Mr. CHAMBERLAIN. Mr. President, unless the Senate desires to keep this bill before it this evening, I was going to suggest an executive session. I do not want to do it, however, if there is a desire that the Senate remain in session to-night.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Pennsylvania?

Mr. CHAMBERLAIN. I yield.

Mr. KNOX. I simply wish to inquire of the Senator from Oregon what disposition, if any, was made of the Pomerene amendment. Has that been acted on? I was called out of the Chamber.

Mr. CHAMBERLAIN. It has not been acted on.

Mr. KNOX. It has gone over until to-morrow, has it?

Mr. CHAMBERLAIN. Yes.

Mr. HOLLIS. Mr. President, I hope that the Senator in charge of the bill will permit an evening session. Otherwise, those who have had independent amendments to offer will have no opportunity to say a word about them, because at 2.30 o'clock to-morrow we begin to vote on the amendments, and there will be no time then to explain them.

Mr. CHAMBERLAIN. I was going to suggest to the Senator that if we take a recess I shall ask that it be until 10 o'clock to-morrow. My only reason for suggesting an executive session now is that I do not believe we can keep a quorum here to-night if anybody suggests the absence of a quorum.

Mr. SMITH of Georgia. I do not think anybody will suggest it.

Mr. HOLLIS. Well, those who have amendments will not have a chance to explain them.

Mr. PENROSE. You will not get a quorum for an evening session, Mr. President.

AURELIO COLLAZO (S. DOC. NO. 65).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate and House of Representatives:

I transmit a report from the Acting Secretary of State inclosing a draft of a joint resolution authorizing the Secretary of War to permit Mr. Aurelio Collazo, a citizen of Cuba, to receive instruction at the United States Military Academy at West Point at the expense of the Government of Cuba.

The Acting Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba, and that it would follow established precedents.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, July 20, 1917.

PERSONAL EXPLANATION—SHIPPING BOARD.

Mr. TOWNSEND. Mr. President, I desire to call attention to a question which is of personal privilege. On the 17th of this month, while I was addressing the Senate on the food-control bill, the Senator from Tennessee [Mr. McKELLAR] interrupted me and made a statement relative to the Navy Department in connection with supplies. In the heat of debate I made reply, thinking at the time that the Shipping Board was under the control of the Navy Department and that the proposition to purchase ships was in control of that department. So I replied that there were reported scandals in connection with the building and purchase of ships and the purchase of supplies connected with the Navy.

I also had in mind the fact that the naval program which had been adopted during the last two or three years had been greatly delayed and that insufficient progress had been made. As to supplies purchased by the Navy Department, I do not think its efforts in this direction are publicly known. I repeat, I was also thinking of the transactions which have occurred and been reported in relation to the Shipping Board, and such transactions prompted my reply to the Senator from Tennessee.

That was an injustice to the Navy Department, because I knew then, if I had thought, and I know now upon deliberation, that the Navy Department has nothing to do with the transactions of the Shipping Board. Therefore I desire to make this correction, because I am not a "muckraker" and I do not wish to make any statements that are contrary to the facts or which would improperly reflect upon any man, in or out of the Government. I make this statement now in order that the statement made by me in the heat of debate and without due consideration shall not improperly reflect upon the Navy Department.

MOBILIZATION OF STATE TROOPS.

Mr. WEEKS. Mr. President, day before yesterday the Senator from North Carolina [Mr. OVERMAN] had inserted in the RECORD an editorial from a Boston newspaper relative to a protest which had been made by New England Senators in regard to the transfer of New England National Guardsmen to the South, a proposal which created more or less controversy, and which protest at the time had not been answered by the Secretary of War, as I stated during my discussion of the subject. When I returned to my office I found a reply from the Secretary of War to the protest which had been made, and I think, in justice to the War Department, that the reply should be put in the RECORD.

I desire to call attention to one paragraph of the reply, giving, in fact, the only practical reason for sending these troops to the South, and that is that a considerable expense will have to be incurred if these troops are to remain in Massachusetts. I think I ought to say that the Commonwealth has provided ample camp grounds and it has armories sufficient to house all its National Guardsmen, so it would not cost the Government any considerable amount, if anything, to retain these troops in Massachusetts until they are ready to be transported to the front in Europe.

Mr. LODGE. Mr. President, let me inquire of my colleague if the National Guard, as a matter of fact, are not now in camp there?

Mr. WEEKS. A large portion of the National Guard, at least two regiments, are in camp at Framingham now, and two regiments of light artillery are at another camp. There is ample provision made in this respect for all the Massachusetts troops.

Mr. LODGE. And they will be kept there until the National Government is able to take them elsewhere in September.

Mr. WEEKS. Undoubtedly.

Mr. LODGE. So that the grounds can be used?

Mr. WEEKS. Undoubtedly.

I want to emphasize the fact, Mr. President, that, if cold weather comes on before these men are sent to Europe, the Commonwealth has ample armory facilities for every man in the National Guard. I ask that the letter from the Secretary of War be read.

The VICE PRESIDENT. The Secretary will read as requested, if there is no objection.

The Secretary read the letter, as follows:

WAR DEPARTMENT,
Washington, July 16, 1917.

Hon. JOHN W. WEEKS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The letter of July 12, 1917, signed by yourself and other Senators from the New England States, has received the careful consideration which its subject merits. I am very glad to furnish you the following information concerning the plans of the War Department for the training of the National Guard after it has been drafted into the military service of the United States under the second paragraph, section 1, of the act of Congress approved May 18, 1917.

It is intended to send the National Guard, or such units thereof as are properly equipped and trained, to join the American expeditionary force in France before the additional forces authorized by the act above, now called the National Army, can be sent. When the plans for mobilizing these two forces were drawn it was not known how soon the National Army could be assembled under the draft. The National Guard having already in its possession some equipment and having, after several months service on the border, received a certain measure of training, it was believed that that force could be more promptly dispatched to France than the National Army, which at the time the plans were approved had not been authorized by Congress.

Plans for the dispatch of our forces to France depend not only upon their training and equipment, but also upon the availability of sufficient tonnage for transportation. Had it been possible to assure before winter transportation to France for the National Guard of all States in the North it is quite possible that my advisers would have recommended that the National Guard be placed in cantonments in the North. Had such plan been proposed and given effect, and tonnage been insufficient, the approach of winter would have found the National Guard in a climate where out-of-door training would have been impracticable. It would then have been necessary, after considerable expenditure for the construction of cantonments, to transport them to the South, build new cantonments, and possibly return them to a northern harbor for embarkation. Hence it was decided to construct cantonment shelter for the National Guard in the South.

After sites had been selected for many of the divisions of the National Guard and the National Army it was reported by the officer in charge of cantonment construction that, due to the price of material, the sum of money appropriated for cantonment construction would be sufficient for only about half the number (32) of cantonments planned. It was also reported that the construction of half the number of cantonments could be completed by September 1, 1917, but not by July, the month in which it had been planned to call the National Guard into the military service. This month was selected because, due to the lack of clothing and other equipment, it was believed impracticable to complete the equipment of the Regular Army with all its increments before July, and it was not desirable to call the National Guard before it was possible to supply the necessary equipment.

Because of the impracticability of constructing 32 cantonments with the funds appropriated it was decided, as the National Guard had then in its possession a certain amount of tentage and the War Department could reasonably hope to supply the necessary complement by the end of July, to place the National Guard under canvas, in order that their training might not longer be delayed, and to confine cantonment construction to the sites selected in various divisional areas for the National Army.

You correctly assume that it is hoped to send the National Guard to France within a reasonable time, but it is manifestly impracticable with the limited tonnage available to transport all the National Guard of the Northern States to France before cold weather, even if the dispatch of the divisions of the Regular Army be postponed for that purpose. If the National Guard of the New England division should be camped in New England considerable expenditure will be necessary at the site selected. On the approach of cold weather it will be necessary to transport them to the South and to spend an equal amount on the construction of a camp there. In the sites which have been selected training of the National Guard may be continued throughout the winter. During the winter, if not before, it is hoped that sufficient tonnage will be available for the dispatch of most of the National Guard to France; namely, those divisions properly equipped and trained for service in war.

I can assure you that every step taken by the War Department for the organization and training of all our military forces has been prompted solely by the desire to further the prosecution of the war in such a manner as to effect the best results. It is impossible to foresee what difficulties may arise in the future, but the present plans of the War Department are so framed as to provide for the training of each portion of the Army as soon as equipment can be furnished, and to dispatch each portion of the Army to France as soon as it is trained and equipped and tonnage becomes available.

Very sincerely,

NEWTON D. BAKER,
Secretary of War.

ADDRESS BY SENATOR POMERENE (S. DOC. NO. 66).

Mr. TOWNSEND. Mr. President, on the 29th of June last the Michigan State Bar Association invited the senior Senator from Ohio [Mr. POMERENE] to deliver an address at their annual meeting in Grand Rapids, and that address has been commended so highly by everyone who heard it that I feel it ought to be widely circulated, and I ask unanimous consent that it may be printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

NATIONAL DEFENSE.

Mr. OWEN. Mr. President, I submit the following proposed amendment to Senate bill 1786, proposing to amend the national defense act by fixing the ratio of Army medical officers with a memoranda of facts and argument justifying the proposed amendment, and ask that it be printed in the RECORD, together with the memoranda.

The health and the sanitary, medical, and surgical care of our beloved young men we are sending to battle is vital.

The history of all past wars demonstrates conclusively that the line officer, whose mind is steeled and trained to defy danger, can not realize the vital importance of the advice of the Medical Department, and must have the advice come from officers of high or like rank before he will realize the advice must be respected.

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

On page 7, line 20, insert the following at the end of section 10:

Provided, That hereafter the commissioned officers of the Medical Corps of the Regular Army shall be distributed in the several grades as follows:

		Per cent.
Major generals		0.25
Brigadier generals		.25
Colonels		4.00
Lieutenant colonels		8.00
Majors	23.5	
Captains	32.0	
Lieutenants	32.0	
		87.5
		100.00

Provided, That when called into service the numbers of the officers of the Medical Reserve Corps shall be seven to the thousand of men in the National Guard and National Army and the relative grades of the officers of the Medical Reserve Corps shall be the same as the grades of the Regular Army.

The President shall have authority to appoint officers of either corps as "consultants," with the duty of acting in an advisory capacity, making inspections and reports on medical, surgical, or sanitary questions, and such other duties as may be required by the chief of the Medical Department.

Memorandum relating to amendment proposed by Senator OWEN to the Senate bill 1786 (amending national-defense act as reported June 8, 1917) to fix ratio of Army medical officers.

The following memorandum comprises editorials from Victor C. Vaughn, M. D., editor in chief, University of Michigan, Ann Arbor, Mich., professor of hygiene, and data justifying proposed amendment.

Prof. Vaughn is the chairman of the legislative committee of the general medical board of the Council of National Defense, and his views represent the views of the medical profession of the United States without a known exception. These views are supported by every member of the executive committee of the general medical board of the Council of National Defense, including such men as Dr. Franklin Martin, of Chicago, chairman, one of the most distinguished men in the United States; Dr. William J. Mayo, Rochester, Minn., no abler surgeon in the world; Dr. William H. Welch, of Johns Hopkins University, Baltimore, Md., formerly chairman of the American Medical Association; Surg. Gen. William C. Gorgas, of the United States Army; Surg. Gen. William C. Braisted, of the United States Navy; Surg. Gen. Rupert Blue, United States Public Health Service. Indeed, the members of the medical profession of distinction in every State in the Union and, for that matter, throughout the world:

ARE WE TO FORGET THE LESSONS OF 1898?

This is a question now being asked by medical men all over this country. We have no desire to recall the sad story of typhoid fever epidemic among our soldiers in 1898 unless we may profit by doing so. It may be well for us to remember that out of a total of 200,000 enlisted men in that war, more than 20,000 developed this disease. But, says one, vaccination now prevents altogether or greatly lessens the chances of developing typhoid fever, and such an epidemic can never again occur. This may be true, and is undoubtedly partly true, at least of typhoid fever; but there are other diseases for which, unfortunately, we have no protective vaccination. Some of these diseases are diarrhea, dysentery—both bacillary and amebic—scarlet fever, measles, various forms of meningitis, poliomyelitis, pneumonia, tuberculosis, etc. All infections have not yet been conquered. Among the causes of the fearful diseases of 1898—and the causes were many—was the lack of authority on the part of the medical officer. There is abundant evidence of this in various Government documents. In the "Report on typhoid fever in United States military camps in 1898" the evidence that the superior authority of the line officer was responsible in many instances for the insanitary condition of the camps is abundant. This report tells us that many commands were unwisely located, and often this was done in the face of remonstrances in the part of the medical officer. Medical officers of the Seventh Army Corps generally condemned the location at Miami, and yet regiments were kept on this site until they were much reduced by illness, and at Chickamauga some regiments were placed on ground so rocky that the construction of latrines of proper depth and width was impossible. Other camp sites received the surface washings from adjacent commands. Some were contracted into half the regulation space. Many regiments were compelled to remain on the same site until the soil became badly polluted, notwithstanding the fact that there were many broad acres around about, and no hostile army was nearer than Habana. From this report we make the following quotation: "There were regiments at Chickamauga that did not move a tenth of an inch from the time of arrival in May to that of departure late in August. Requests for change in location made by medical officers were not always granted. As an illustration under this head, we may call attention to the official records of the Fifth Pennsylvania. This command reached Chickamauga Park May 20, and was, unfortunately, located on low ground. Requests for a change in location were repeatedly sent in during June and July. The soil became muddy, the camp received the washings from camps above, the sinks rapidly filled with water and overflowed, and still requests for change in location were not heeded until August 12. As we have seen, some of the regiments were improperly located from a sanitary standpoint. This was done by superior line officers, and sometimes in the face of protests from the medical officers."

This report advised that greater authority be given medical officers in all questions relating to the hygiene and sanitation of camps, and now, as we are going into another war, the line has one general officer for every 167 commissioned officers, while the medical corps has but one, whatever the number of commissioned officers may be, and in an army of 1,000,000, the number of commissioned medical officers will be not less than 7,000.

The medical profession requests that one-half of 1 per cent of commissioned officers in its corps have the rank of general officers. This seems a modest request and is allowed in the Navy; but, for some unknown reason, has so far been denied the Army. One who has served in the Medical Corps can understand and thoroughly appreciate the hesitancy with which a lieutenant in that corps may recommend to a colonel of the line that a camp site be changed or that some other sanitary improvement is desirable; and one who served in the Medical Corps in 1898 knows full well the reception such a recommendation frequently met at that time, and he can guess at the reception it is likely to receive in the future under similar conditions. If anyone has doubt concerning the attitude of many line officers of high rank in 1898 toward the recommendations of medical officers, he should read the testimony of Maj. Gen. Brooke and other officers in command in the camps in 1898. This testimony may be found in the volumes of the congressional inquiry into the "Conduct of the War Department in the War with Spain," generally known as the Dodge report.

The commanding line officer at Chickamauga took no pains in his testimony to show his contempt for the advice of his own medical officers, and this contempt and disregard constituted large factors in filling the hospitals and graves with typhoid cases. We have not place here to quote largely from his testimony, but a few sentences of the testimony of Gen. Brooke may be given:

"Q. Had any of the wells, General, been condemned by the Medical Department prior to your leaving [Chickamauga]?—A. By alleged Medical Departments. Two of them were erroneous, I believe, after investigation made by myself. The one in front of a South Carolina regiment, which, I believe, really to have been perfectly pure water. There was afterwards discovered a surface well which had been walled up and water slipped in from which this regiment—this was reported to me—used the water. That well was not far from a large sink, and possibly on lower ground. I never could understand from my knowledge of rocky strata how that well could have been contaminated. Another well lying on the road between Alexander House and Jay's mill was also condemned. I drank of that well water every time I passed it until somebody broke the pump to pieces. I suppose it was some of our energetic medical fraternity who had spent their time in finding that there was a suspicion of these two wells, and then I did not bother further about it." (Conduct of War Department in War with Spain, vi, 3080.)

In this camp there were about 10,000 of Gen. Brooke's troops affected with typhoid fever, about 700 of whom died. This was 25 per cent of his command.

It probably took a large part of the remaining troops to take care of those who were sick. This excellent general of the line could not understand the folly of medical officers who pointed out that the water was infected and himself drank from infected water, and notwithstanding this, by the providence of God he escaped, because he had had a previous attack of typhoid fever and was himself immune. God bless the line officer and God save the soldiers of the United States from his ignorance of sanitary law.

On the following page there is a statement of the insanitary condition of Camp Thomas made by the medical officer of the Twelfth New York Infantry. The commanding line officer was so incensed at this report that he said: "If you will give me a copy of that report, I will see that that young man goes before a court-martial for the sort of statement he has made there, if he is not protected by this commission."

This reminds me of the case of Lieut. Edger, in the Philippines, who stamped out an attack of cholera in an adjacent village near Santa Cruz, where 80 cases occurred the first day and where half the people in the town died in less than 60 days, approximately 1,000 in number. This young medical officer so far protected the American soldiers adjacent that not one of them was lost with cholera, but in his vigilance and strenuous effort to protect them he was court-martialed by the officer of the line in charge and punished on the ground of insubordination when he insisted on taking what he deemed necessary sanitary precaution.

This young lieutenant is now in the Medical Department, and is available as a witness if any statesman desires to summon him.

On July 17, 1898, the chief medical officer at Chickamauga addressed a letter to the Adjutant General containing recommendations concerning the improvements of sanitary conditions. In brief, the letter contained the following recommendations:

1. That the Signal Corps, which had occupied the same site for several months and which was crowded, should be moved.
2. That selected places should be designated as dumping grounds and all the waste should be collected and deposited on these places instead of being scattered through the camp.
3. That so far as possible all camp sites should be changed.
4. That the hospital of the first division of the corps be moved from the unsanitary position they occupied to a more healthful location.
5. That the village of Lytle, which was a sanitary menace to the troops, should be cleansed.
6. That all condemned sources of water supply should be effectually closed.
7. That only filtered or boiled water should be used by the soldiers.
8. That all hucksters selling doubtful food or drink should be expelled from the camp.
9. That there should be careful supervision of all food and drink sold in the canteens.

These recommendations made in July were unheeded at the time.

In his testimony, Gen. Brooke spoke of the letter containing the above recommendations as follows: "I did not regard his letter in a very serious sense. I do not know how he came to write it. There was much complaint in that camp from men of his own profession as to his action. He caused me more trouble and annoyance than anyone ever did."

Had the recommendations contained in this letter which annoyed the senior line officer been taken seriously in July the fearful harvest of sickness and death in August might have been averted.

Nineteen years have passed since our little war with Spain, and we have crossed the threshold of a great war with Germany, Austria, Bulgaria, and Turkey. This war begins with the medical officer possessed of no more authority than he had in 1898. Will his recomendations be as futile as they were then? The medical profession has always

been responsive to its country's demands, whether in war, in pestilence, in flood, or in famine. Conscription has never been necessary to fill its quota. Medical officers will do their best and will present their recommendations to superior line officers, but they realize that these recommendations are likely to receive scant attention, and that the medical officer will be compelled to work under a heavy handicap. The Government stamp placed upon the medical officer indicates the opinion that the Government has of the value of his services, and that his recommendations will receive from line officers any different consideration from that accorded them in 1898 is not probable. At present the Army Medical Corps has no representation on the General Staff or in the War College

Will it be possible that camp sites, both small and great, will be selected as they were in 1898, without consultation with the Medical Corps? And are we justified in feeling that we may have some reminders of the experiences of 1898? According to the testimony of the Surgeon General recently, given before a medical committee, the relative number of trained medical officers is not as great now as it was at the beginning of the Spanish War. We had then seven per thousand. We have now about five per thousand.

THE ENGLISH RECOGNIZE THE IMPORTANCE OF GIVING AUTHORITY TO MEDICAL OFFICERS.

In 1904 the English war office was reorganized by a committee, the chairman of which was Lord Esher. In this reorganization no provision was made for a representative of the medical army corps on the general staff, or what corresponds to our War College. At the time the surgeon general complained of this a tion. In reply to this complaint Lord Esher's committee stated that while too much importance could not be attached to the sanitary service of the army in peace or in war, the committee could not accept the views of the surgeon general. Lord Esher's committee continued: "The army council is not and can not be a representative body as regards the several arms and departments. The royal army medical corps exists to serve the army in a most important capacity, but the first object must be to create and maintain an army, and this is the function of the army council. To admit the principle of representation would destroy the character of the council."

This was the opinion of Lord Esher in 1904. Recently (London Times, Feb. 3, 1917) Lord Esher writes as follows: "How much of the suffering undergone by our soldiers since the war began has been due to the shortsightedness of my committee, and notably of myself, will never be known. Certainly the control of the adjutant general's branch over the royal army medical corps was and is responsible not only for the early failure to grip the medical factors of the war, but they hampered conditions under which the surgeon general has worked. His triumphs and those of the royal army medical corps have been achieved in spite of obstacles that the subordination of science to ignorance and of elasticity to military discipline explains but can not justify."

THE RANK AND AUTHORITY OF THE MEDICAL OFFICER.

When Stanton was Secretary of War and Hammond Surgeon General early in the Civil War, the latter made a request of the former for advanced rank for medical officers. The great Secretary of War replied with a question: "Will increased rank make your medical men better doctors?" The Surgeon General replied with another question: "Does increased rank make line officers quartermasters, and those in other corps more proficient?"

There are two important considerations in regard to the rank and authority of Army medical officers. In the first place, the higher the rank obtainable the better the class of young physicians attracted to the corps When a young man knows that whatever he may do, however skillful and energetic he may be, whatever discoveries he may make, whatever sacrifices he may undergo, the rank of colonel, with a pay of about $5,000, is the best that he can possibly look forward to in his old age, it must be acknowledged that the temptation to enter the Army medical service is not great

In the second place, and this is of more importance, rank in the Army necessarily means much A request or a recommendation from a colonel or a general will receive more consideration than when it comes from a lieutenant. Much of the disgrace of 1898 and the disregard shown their recommendations by superior line officers was due to the lack of rank and authority among medical men.

THE BRITISH AND FRENCH MEDICAL SERVICE.

The following is a list of the lieutenant generals and major generals in the British medical service as of October, 1916, taken from the British Army list of October, 1916:

1. Director general of the British medical service, Sir Alfred Keogh.
2. Director general of the British forces in France, Sir Alfred Sloggett rank lieutenant general.
3. Lieutenant general and director of the British medical service in India, Surg. Gen. O'Donnell, rank lieutenant general.
4. Director general Indian medical service, Sir Thomas Pardey Lukis, rank lieutenant general.

ON THE KING'S STAFF.

5. Hon. William Flack Stevenson, surgeon general.
6. Sir William Babtie, surgeon general.
7. James Cleghorn, surgeon general.
8. Hon. Thomas Grainger, surgeon general.
9. Hon. Peter Stephenson Turnbull, surgeon major general.

SURGEON GENERALS RANKING AS MAJOR GENERALS.

10. Hayward Reader Whitehead.
11. James Gaussen MacNeece.
12. William Burney Bannerman.
13. Thomas Martin Corker.
14. Sir David Bruce.
15. Louis Edward Anderson.
16. Harold George Hathaway.
17. Walter George Augustus Bedford.
18. Robert William Steele Lyons.
19. Richard William Ford.
20. Tom Percy Woodhouse.
21. William Grant Macpherson.
22. Robert Porter.
23. Thomas Joseph O'Donnell.
24. Menus William O'Keefe.
25. Richard Henry Stewart Sawyer.
26. John Chislett Culling.
27. William George Birrell.
28. Francis John Jencken.
29. Francis Harper Trehern.
30. William Rice Edwards.

Since the expansion of the British Army this list has increased, but data are not available. The above data were taken from the Library of Congress, Book G7 A2, Class U 11, pages 4, 19, 45, 46, and 1921.

In the report of the Crimean War, there was an enormous mortality due to defective service in sanitation and in the medical, surgical, and hospital services.

The medical officer had no authority whatever, and the line officer did not realize the effect of disregarding medical advice, and the medical officer had no rank or dignity to emphasize his advice. The same distressing consequences ensued from the same causes in the American Civil War, in the South African War, in the Spanish War, and recently in the Mesopotamian campaign. (See report below.)

I submit a very brief extract on the recent British disaster in Mesopotamia, due to neglecting health of men:

REPORT OF THE COMMISSION APPOINTED BY ACT OF PARLIAMENT TO INQUIRE INTO THE OPERATIONS OF WAR IN MESOPOTAMIA, 1917.

[Extract from the Vincent-Bingley Commission's report on the Mesopotamia expedition (sec. 110, pp. 133–163), Library of Congress.]

* * * * * * *

There is abundant evidence that * * * lack of coordination have been important factors in the situation. Conferences were held at headquarters from time to time, and plans were considered. It is stated, however, that Surg. Gen. ——— did not attend these conferences, except when the subjects discussed related directly to the medical administration. He was thus less in touch with the general situation than other heads of administrative services, and we think that this had an unfavorable influence on the working of his branch.

Section 111: The chief of the general staff, India, made special inquiries as to whether he was satisfied that the general staff was in sufficiently close touch with the medical services to insure that the latter knew when extra demands were likely to be made on them. Gen. ——— replied that he was "perfectly satisfied." We regret that we can not indorse this view, as there is evidence that on this and on other occasions the want of coordination and cooperation between the different branches of the staff, particularly between the inspector general of communications and the medical services, was the source of great inconvenience.

* * * * * * *

Section 58: We doubt whether the military authorities in Mesopotamia treated the medical services with much consideration in this matter, or whether they sufficiently realized the need for such steamers.

Paragraph 175: The medical personnel and subordinate staff have always been deficient in numbers * * * and it has only been the continued and untiring labors of a devoted but overworked staff that has again and again prevented an absolute breakdown.

Paragraph 176: We consider that the rigid economy which before the war was exercised and the spirit which this policy has engendered as to the comparative merits of economy and efficiency have contributed materially to the breakdown.

Paragraph 172: We are satisfied that the failure in the medical organization had a material effect on the morale of the troops.

Part section 123: Surg. Gen. ——— did not represent with sufficient promptitude and force the needs of the services for which he is responsible, and in particular failed to urge the necessity * * * with that insistence which the situation demanded. Decision: We indorse the finding as regards Surg. Gen. ———, who, in our judgment, showed himself unfit for the high administrative office he held.

THE SENIOR RANKS OF THE BRITISH MEDICAL SERVICE.

[Memorandum obtained from British medical officer of high rank on my request for it.—R. S. O.]

In the British Army at present there are three surgeons general with rank of lieutenant general; that is, the director general (Sir Alfred Keogh) at the war office, the director general of British forces in France (Sir Arthur Sloggett), and the director of British medical services in India (Surg. Gen. O'Donnell).

Another officer, Sir Thomas Pardey Lukis, with rank of lieutenant general, is the director general of the Indian Medical Service.

There is also a considerable number of surgeon generals with rank of major general. I think the actual number is 19, but I have not a recent army list in my possession. These officers all hold important posts, the following are some of the principal appointments:

(a) Each army on the western front (we may assume an army to consist of about 200,000 troops) is furnished with a surgeon general as director of medical services of that army. This officer commands and is responsible for the entire medical service in the army to which he is appointed; he is on the headquarters staff of the army, and is the responsible advisor of the general commanding the army on all questions relating to the care and welfare of the troops, the prevention and dealing with epidemics, arrangements for the collection and evacuation of casualties in sick and wounded, the provision and establishment of field ambulances, casualty clearing stations and hospitals in the army area, the provision of ambulance trains, the establishment of convalescent camps, and very numerous other important matters.

(b) A full colonel, army medical service, is with the headquarters staff of each corps and division, and his duties relate to all sanitary and medical matters in the formation to which he is appointed. He is also the medical advisor of the general commanding the corps or division.

It would appear very advisable, in fact absolutely necessary, that the above officers hold the senior rank which they at present do.

An enormous amount of responsibility rests in their hands, and they are daily called upon to give opinion or advice on matters involving very weighty consideration and vital importance not only of vast importance to the well-being and efficiency of the army but also inceptions and schemes involving the expenditure of millions of pounds, e. g., the defensive measures against gas attacks, and the provision of gas masks and respirators have throughout been carried out by the medical service of the army, this being only one—and a comparatively minor—example of the many questions which have arisen.

Let us suppose—for the purpose of argument—that these officers did not hold the senior rank which they do at present; would their opinion carry sufficient weight? For example, suppose that the director of medical services of an army held the rank only of colonel every general commanding a division in that army, and also even every brigade commander, would be senior in rank to him. Could it reasonably be expected that the opinion of the director of medical services for the army would then carry the weight and authority which it does at present?

In my humble opinion there can be only one answer, especially when it is borne in mind that these officers are specially selected for their high rank on account of their abilities and previous experience.

(c) Other surgeon generals, with rank of major general, are serving in the following appointments:

1. As director medical services on the lines of communication in France.
2. As deputy director general at the war office.
3. As director medical services in Egypt.
4. As director medical services in Salonica.
5. As director medical services in Mesopotamia.
6. As director medical services in three commands in India.
7. As director medical services in command in England, etc.

Similar arguments in favor of high rank hold good with regard to all these appointments.

Lastly, and this is a point which is deserving of sympathetic consideration, surely it is advisable to provide a certain number of higher ranks in the medical service, as in other branches of the army.

The provision of these higher ranks and appointments which would be filled absolutely by selection, would furnish a goal for laudable ambition and an incentive to strenuous scientific work throughout the whole of an officer's service, and can, in my opinion, be productive of nothing but the very best results.

The present campaign has furnished innumerable instances of the vast importance of the Medical Service and of the high standing and authority which it holds with the rest of the army.

The French Army also dignified the medical department by providing for officers of the rank of major general and lieutenant general. This is also true of the Italian, Austrian, German, and Japanese Armies for the same reasons.

On January 16, 1917, Secretary of War Hon. Newton D. Baker strenuously urged upon Congress legislation to give the Army equalization of rank in the higher grades with that of the Navy on the ground that otherwise the detrimental effect on the Army would be too clear to require more than a statement. He said:

"I wish to strongly emphasize that without legislation giving the Army equalization of rank in the higher grades with that of the Navy, the branch of the Government of which I am in charge will be done an obvious injustice, the detrimental effect of which to the Army is too clear to require more than a statement. All the reasons which have been urged for the creation of these grades in the Navy so as to efficiently handle the units properly composing a command to be under the direction of such officers of the Navy are present in at least an equal degree in the Army. As Congress, after a full consideration of the subject, wisely decided on the advisability of giving the Navy these grades in order that it may be properly and efficiently officered, for similar reasons it should now provide similar grades for the Army.

"The embarrassment which arises in every branch of the service when brought in contact with other officers of foreign service of superior grade but not existing in our service is identical.

"But the constant embarrassment arising between the two services in the disparity of rank is too apparent to call for more than mention.

"If in all those joint matters in which the Army and the Navy are concerned the Navy, by reason of the position of the superior grade is entitled to outrank the Army, the Army must perforce regard itself and be looked upon as a subordinate branch, and this is too inequitable."

This argument of the Secretary of War applies with precisely the same force to the organization of the Medical Department, which should not be put in the attitude of being subordinate in the field for which it is responsible. It should have a commanding position of dignity and responsibility, and when the recommendation is overruled it should be overruled by an officer of equal rank in the line for military purposes only, and then that officer should be personally responsible for the consequences, and if he errs should be subject to immediate court-martial.

There is here submitted a comparison table of the percentage composition of the Medical Corps of the United States Army (existent and proposed) as compared with the principal foreign armies and the United States Navy, from which it will be seen that the Navy already has the proportions which I have proposed in the pending amendment and with the percentage of major generals proposed is surpassed by the Italian Army, the French Army, the British Army, the Austrian Army, and the Japanese Army, and that Italy, France, Great Britain, Austria, and Japan all have officers of the rank of lieutenant general under the medical department of the army, while the United States has none.

Percentage composition of the Medical Corps of the United States Army (existent and proposed), compared with the principal foreign armies.

[N. B.—This study is based upon figures contained in a publication entitled "Sanitary Troops in Foreign Armies," prepared by the War College Division, General Staff Corps," as a supplement to the statement of a proper military policy for the United States. The publication bears the date of November, 1915.]

Titles.	Present percentage composition of the grades in the Medical Corps, U. S. Army (act of June 3, 1916).	Proposed percentage composition of the Medical Corps, U. S. Army, as calculated from the number given in the General Staff bill.	Proposed percentage composition of the Medical Corps, U. S. Army (Owen amendment).[1]	Percentage composition of the Italian Army Medical Corps.	Percentage composition of the French Army Medical Corps.	Percentage composition of the British Army Medical Corps.	Percentage composition of the Russian Army Medical Corps.[2]	Percentage composition of the German Army Medical Corps.	Percentage composition of the Austrian Army Medical Corps.	Percentage composition of the Japanese Army Medical Corps.	Existing percentage U. S. Navy.
Lieutenant general				0.13	0.29	0.09		0.04	0.06	0.16	
Major general			0.25	.39	1.18	1.01		.16	.62	.73	[3] 0.5
Brigadier general [4]		[5] 0.34	.25								
Colonel	3.16	1.64	4.0	3.39	2.96	2.66		1.06	3.98	1.87	[6] 4
Lieutenant colonel	5.42	3.62	8.0	4.69	5.62	11.93		2.54	6.22	3.17	[7] 8
Major	23.70 } 91.42	21.48 } 94.40	23.5 } 87.5	14.73	21.89	30.37		20.87	12.12	10.15	
Captain		35.33	32	40.94	34.31	38.35		27.04	61.22	38.42	87.5
First lieutenant	67.72	37.59	32	35.73	[8] 33.75	11.74 [9] 3.85		48.29	15.78	[8] 45.50	
	100.00	100.00	100.00	100.00	100.00	100.00		100.00	100.00	100.00	

[1] Figures based on the percentage composition of the Medical Corps, U. S. Navy, assimilated rank, as per the act of Aug. 29, 1916: "The total number of commissioned officers of the active list of the following mentioned staff corps at one time, exclusive of commissioned warrant officers, shall be distributed in the various grades of the respective corps as follows: Medical Corps, one-half medical directors with the rank of rear admiral to four medical directors with the rank of captain, to eight medical inspectors with the rank of commander, to 87½ in the grades below medical inspector."

[2] In Russia the law authorizing the giving of commissioned rank is very broad and does not specify any definite numbers for each rank or for the whole corps. Medical officers are commissioned in the medical corps in the various grades of lieutenant general, major general, colonel, lieutenant colonel, captain, and lieutenant.

[3] Rear admiral (major general).

[4] There is one brigadier general to the more than 1,600 medical officers allowed by the act of June 3, 1916.

[5] One brigadier general is proposed for 2,932 medical officers.

[6] Captain (colonel).

[7] Inspectors, commander (lieutenant colonel).

[8] First and second lieutenants.

[9] Quartermasters.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
ARMY MEDICAL MUSEUM AND LIBRARY,
Washington, June 13, 1917.

Hon. ROBERT L. OWEN,
United States Senate, Washington.

DEAR SENATOR OWEN: In compliance with your request of this date, I have pleasure in handing you herewith the desired data on medical organization in foreign armies. These data have been compiled from the latest sources at our disposal. The library receives only printed literature on the subject as it is published from time to time. It is thought that the Army War College might have in its possession recent confidential reports by military observers in Europe which might considerably modify the figures found by us. I trust, however, that upon the inclosed sheets you will find the information which you are seeking.

Very sincerely, yours,

C. C. MCCULLOCH, Jr.

I. AUSTRIA-HUNGARY.

Peace strength of the armies of the Dual Monarchy.

Officers and men:	
Common army (of both countries)	370,725
Austrian army	55,195
Hungarian army	42,800
Total	468,720

The titles, ranks, and numbers of commissioned medical officers are:

Titles.	Common army.	Austrian Army.	Hungarian Army.	Total.
Lieutenant general	1			1
Major general	8	1	1	10
Colonel	50	6	8	64
Lieutenant colonel	75	15	10	100
Major	154	19	22	195
Captain	711	152	122	985
Lieutenant	229	10	15	254
Total	1,228	203	178	1,609

II. GERMANY.

Peace strength of the army.

Officers and men	644,267

The titles, ranks, and numbers of commissioned medical officers:

Lieutenant general	1
Major general	4
Colonel	25
Lieutenant colonel	60

The titles, ranks, etc., of commissioned medical officers—Contd.

Major	494
Captain	640
Lieutenant	1,143
Total	2,367

Figures taken from budget of 1912.

III. ITALY.

Peace strength of army.

Officers and men (budget of 1912)	252,340

The titles, ranks, and numbers of commissioned medical officers:

Lieutenant general	1
Major general	3
Colonel	26
Lieutenant colonel	36

The titles, ranks, and numbers of commissioned medical officers—Continued.

Major	113
Captain	314
Lieutenant	274
Total	767

IV. JAPAN.

Peace strength of active army.

Officers and men	235,500

The titles, ranks, and numbers of commissioned medical officers:

Lieutenant general	2
Major general	9
Colonel	23
Lieutenant colonel	39
Major	125
Captain	473
First lieutenant	279
Second lieutenant	281
Total	1,231

The Army List and Directory of the United States, May 20, 1917, shows:

GENERAL LINE OFFICERS.

Seven major generals of the line.

One major general in the Quartermaster's Corps (subject to detail from the line at a later date).

One major general in the Coast Artillery Corps.

A total of nine major generals pertaining to the line.

There are 21 brigadier generals of the line.

There are 2 brigadier generals of the Quartermaster Corps, 1 brigadier general of the Signal Corps, 1 brigadier general of the Ordnance Corps, 1 brigadier general of the Inspector General's Department, 1 brigadier general of The Adjutant General's Department, and 1 brigadier general of the Bureau of Insular Affairs. (All of these officers are subject to detail from the line when the permanent officers shall have been exhausted.)

There are 28 brigadier generals pertaining to the line.

There are 7,220 commissioned officers in the Army. Of these, 17 belong to the Judge Advocate General's Department; 994 to the Medical Department (including in this strength 135 Medical Reserve officers and 117 dental officers; the officers of the Veterinary Corps are not included here, nor are they apparently included in the authorized strength of the Army in this Army List). There are 302 officers of the Engineers. This makes a total of 1,313 officers. This subtracted from 7,220, the total number of officers, leaves 5,907 officers.

Nine major generals of the line to 5,907 line officers.

One major general of the line to 656 line officers.

There would be 15 major generals of the line to 10,000 line officers on this proportion.

Twenty-eight brigadier generals of the line to 5,907 line officers.

One brigadier general of the line to 211 line officers.

There would be 47 brigadier generals of the line to 10,000 line officers on this proportion

Fifteen major generals of the line to each 10,000 line officers.

Forty-seven brigadier generals of the line to each 10,000 line officers.

Sixty-two general officers for each 10,000 line officers.

The above general officers are in command of 137,855 enlisted men and must be expanded as the Army is enlarged. The bill for this expansion is now pending as Senate bill 1786. This bill, if unamended, would provide only 1 general officer of the Medical Department for over 10,000 medical officers of the Medical Department, including the officers of the Medical Reserve Corps for the National Guard and National Army.

The above record justifies the amendment which I now propose. The amendment meets the cordial indorsement of the medical section of the Council of National Defense.

PERSONAL EXPLANATION—APPROPRIATIONS FOR AVIATION.

Mr. OWEN. Mr. President, day before yesterday I occupied the time of the Senate for about seven minutes in proposing an amendment to the aviation bill to the effect that there should be named by the President of the United States a committee expressly charged with the duty of safeguarding these aviation contracts. This morning I was complimented by an active head of the aviation work calling on me and approving the principles I suggested of protecting these contracts. There was a fairly correct account of what transpired on the floor of the Senate, I am told, in the Washington Post; but the compositor's thoughtless headlines stated that I had opposed the passage of the aviation bill. The New York Times this morning comes out with a long and somewhat virulent editorial—based, I suppose, on some compositor's headlines—charging that I had the object of defeating the bill, and in effect charging me with being a public enemy.

I rise merely to correct in the RECORD any such public impression. I have and have had no desire to retard, and have not retarded, the aviation bill. I do desire to safeguard the expenditure of $640,000,000, and I intend to insist upon this money being properly safeguarded; but it will take very little time to say what I have to say about it. I favor rigid cloture, after fair debate, and have voted to speed all the war measures.

What I rose for especially, Mr. President, was to point out the inconsiderate conduct on the part of an editor occupying a position of great responsibility, giving publicity to a falsehood against a public servant, and indulging in gross, unmerited abuse of a United States Senator and to correct the impression made. Such editorial conduct is a gross abuse of the high position he occupies, a gross abuse of the freedom of the press, which we all cherish, and deserves severe condemnation. An editor of a great paper should not write a phillipic without informing himself of the facts. Any man in the public service who allows himself to be seriously disturbed or to show bad temper because he is unjustly criticized or even abused impairs his own opportunity to serve the public. From a personal standpoint I would not complain. But while the Senate knows the charge of the New York Times editor is untrue, the false representations made by the editor of one of the greatest newspapers in the world is mischievous and has a tendency to impair the confidence of the people in a faithful public servant and to weaken the cooperation between the people, the press, and Congress that is one of the essentials in the successful conduct of the war.

However, Mr. President, editors are but human, and all men incline to be intemperate in war times; and I do not really believe this editor, whoever he is, intended to be unjust, and if he did I have neither the time nor the inclination to retort in kind or to harbor malice in exchange for injustice. "It will make but little difference 40 years from now."

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m., Friday, July 20, 1917) the Senate took a recess until tomorrow, Saturday, July 21, 1917, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 20 (legislative day of July 18), 1917.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Roland S. Morris, of Philadelphia, Pa., to be ambassador extraordinary and plenipotentiary of the United States of America to Japan.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Maj. Cornelius C. Smith, Cavalry, detached officers' list, to be lieutenant colonel from June 28, 1917, vice Lieut. Col. William J. Glasgow, placed on the detached officers' list.

NOTE.—The above-named officer was nominated to the Senate for promotion July 13, 1917. This is submitted for the purpose of correcting the date of rank of the nominee.

CORPS OF ENGINEERS.

To be captains with rank from May 15, 1917.

First Lieut. Harris Jones, Corps of Engineers, vice Capt. De Witt C. Jones, promoted.

First Lieut. Francis L. Palmer, Corps of Engineers, vice Capt. Ernest Graves, promoted.

First Lieut. William F. Heavey, Corps of Engineers, vice Capt. Francis B. Wilby, promoted.

First Lieut. Harold R. Richards, Corps of Engineers, vice Capt. Clarence S. Ridley, promoted.

First Lieut. John J. F. Steiner, Corps of Engineers, vice Capt. Alvin B. Barber, promoted.

First Lieut Daniel Noce, Corps of Engineers, vice Capt. Jarvis J. Bain, promoted.

First Lieut. Willis E. Teale, Corps of Engineers, vice Capt. Thomas H. Emerson, promoted.

First Lieut. Clark Kittrell, Corps of Engineers, vice Capt. Robert S. Thomas, promoted.

First Lieut. Samuel R. Irwin, Corps of Engineers, vice Capt. Roger G. Powell, promoted.

First Lieut. Henry Hutchings, jr., Corps of Engineers, vice Capt. John N. Hodges, promoted.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants, to fill original vacancies.

First Lieut. Frank C. Griffis, Medical Reserve Corps, to rank from July 14, 1917.

First Lieut. Frederick H. Mills, Medical Reserve Corps, to rank from July 15, 1917.

First Lieut. Henry C. Bierbower, Medical Reserve Corps, to rank from July 16, 1917.

First Lieut. Val E. Miltenberger, Medical Reserve Corps, to rank from July 17, 1917.

First Lieut. Edgar F. Haines, Medical Reserve Corps, to rank from July 18, 1917.

APPOINTMENT, BY TRANSFER, IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. Ray W. Barker, Cavalry, detached officers' list, to be first lieutenant of Field Artillery, with rank from July 1, 1916.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Insp. George T. Smith to be a medical director in the Navy from the 23d day of May, 1917.

Medical Insp. George A. Lung to be a medical director in the Navy from the 1st day of July, 1917.

Julius F. Neuberger, an assistant surgeon in the Medical Reserve Corps of the Navy, to be an assistant surgeon in the Navy from the 7th day of July, 1917.

The following-named citizens to be dental surgeons in the Navy, for a probationary period of two years, from the 3d day of July, 1917:

Louis F. Snyder, citizen of South Dakota,
James C. Lough, citizen of California,
Glen S. Phillips, citizen of Pennsylvania,
John E. Herlihy, citizen of Massachusetts,
George C. Fowler, citizen of District of Columbia,
Guy E. Nichols, citizen of Maine,
Travis F. Epes, citizen of Virginia,
Sidney M. Akerstrom, citizen of Massachusetts,
Francis S. Weir, citizen of Washington,
Jerold M. Siegel, citizen of Michigan,
Russell A. Henry, citizen of Pennsylvania,
Lindsay H. Brown, citizen of Oregon,
Charles C. Bockey, citizen of District of Columbia,
Leon C. Frost, citizen of Ohio,
Deane L. Chamberlain, citizen of Colorado,
Errol W. Willett, citizen of Oregon,
Clark E. Morrow, citizen of Missouri,
Louis M. Benepe, citizen of Minnesota,
William R. Taylor, citizen of Minnesota,
Anthony A. Norkiewicz, citizen of Pennsylvania, and
Robert Van Patton, citizen of Pennsylvania.

Lou C. Montgomery, a pharmacist's mate, second class, in the Navy, to be a dental surgeon in the Navy, for a probationry period of two years, from the 5th day of July, 1917.

Passed Asst. Paymaster Graham M. Adee to be a paymaster in the Navy from the 20th day of August, 1913.

Passed Asst. Paymaster Thomas J. Bright to be a paymaster in the Navy from the 22d day of October, 1915.

Passed Asst. Paymaster Emory D. Stanley to be a paymaster in the Navy from the 2d day of August, 1916.

Passed Asst. Paymaster Brantz Mayer to be a paymaster in the Navy from the 29th day of August, 1916.

Asst. Paymaster Herman G. Bowerfind to be a passed assistant paymaster in the Navy from the 20th day of September, 1915.

Asst. Paymaster Lawrence A. Odlin to be a passed assistant paymaster in the Navy from the 22d day of October, 1915.

Asst. Paymaster Richard S. Robertson to be a passed assistant paymaster in the Navy from the 2d day of August, 1916.

Asst. Paymaster Charles V. McCarty to be a passed assistant paymaster in the Navy from the 29th day of August, 1916.

Ensign Richard R. Adams to be an assistant naval constructor in the Navy from the 30th day of June, 1917.

DeWitt C. Emerson, a citizen of California, to be a dental surgeon in the Navy, for a probationary period of two years, from the 5th day of July, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 20 (legislative day of July 18), 1917.

CONSULAR SERVICE.

Maxwell Blake to be agent and consul general at Tangier, Morocco.

CUSTOMS SERVICE.

James F. C. Griggs to be collector of customs for customs collection district No. 18, with headquarters at Tampa, Fla.

REGISTER OF LAND OFFICE.

Francisco Delgado to be register of the land office at Santa Fe, N. Mex.

POSTMASTER.

MINNESOTA.

Robert K. Brough, Alexandria.

WITHDRAWALS.

Executive nominations withdrawn July 20 (legislative day of July 18), 1917.

Lieut. Col. Francis C. Marshall, Cavalry, to be colonel.
Maj. Benjamin B. Hyer, Cavalry, to be lieutenant colonel.
Capt. Alvan C. Gillem, Cavalry, to be major.

SENATE.

SATURDAY, *July 21, 1917.*

(*Legislative day of Wednesday, July 18, 1917.*)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Johnson, Cal.	Nelson	Shields
Chamberlain	Johnson, S. Dak.	New	Simmons
Colt	Jones, Wash.	Norris	Smith, S. C.
Cummins	Kellogg	Overman	Smoot
Curtis	Kenyon	Owen	Sterling
Dillingham	King	Page	Stone
Fernald	Kirby	Penrose	Sutherland
France	Knox	Poindexter	Swanson
Frelinghuysen	La Follette	Pomerene	Thompson
Gronna	Lodge	Ransdell	Tillman
Hale	McCumber	Reed	Trammell
Harding	McKellar	Robinson	Warren
Hardwick	McLean	Shafroth	Watson
Hollis	McNary	Sheppard	Weeks
Husting	Martin	Sherman	Williams

Mr. FRELINGHUYSEN. I wish to announce that my colleague [Mr. HUGHES] is absent on account of illness.

Mr. HUSTING. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. JAMES] on official business.

Mr. CURTIS. I wish to announce that the senior Senator from Idaho [Mr. BORAH] is absent on official business for a few hours.

Mr. SUTHERLAND. I desire to announce the absence of my colleague, the senior Senator from West Virginia [Mr. GOFF], on account of illness. I ask that this announcement may stand for the day.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Sixty Senators have answered to their names. There is a quorum present.

CONSERVATION OF FOOD AND FUEL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

Mr. CHAMBERLAIN. I believe the pending amendment is the substitute for section 12, to which, so far as I recall, two amendments have been offered, one by the Senator from Kansas [Mr. CURTIS], who desires to add, after the words "No. 1 northern," the words "or its equivalent." So far as I am advised and so far as I am able, I am willing to accept the amendment to the amendment.

The PRESIDING OFFICER. Is there objection to the adoption of the amendment offered by the Senator from Kansas [Mr. CURTIS] to the amendment?

Mr. PENROSE. What is the amendment to the amendment?

The PRESIDING OFFICER. It will be stated.