

pending in Congress which seeks to restrict future immigration to this country by means of a 2 per cent quota based upon the census of 1890; to the Committee on Immigration and Naturalization.

647. By Mr. CROWTHER: Petition of the Woman's Republican Club (Inc.), New York City, N. Y., urging an amendment to House bill 101, providing for the adoption of the method of examination of immigrant aliens suggested by Dr. Spencer L. Dawes, medical examiner, New York State Hospital Commission, New York office, president Interstate Conference on Immigration; also petition of the Woman's Republican Club (Inc.), New York City, N. Y., urging the enactment of legislation by Congress permitting the State of New York to bring suit against the Federal Government for \$17,247,616.71 for the care and maintenance of insane aliens, public charges, in New York State hospitals; to the Committee on the Judiciary.

648. Also, petition of Hallett Roach, Edward S. Carl, and William Letts, of Delanson, N. Y., indorsing the Mellon plan of tax revision; to the Committee on Ways and Means.

649. Also, petitions of Furst McNess Co., Freeport, Ill.; the Chattanooga Medicine Co., Chattanooga, Tenn.; and J. R. Watkins Co., New York City, urging the removal of the tax on industrial alcohol; to the Committee on Ways and Means.

650. By Mr. FULLER: Petitions of W. H. Fess, of Mendota, Ill., and sundry other citizens of Illinois, favoring the plan of the Secretary of the Treasury for tax reduction; to the Committee on Ways and Means.

651. By Mr. KIESS: Papers accompanying House bill 5291, granting an increase of pension to Evelina C. Gross; to the Committee on Invalid Pensions.

652. Also, papers accompanying House bill 3881, for the relief of George P. Bailey; to the Committee on Military Affairs.

653. By Mr. KINDRED: Petition of E. R. Squibb & Sons, New York City, N. Y., opposing the removal or reduction of tax on alcohol used for the purpose of making medicinal preparations; to the Committee on Ways and Means.

654. Also, petition of stockholders of the Polish American Navigation Co., Jamaica, N. Y., asking that consideration be given to the company in its application for the delivery of tonnage in lieu of \$2,250,000, which they have heretofore paid into the Treasury of the United States; to the Committee on Merchant Marine and Fisheries.

655. By Mr. KING: Petition of the American Legion, Kewanee Post, No. 31, Kewanee, Ill., favoring the adjusted compensation bill; to the Committee on Ways and Means.

656. Also, petition of the Atkinson Woman's Club, Atkinson, Ill., asking favorable consideration of three measures: Establishment of an industrial farm for Federal women prisoners; a reformatory for young men, first offenders; and the development of adequate employment for every Federal prisoner; to the Committee on the Judiciary.

657. By Mr. LEATHERWOOD: Petition of Sanpete County Farm Bureau, of Manti, Utah, approving the message of President Coolidge in relation to tax reduction and the soldier bonus; to the Committee on Ways and Means.

658. Also, petition of Chamber of Commerce and Commercial Club, Salt Lake City, Utah, opposing legislation creating monopolistic State insurance funds; to the Committee on Banking and Currency.

659. By Mr. McCLINTIC: Papers accompanying House bill 5773, granting a pension to Mollie C. Fikes; to the Committee on Pensions.

660. By Mr. MORROW: Petition of Kiwanis Club, Gallup, N. Mex., opposing the extension of the Navajo Reservation; to the Committee on Indian Affairs.

661. By Mr. SINCLAIR: Petition of sundry citizens of Niobe, N. Dak., favoring the enactment of House bill 4159; to the Committee on Agriculture.

662. By Mr. SNELL: Petition of Women's Republican Club, of New York City, to obtain permission from Congress to bring suit against the Federal Government for \$17,247,616.71 for the care and maintenance of insane aliens, public charges in New York State hospitals; to the Committee on the Judiciary.

663. Also, petition of members of the First Presbyterian Church, Mineville, N. Y., favoring an amendment to the Constitution empowering Congress to pass legislation regulating child labor; to the Committee on the Judiciary.

664. Also, petition of Women's Republican Club, of New York City, favoring method for examination of aliens adopted by the interstate conference on immigration, October 24, 1923, and urging that the same be made a part of House bill 101; to the Committee on Immigration and Naturalization.

## SENATE.

MONDAY, January 21, 1924.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee for yesterday and for all its hallowed associations. And now as we turn toward the week and its manifold responsibilities we desire to be guided by that wisdom indicated in Thy Word, whose ways are ways of pleasantness, and all her paths are peace. So help us that we may honor Thee and that the words of our mouths and the meditation of our hearts may be acceptable in Thy sight, O Lord, our strength and our redeemer. Through Jesus Christ. Amen.

## NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., January 21, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SELDEN P. SPENCER, a Senator from the State of Missouri, to perform the duties of the Chair during this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. SPENCER thereupon took the chair as Presiding Officer.

## THE JOURNAL.

The reading clerk proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## CORPORATE PAYMENT OF EXCESS-PROFITS TAX.

The PRESIDING OFFICER (Mr. SPENCER) laid before the Senate a communication from the Secretary of the Treasury, relative to Senate Resolution 115 (submitted by Mr. JONES of New Mexico, and agreed to January 9, 1924), stating that he had issued instructions to proceed with the compilation of the data and the expedition of the work as rapidly as possible consistent with accuracy, which was ordered to lie on the table.

## CIVIL SERVICE RETIREMENT AND DISABILITY FUND.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a letter from the Commissioner of Pensions, dated January 16, 1924, together with the third annual report of the Board of Actuaries of the Civil Service Retirement and Disability Fund, which was referred to the Committee on Civil Service.

## CONDITION OF RAILROAD EQUIPMENT.

The PRESIDING OFFICER laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, in compliance with the provisions of Senate Resolution No. 438, agreed to February 26, 1923, a report for the month of December, 1923, showing the condition of railroad equipment and related information, which was referred to the Committee on Interstate Commerce.

## INDEMNITY FOR DEATH OF SEVERAL NICARAGUANS (S. DOC. NO. 24).

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

To the Congress of the United States:

I transmit herewith a report respecting claims against the United States on account of several Nicaraguans killed or injured in encounters with American marines in December, 1921, and January, 1922, with a request that the recommendations of the Secretary of the Navy as indicated therein be adopted, and that the Congress authorize the appropriation of the sum necessary to pay the indemnities suggested by the Secretary of the Navy.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$11,700.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 21, 1924.

## PETITIONS AND MEMORIALS.

The PRESIDING OFFICER laid before the Senate resolutions of the Commercial Club of Grand Rapids, Minn., favoring discontinuance of the use of trust funds belonging to the Chippewa Indians of Minnesota for previous purposes and the enactment of legislation enabling the Chippewa Indians to secure a settlement of tribal affairs with the Federal Government, and paying to the Chippewa Indians in the State of Minnesota who are entitled to participate therein, a per capita sum of \$100 out of the trust fund belonging to such Indians now held for them by the United States Government, which were referred to the Committee on Indian Affairs.

He also laid before the Senate a resolution of the District of Columbia Department of Veterans of Foreign Wars of the United States, favoring the appointment of an ex-service man to the Civil Service Commission, which was referred to the Committee on Civil Service.

He also laid before the Senate a resolution of Federal Employees' Union No. 1, of the National Federation of Federal Employees, at San Francisco, Calif., favoring the passage of legislation granting a maximum annuity of \$1,200 per annum to retired civil-service employees, lowering the age of retirement to 65 years, and providing a straight 30-year-service annuity, which was referred to the Committee on Civil Service.

Mr. EDGE submitted the following concurrent resolution of the Legislature of New Jersey, which was referred to the Committee on Education and Labor:

## Concurrent resolution.

Whereas the citizens of this State are being constantly abused by those responsible for the high price and unfair distribution of coal, which commodity is a public necessity; and

Whereas the industry of producing and distributing coal is an unconditional monopoly by reason of the combined action of landowners, operators, miners, transportation companies, and jobbers, which monopoly is entirely uncontrolled and unregulated; and

Whereas the profits of this industry are outrageously excessive, and those identified with it, utterly disregarding the rights of the public, have entered into a spirit of greed which knows no restraint; and

Whereas this intolerable condition results in much hardship and suffering, particularly among the poor, and at times seriously threatened necessary and vital industries; and

Whereas the coal is mined without the borders of New Jersey and passes quickly into interstate commerce, the State of New Jersey, being without power to effect any permanent and substantial relief, must look to Congress to take the necessary steps in providing a remedy: Therefore be it

## Resolved by the house of assembly (the Senate concurring):

1. That we urge upon the United States Senators and Members of the House of Representatives from New Jersey the necessity of using all means within their power to secure an exhaustive examination by Congress of the coal industry and all possible remedies for the existing insufferable condition, and the taking by Congress of such means as will assure a continuous and adequate supply of coal to the citizens of this State at a reasonable price, which action we feel to be the full duty and responsibility of Congress.

2. That copies of this resolution be sent to the Senators and Representatives from this State in the Congress of the United States.

Mr. LODGE presented resolutions of the executive committee of the Department of Massachusetts, the American Legion, at Boston, Mass., favoring the adoption of the so-called American Legion plan granting adjusted compensation to ex-service men, which were referred to the Committee on Finance.

Mr. CAPPER presented a resolution of McCook Post, No. 51, Grand Army of the Republic, of Iola, Kans., favoring the passage of legislation granting a pension of \$72 per month to veterans of the Civil War and \$50 per month to their widows, which was referred to the Committee on Pensions.

He also presented a petition of members of the Young People's Classes of the First Methodist Episcopal Church of Caney, Kans., praying an amendment to the Constitution regulating child labor, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry clerks and carriers of the Great Bend post office, and of the Wichita Federation of Women's Clubs, of Wichita, all in the State of Kansas, praying for the passage of legislation granting increased compensation and reclassification of salaries in the Postal Service, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry rural letter carriers of Ellsworth, Ottawa, Harper, Decatur, and Woodson Counties, in the State of Kansas, praying for the passage of legislation granting an equipment allowance of 6 cents per mile to rural

carriers, which were referred to the Committee on Post Offices and Post Roads.

Mr. JONES of Washington presented petitions of sundry citizens in the State of Washington, and also in the Territory of Alaska, praying an amendment to the Constitution regulating child labor, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Tacoma, Yakima, and Seattle, all in the State of Washington, praying for adoption of the so-called Mellon plan for tax reduction, which were referred to the Committee on Finance.

Mr. FRAZIER presented a petition of members of the Women's Literary Club, of Northwood, N. Dak., praying for the passage of legislation to establish a preserve so as to save from harmful drainage bottom lands of the upper Mississippi River, which was referred to the Committee on Commerce.

He also presented the petition of Charles E. Schroeder and 10 other citizens of Bottineau County, N. Dak., praying for the passage of legislation establishing a Government corporation for the stabilization of wheat prices, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of J. L. Page and 34 other citizens of Westhope, N. Dak., praying for the passage of legislation increasing the tariff on wheat, also repealing the drawback privilege and the milling-in-bond privilege of the Fordney-McCumber Tariff Act, and also to stabilize the prices of wheat, which was referred to the Committee on Finance.

He also presented resolutions of the Commercial Club of Turtle Lake, and the Community Club of Finley, both in the State of North Dakota, favoring the passage of Senate bill 1597, providing a \$50,000,000 revolving loan to the livestock industry, which were referred to the Committee on Agriculture and Forestry.

He also presented the petitions of K. L. Smith and sundry other citizens of Niobe, and of John Anderson and 34 other citizens of Finley and Bladon, all in the State of North Dakota, praying for the passage of Senate bill 1597, providing a \$50,000,000 revolving loan to the livestock industry, which were referred to the Committee on Agriculture and Forestry.

Mr. CURTIS presented a resolution of the Priestly-Ridley Post, No. 35, American Legion, of Cherokee, Kans., opposing foreign immigration for at least five years, which was referred to the Committee on Immigration.

He also presented resolutions of the Harding Chapter, W. O. K. K. K., Realm of Kansas, favoring the enactment of such immigration legislation as will protect our institutions and liberties from alien domination, which were referred to the Committee on Immigration.

He also presented a resolution of the Chamber of Commerce of Hays, Kans., protesting against any amendment of the so-called Esch-Cummins transportation act, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Lions Club of Eureka, Kans., favoring the enactment of legislation restricting narcotics to medical and scientific needs, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry members of the Saline County Pharmaceutical Association, of Saline County, Kans., praying for the enactment of legislation stabilizing the retail price on nationally advertised and trade-marked merchandise, which was referred to the Committee on Interstate Commerce.

He also presented petitions of rural letter carriers of Lincoln, Smith, Morris, Pottawatomie, Mitchell, Pawnee, Douglas, Jackson, Graham, Stevens, Thomas, Chautauqua, Ness, Rawlins, Hodgeman, Grant, Chase, Atchison, Lane, Franklin, Greenwood, Harvey, Clark, Woodson, Decatur, Hamilton, Morton, Cheyenne, Barton, Ford, Osage, Manhattan, Rooks, Seward, Wallace, Scott, Cowley, Sherman, Rush, Geary, Trego, and Jefferson Counties; of the officers of the Second District Kansas Rural Letter Carriers' Association, of Sterling, and of the officers of the Kansas Rural Letter Carriers' Association (on behalf of the rural carriers of Kansas) of Sterling; all in the State of Kansas, praying for the enactment of legislation granting 6 cents per mile per day for equipment allowance to rural letter carriers, which were referred to the Committee on Post Offices and Post Roads.

Mr. WILLIS presented the petition of A. H. Soles and 170 other citizens of Buchtel, and of Earl D. Menden and 737 other citizens of Nelsonville, all in the State of Ohio, praying for the enactment of legislation restricting immigration until 1929, which were referred to the Committee on Immigration.

He also presented a petition of the Toledo (Ohio) Automobile Club, praying for the passage of legislation removing the



5 per cent war tax on automobiles, automobile accessories and parts, which was referred to the Committee on Finance.

He also presented a resolution of Mount Nebo Grange, No. 664, Patrons of Husbandry, of Leetonia, Ohio, protesting against the passage of legislation increasing salaries of rural mail carriers, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution of the Kiwanis Club, of Bowling Green, Ohio, protesting against any amendment at this time to the so-called Esch-Cummins transportation act, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of Middletown Post No. 218, the American Legion, Department of Ohio, favoring the enactment of legislation granting a bonus to ex-service men, which was referred to the Committee on Finance.

He also presented resolutions of the Epworth League Chapter, of New Philadelphia, and the New Comers Club, of Columbus, both in the State of Ohio, favoring an amendment to the Constitution regulating child labor, which were referred to the Committee on the Judiciary.

He also presented petitions of the presidents of six banking institutions of Springfield, of sundry citizens of Toledo, and of Glick Bros. and 16 other business firms and sundry citizens of Eaton, all in the State of Ohio, praying for the adoption of the so-called Mellon tax-reduction plan, which were referred to the Committee on Finance.

Mr. McLEAN presented resolutions adopted at the annual meeting of the Connecticut Civil Service Association, at New Haven, Conn., favoring the repeal of the act of 1820, which provided a four-year term of office for certain officials; the classification of postmasters of the first, second, and third class; and placing the field force for prohibition enforcement in the classified service without covering in the present membership, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Bridgeport, and of the Connecticut State Branch, Post Office Clerks, of Waterbury, all in the State of Connecticut, praying for the enactment of legislation providing increased salaries for postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by Branch 164, United National Association of Post Office Clerks, at Torrington, and of Ladies' Auxiliary, N. A. L. C., No. 104, of New Britain, both in the State of Connecticut, favoring the enactment of legislation providing increased salaries for postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution of Elisha Kellogg Camp, No. 18, Sons of Veterans, United States Army, Division of Connecticut, of Thomaston, Conn., favoring the enactment of legislation granting a pension of \$72 per month to Civil War veterans and of \$50 per month to their widows, which was referred to the Committee on Pensions.

He also presented a resolution of the Chamber of Commerce of Hartford, Conn., favoring the passage of legislation to obtain public possession, control, and ownership of the Cape Cod Canal, which was referred to the Committee on Commerce.

He also presented the petition of Clare M. O'Rourke, staff nurse, United States Veterans' Bureau, of Bridgeport, Conn., praying for the enactment of legislation classifying nurses of the United States as in the professional service, which was referred to the Committee on Civil Service.

He also presented a resolution adopted at a meeting of the Stamford (Conn.) Hospital School of Nursing Alumnae Association, favoring the enactment of legislation classifying nurses of the United States as in the professional service, which was referred to the Committee on Civil Service.

He also presented a resolution adopted by the Connecticut Valley Tobacco Association, of East Hartford, Conn., favoring the enactment of legislation accepting the offer of Henry Ford for the Muscle Shoals plant, which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions of the Southington Business Men's Association, of Southington; the shareholders of the East Hampton Bank & Trust Co., of East Hampton; the stockholders of the Middletown Trust Co., of Middletown; the board of directors of the East Hartford Trust Co., of East Hartford; and of the directors of the Master Plumbers' Association of Connecticut, of Bridgeport, all in the State of Connecticut, favoring the adoption of the so-called Mellon tax-reduction plan, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of New Haven, Conn., praying for the adoption of the so-called Mellon tax-reduction plan, which was referred to the Committee on Finance.

He also presented resolutions of the Civic League of New Canaan, Conn., favoring the adoption of the so-called Mellon

tax-reduction plan and opposing a bonus to ex-service men, which were referred to the Committee on Finance.

He also presented a petition of sundry employees of the United States Finishing Co., of Sterling and Norwich, all in the State of Connecticut, praying for the adoption of the so-called Mellon tax-reduction plan, which was referred to the Committee on Finance.

He also presented a resolution of the board of governors of the Hartford Stock Exchange, of Hartford, Conn., favoring the adoption of the so-called Mellon plan of tax reduction and opposing the granting of a bonus to able-bodied ex-service men, which was referred to the Committee on Finance.

He also presented a letter in the nature of a petition of D. L. G. Hohenthal, of South Manchester, Conn., praying for the reduction of taxes and remonstrating against the enactment of legislation granting a bonus to ex-service men, which was referred to the Committee on Finance.

He also presented petitions of members of the Sharon Woman's Club, of Sharon, and sundry citizens of Hartford, West Hartford, and Branford, all in the State of Connecticut, praying for the adoption of the so-called Mellon plan of tax reduction and remonstrating against the passage of legislation granting a bonus to ex-service men, which were referred to the Committee on Finance.

#### REPORTS OF CLAIMS COMMITTEE.

Mr. HARRELD, from the Committee on Claims, to which was referred the bill (S. 1867) for the relief of the estate of John Stewart, deceased, reported it without amendment and submitted a report (No. 77) thereon.

He also (for Mr. STANFIELD), from the same committee, to which was referred the bill (S. 105) for the relief of Arthur Frost, reported it without amendment and submitted a report (No. 78) thereon.

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

A bill (S. 243) for the relief of Frank Vumbaca (Rept. No. 79);

A bill (S. 334) for the relief of Kate Canniff (Rept. No. 80);

A bill (S. 356) for the relief of John H. Walker (Rept. No. 81);

A bill (S. 1249) for the relief of Rosa E. Plummer (Rept. No. 82); and

A bill (S. 1894) for the relief of the owners of the steamship *Kim-Dave* (Rept. No. 83).

#### VIOLATIONS OF ANTITRUST ACTS.

Mr. BRANDEGEE, from the Committee on the Judiciary I report back with an amendment Senate Resolution 73, directing the Attorney General to report to the Senate the particulars of cases sent to him by the Federal Trade Commission in violation of the Sherman and Clayton Acts, and I ask unanimous consent for its present consideration.

There being no objection, the Senate proceeded to consider the resolution.

The amendment was, on page 2, after line 5, to strike out the semicolon and the words "and to report further to the Senate the intention of the Attorney General with respect thereto," so as to make the resolution read:

Whereas the Federal Trade Commission has conducted investigations of alleged violations of the Sherman Antitrust Act and the Clayton Act against monopolies and unlawful restraints of trade and has transmitted to the Attorney General the record of more than 60 such investigations, indicating a violation of said acts, for the initiation of such proceedings for the enforcement of the law as the Attorney General may be advised to make; and

Whereas the Attorney General has taken no action upon said records transmitted to him by the Federal Trade Commission for the purpose of securing indictments against the parties named therein, and has brought no proceedings for the prevention of such violations by injunction or otherwise: Therefore be it

*Resolved*, That the Attorney General is hereby directed to report to the Senate the particulars and specifications of all cases transmitted to him by the Federal Trade Commission, presumably indicating a violation of the Sherman Antitrust Act, or of the Clayton Act, together with a statement as to why prosecution by indictment or injunction has not been brought in each of said cases; and further report to the Senate the number of cases pending, both criminal and civil, for the enforcement of said acts, or either of them, the time for which said actions have been pending, and the reason, if any there be, why such cases are not being prosecuted.

The amendment was agreed to.

The resolution as amended was agreed to.

The preamble was agreed to.

## CHANGE OF REFERENCE.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 2030) for the relief of Ethel Williams, asked that that committee be discharged from its further consideration and that it be referred to the Committee on Pensions, which was agreed to.

## INVESTIGATION OF PROPAGANDA.

Mr. LODGE. Mr. President, on January 17 the Senate passed Senate Resolution 107, giving authority to a special committee to make certain inquiries and making the usual provision for sending for persons, papers, and so forth, but by accident or oversight the usual clause was omitted which is contained in all such resolutions. I move an amendment so that the resolution will read, as all the rest have read, that the committee shall be authorized—

to employ a stenographer at a cost not exceeding 25 cents per hundred words to report such hearings, the cost thereof to be paid out of the contingent fund of the Senate, etc.

Mr. ROBINSON. May we have the question stated? I did not hear the remarks of the Senator from Massachusetts.

Mr. LODGE. The Senate on Thursday last passed Senate Resolution 107—

Mr. ROBINSON. I have just secured a copy of the resolution.

Mr. LODGE. It is the usual resolution authorizing an inquiry, to provide for the employment of a stenographer, and so forth. It came, of course, from the Committee to Audit and Control the Contingent Expenses of the Senate, but omitted the words "from the contingent fund of the Senate." The cost, of course, could not be paid from any other fund.

Mr. ROBINSON. There is no objection to the amendment.

Mr. FLETCHER. I presume the Senator will move to reconsider and will then amend the resolution and put it again on its passage?

Mr. LODGE. Yes; I make that motion.

The PRESIDING OFFICER. Without objection the adoption of the resolution will be reconsidered. Without objection the amendment will be adopted, and the resolution as amended will be agreed to. The Chair hears no objection.

Mr. ROBINSON. Mr. President, the resolution which the Senate has just passed for a second time, the resolution presented by the Senator from Missouri [Mr. REED], contemplates the appointment of a special committee for the purpose of investigating the organized efforts that are being made to control public opinion and the action of Congress upon legislative matters. The provision of the resolution authorized an investigation of every form of propaganda which is now being conducted. The committee has already been named and its able members are at their task.

During the war the people of the United States, it appears, acquired and developed the propaganda habit. That habit has not been discontinued since the close of the great world conflict. Senators and Representatives daily are overwhelmed by communications from their constituents and from others touching many important subjects of legislation. Under the Constitution of the United States, guaranteeing freedom of speech and freedom of the press and the right of petition, no political power exists in this Government or in any of its departments to prevent the carrying on of propaganda so long as it is not conceived in treason or conducted through corrupt means.

The Special Committee on Propaganda created under the resolution introduced by the Senator from Missouri [Mr. REED] is now directing its attention to an investigation of what is known as the Bok peace plan. Let me say to Senators and to the special committee of the Senate that little harm to this country or its institutions is to be anticipated from organized effort to promote international peace and good will, however misguided we may believe the sponsors of those efforts to be. In the eyes of millions of American men and women who are devoted to the institutions upon which this Government rests, who are loyal to the principles of the Constitution of the United States, who are proud of the past and hopeful of the future of the American people, the figure of Edward Bok does not occasion animosity or alarm. That figure is somewhat dramatic and pathetic.

The Special Committee on Propaganda, if it suffers its attention to be diverted from the important phases of organized effort to control legislation by the Congress to a disclosure of the methods and services of the very amiable and estimable ladies and gentlemen who are associated with Mr. Edward Bok in his peace plan, however visionary it may be—if the committee forgets the important work it has to do and permits its efforts to humiliate the men and women of the country who are

attempting to promote international peace, it will accomplish no useful purpose and will fail of its real purpose.

We know one of the big issues before the Senate of the United States is that relating to tax reduction, and every Senator, so far as my knowledge extends, is committed to the principle and purpose of substantially and emphatically reducing Federal taxes. Every Senator has had his mail flooded by form letters, sent out at the expense of financial organizations, with directions to mail them to a Senator, urging not merely tax reduction but the passage of the Mellon plan without change or modification. The tenor of these communications, as a rule, is that you can not exercise your brain, you can not respond to the promptings of your conscience, and improve the measure presented by the Executive, but you must act as a rubber stamp, forget your own responsibility, and merely write an O. K. upon the proposal of the Secretary of the Treasury. When you do that you must also agree to defeat adjusted-compensation legislation in every form.

How many million dollars have been collected and expended to carry on this propaganda? It is not unlawful to carry it on. The object in investigating it is to disclose that the opinion which insists upon the passage of a plan without change in the slightest degree, which insists upon the defeat of adjusted-compensation legislation in whatever form it may be presented, is stimulated and promoted by organized and systematic effort.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New York?

Mr. ROBINSON. I yield to the Senator from New York.

Mr. COPELAND. Confirming what the Senator from Arkansas has stated, I wish to read into the Record a part of a letter which is being sent out by a great concern in New York to its employees. It starts out:

It is of the utmost importance and a matter of vital interest to all of us that the program for tax revision commonly known as the Mellon plan be passed at the present session of Congress. It is also vitally important that the so-called bonus bill should not be passed.

This letter is sent to every employee. At the end of the letter is stated that—

We shall check up our pay roll within the next couple of weeks to find out those who have written and those who have not.

This letter is to be signed and passed in to the cashier; then he checks up to see which employees have not passed upon it.

Mr. ROBINSON. And the implication is that if the employee has not done the bidding of his master he loses his employment. There is something to investigate. If you want the facts, you can find who wrote the Mellon plan; you can find who organized for the collection of the fund, enormous in proportions, to the inoffensive purpose for which it was alleged to be collected; you can find that great financial institutions have sent broadcast over the United States directions for their correspondents to drive in line the common herd, to make them urge a demand upon Congress which many of them do not understand and which most of them do not desire.

I will say to the Senator from Missouri [Mr. REED] that we will not stop propaganda, no matter what the committee proves; but if we get the facts we shall at least leave Senators and Representatives partially free to do their duty to their country, without the fear of a vengeance which has been stimulated in order that it might be employed to prevent them from using their best judgment.

Let it be understood now, here and everywhere, that the Congress is not going to be intimidated into abdicating its constitutional function to legislate, and that it can and will write a bill reducing taxes for the American people in a form that will neither be unjust nor oppressive. If it shall perform that function, it will have vindicated its right to exist and to legislate. Do not let us, however, waste the time of the Senate or its agencies in the investigation of well-intentioned, if misdirected, efforts to promote good will among the peoples of the world.

Mr. REED of Missouri. Mr. President, I am utterly at a loss to know why anyone should become excited over what has transpired in the committee appointed to investigate propaganda. I believe that the American people have the right to know whether propaganda is being carried on to affect legislation or official action, to know the extent of that propaganda, as well as the amount of money that is being expended and the influences employed. I believe that they have the right to know this and ought to know this regardless of the merits or demerits of any particular controversy. An honest and a good movement will lose nothing by the fact being disclosed that it has been backed



by an honest and a good propaganda. A dishonest and a bad propaganda ought to be similarly exposed and the facts made known to the American people. Every Congressman who receives in his mail letters and petitions and ballots ought to know whether they are the spontaneous production of the individual who sends them or whether they have been produced by pressure, by persuasion, or by any other means. That applies alike to that which we may regard as good and that which we may hold to be bad.

Now, my friend from Arkansas, whom I esteem as highly as I do any man on earth, is of the opinion that Mr. Bok is an amiable, patriotic, high-souled gentleman, and that the propaganda he is now conducting is for the upbuilding of the welfare of America and for the general good of the world. Therefore, in his judgment an investigation of that particular matter is highly unimportant, if not improper. That happens to be the opinion of Mr. Bok himself, for he has just refused to disclose the amount of money he has expended, although all of the eloquent persuasion of friends of his plan who sat upon the committee was exhausted in order to try to convince and, indeed, coax him into an attitude of mind where he would make the disclosure.

I do not question Mr. Bok's sincerity of purpose, but, as was stated to him in one of the interrogatories, suppose Mr. Eugene Debs should be equally sincere in believing that we ought to overturn the American Government and set up a socialistic form of government—and I say this without offense to Mr. Bok; I am simply searching for an extreme illustration—and Mr. Debs, either alone or in cooperation with others, should raise an enormous sum of money and begin propagandizing the United States and having the people of the United States in turn seek to influence the action of Congress. Mr. Debs might wrap the garment of his sincerity and righteousness about him and say that it was nobody's business but his own; that he was perfectly sincere; and a socialist might some time sit in this body, as socialists have sat in the one at the other end of the hall, who would be as thoroughly convinced that Mr. Debs was right as my good friend is that Mr. Bok is right. So there are thousands of people in the United States undoubtedly who believe, whether they believe with knowledge or believe because they have been propagandized, that the Mellon tax plan is the perfection of human reason.

Mr. ROBINSON. Mr. President, before the Senator passes that, I hope he will do me the credit to remember that I did not express the opinion that Mr. Bok was right. I merely stated that whether he were right or wrong the investigation ought not to be diverted to the Bok plan to the neglect of the more important phases of propaganda.

Mr. REED of Missouri. There will be no neglect of the more important phases. The fact is, we took up the Bok plan because it was so trifling a matter that we thought we could get rid of it in a few hours and get to the more serious business.

Mr. ROBINSON. The Senator agrees with me exactly when he says it is a trifling matter.

Mr. REED of Missouri. I think it is trifling.

Mr. MOSES. Mr. President, will the Senator permit me to add that that probably is the fact because of Mr. Bok's refusal to answer questions which are clearly within the purview of the resolution.

Mr. REED of Missouri. Moreover, Mr. Bok had said that he was going South for his health or for recreation, and we thought that we had a very short horse; that he could be speedily curried; and that it would not take much lather to shave him. I do not mean to shave Mr. Bok. I refer to the proposition.

So, as I was saying, there are thousands of people who believe, or think they believe, in the Mellon tax plan. Suppose that we were to put Mr. Mellon upon the stand. Mr. Mellon would say: "I am perfectly convinced of the righteousness of this plan," just as Mr. Bok said of his plan. Moreover, suppose that some of our friends on the other side who believe in it should arise and say to us when we begin to investigate: "Why, what business have you to investigate? It is a good plan. We have already passed on that proposition. We have satisfied ourselves. Therefore the amount of money that is being expended is a matter of total indifference, and you ought to quit fooling around with that. However, we are opposed to the Bok plan. Why do you not begin at once to go to the bottom of that nefarious scheme?"

Such a line of reasoning might be applied to the soldiers' bonus. There sit in this body at least one or two men who served in the World War. I remember that one of them who thus served has spoken with great force and eloquence against

the soldiers' bonus. He inveighs against it. He thinks that men who were called on to serve their country should serve without money and without price. He is perfectly sincere in it; and so, when we come to investigate the question whether there is a heavily financed propaganda directed against the soldiers' bonus, that gentleman might arise and say: "Why are you investigating this? The soldiers are entitled to no bonus. I have made up my mind to that, and therefore the question should not be investigated."

I think it is the general theory of all of our Members—and I believe my friend from Arkansas will agree with me—that it is important for the Members of Congress to know, when they get a letter, whether that letter was written by somebody who was interested in the question or whether somebody else got him to write it, and he wrote it without even stopping to think about the subject matter, perhaps with entire unfamiliarity with the subject matter. Thus we will at least get some idea whether this is a spontaneous uprising of the people or whether it is a spontaneous uprising of paid propagandists.

We happen to have started this morning with Mr. Bok. We proceeded far enough to find out that Mr. Bok tells us and tells the country that it is none of our business how much money he has spent. He seems to be in the position of Brother Stephenson, whom we once investigated here for expending too much money in his campaign. He said he just put some money in the bank and "told the boys not to do nothing that was wrong." Brother Bok—if I may be permitted to speak of him in that affectionate way—says he put some money in the bank and allowed other people to draw on it. He does not know how much they have drawn, but he is certain of only one thing, and that is that he is not going to tell how much he put there. I think we have a right to know, and probably before we get through we will be able to find out.

Now with reference to the action of the committee: We have sat all told, I think, about 60 or 70 minutes. We hardly ought to be criticized for delay up to this time. The committee organized within an hour after it was appointed, and set the hearings for the second day after the committee had met. The committee intends—I think I can speak for the committee—to proceed with every matter that is within the purview of this resolution. We will investigate the Mellon propaganda. I shall be delighted if any of my friends or any of the friends of the committee or anybody else, friend or enemy, will bring us evidence of the propaganda that is being employed in connection with the Mellon plan, and also all other propaganda.

Mr. ASHURST. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Missouri yield to the Senator from Arizona?

Mr. REED of Missouri. I do.

Mr. ASHURST. I respond to the invitation of the able Senator, and read a letter from the Governor of Arizona:

EXECUTIVE OFFICE, STATE HOUSE,  
Phoenix, Ariz., January 7, 1924.

MY DEAR MR. ASHURST: I am in receipt of a communication from an employee of the Arizona Eastern Railroad in Arizona, submitting several letters received by him and which are addressed to all of the agents of that railroad in the State.

The letters from the Arizona Eastern to its agents instruct them to interview various business men and citizens in their communities—a list of names being submitted—and to urge that these citizens write the Congressmen and Senators asking support for the Mellon plan, and the agents are requested to notify the vice president and general manager of the railroad that the letters have been written.

It appears that the agents have not been enthusiastic about the matter, and they have received letters and telegrams daily from either the president, vice president, general manager, or the superintendent, the latest message reading to the effect that not sufficient interest is being taken by agents and insisting that a better showing be made.

You will, therefore, understand that economic pressure is being applied by the railroad to compel the employees to indorse the Mellon taxation plan.

I am calling this to your attention for your information and such action as you may desire to take.

Very truly yours,

GEO. W. P. HUNT, Governor.

HON. HENRY F. ASHURST,

United States Senate, Washington, D. C.

If the Senator will permit me, it is my intention to do justice, and I desire to correct an error made in my remarks in the Senate wherein I said that if the Mellon plan became a law

Mr. Mellon's taxes would be reduced \$500,000 a year. His taxes would be decreased, so I am advised, between twenty and thirty million dollars per year, and I speak, of course, of the Mellon interests.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New York?

Mr. REED of Missouri. I yield to my friend from New York; certainly.

Mr. COPELAND. I should be glad if the Senator, in his investigation, would bear in mind the fact that it is not alone interested parties at home who are wrong, but we find sometimes that mistakes creep into Congress itself.

I find in the New York Herald this morning a statement made by Mr. SNYDER, of the House, in which he states that the bonus would cost the State of New York \$367,000,000. I have taken pains to read his statement and find that, in common with all men who give curbstone opinions on the bonus, he is not accurate in his statement. He assumes that each soldier would be paid \$500, on the theory that he served 500 days. As a matter of fact, the average service of the men during the war was less than 300 days. So Mr. SNYDER's figures with reference to New York are so wrong that he overestimates the amount which would be paid by the State of New York by over \$100,000,000—a very considerable sum. It seems to me fair that the attention of the Congress should be called to the fact that many misstatements and many exaggerated statements regarding the cost of the bonus are being spread about, and it is right that the people of our country should know the facts in the case.

Mr. REED of Missouri. Mr. President, this is hardly the time to discuss the merits of the Mellon tax plan. I want to say a word about it; but before I do I want to conclude what I was saying with the assurance that the committee proposes to proceed to the investigation of the propaganda with reference to that plan speedily and, we trust, effectively. In like manner we propose to pursue the twin propaganda which is leveled at the soldiers' bonus. If there should be other matters requiring attention, we will endeavor to perform our duty.

So far as the Mellon tax plan is concerned, the evidence of the propaganda in that respect, and its unfairness, lies all about us. Let me take just a moment to say to the Senate and perhaps to a part of the country that there never was a more unfair propaganda put forth in favor of any measure. To begin with, the people are asked whether they want a reduction in taxes, and they are led to believe that this is the only possible plan for such a reduction.

Of course, everybody is in favor of reduction of taxes, and it is not hard to create an opinion in favor of a bill when the question is put that way. And it has been put that way. I have gone even to moving-picture shows and found the valuable time of the moving-picture artist or proprietor consumed in putting figures upon the screen to show how much individuals would save on their incomes. The way it is put to the people is that there will be a saving on the smaller incomes, and nothing is said about the saving on the larger incomes.

What is this Mellon tax plan, stripped naked? We had Mellon's real tax plan before us at the last session of Congress. Experts of the Treasury had been employed and had been instructed to draw a tax bill which would show a reduction upon all incomes. When we came to examine those experts we found that while acting under their instructions they had reduced the taxes on every income in the United States, the reductions upon incomes of from fifteen or twenty thousand dollars down amounted to the princely sum of about \$10 per income, and smilingly they admitted that they had made those reductions in order that it could be said that there was a reduction upon all incomes.

Then we looked for and found the bug under the chip. It was proposed that the surtaxes upon all large incomes should be cut from 65 per cent to a flat of 35 per cent, and that the incomes which would be covered were incomes of \$1,000,000 and upward; that about 12,000 millionaires in the United States were to be practically the sole beneficiaries of that Mellon tax plan, and that it would save to them hundreds of millions of dollars. The Mellon tax plan was a plan to reduce taxes upon the ultra rich and to leave the burdens substantially as they were upon the possessors of moderate incomes.

We fought that out upon this floor, and with the help of some votes we got from the much-criticized insurgent bloc on the Republican side, if it may be so called, we partially defeated the scheme, and the reductions were from 65 to 50 per cent, if I remember the figures accurately, instead of going to 35 per cent; we forced some reductions upon the smaller incomes. It may be that I am inaccurate in saying that there was no reduction on the smaller incomes except one of \$10. I believe

there was one particular class which received a benefit more substantial, but to all intents and purposes and as generalization my original statement stands.

Mr. President, having been defeated in his purpose to take the taxes off of the very large incomes and leave them upon the smaller incomes, Mr. Mellon comes back with exactly his original plan, with this addition, that in order to get a reduction upon the large incomes now he is willing at the same time to make some reduction upon the smaller incomes.

The Mellon plan is, after all, a plan to benefit chiefly possessors of extremely large incomes. The issue that will be presented to the people of this country by this side of the Chamber—and I hope with the help of some patriotic Senators upon the other side of the Chamber—is not whether we are going to have tax reduction, for we all favor that, but where the reduction will be made. Shall it be made upon the income of the gentleman who has \$60,000 a year income, and from that up to five or ten million dollars? Shall the cut be principally there? Or shall the cut be made upon the income of the man who has only three or four or five thousand dollars a year, and from that up to fifteen or twenty thousand dollars? That will be the issue—whether the many will be benefited or the few; whether those least able to pay taxes shall be relieved or those best able to pay taxes shall escape the just burdens of Government?

Back of that effort of Mr. Mellon, of course, is found every possessor of a large income, with a few of those rare exceptions occasionally noted of men who are willing to help pay the expenses of this Government out of their great wealth, but they are very few. You can almost count them on the fingers of your two hands. I believe one of them sits in this Chamber, who, much to his credit, is not trying to escape surtaxes.

All of the great banks are found in this movement. It has been disclosed this morning that the railroads are in the movement; that railroad officers are endeavoring to do something which, if the statement read by the Senator from Arizona be accurate, amounts to nothing more or less than attempted coercion of employees. Other similar literature has been called to our attention. So it seems we are about to repeat, in a sense, the thing which occurred when Mark Hanna conducted a campaign, when men were compelled to march in political processions wearing yellow badges upon their breasts, and to do that in order to hold their jobs, although those men were against the policy represented by those yellow badges.

It appears that wealth, which now seems to have its hands upon the throat of this country, has become bold enough to dare to undertake another crusade of coercion of its employees. I have seen slips that have gone out from banks calling upon the customers of the banks to write for the Mellon plan. There are men going over the United States speaking for it, who, I believe, are paid for doing so. We have the right to know whether money, money, money is to be the controlling influence in the affairs of this Nation.

The same gentlemen who are sending out this propaganda are the men who have insisted that a tax shall be levied for their benefit; that every dollar's worth of foreign goods that comes into this country shall be taxed so that they can raise prices to the American people. A large number of the same gentlemen are now proposing to take the tax off of the incomes they make by virtue of high tariffs, and at the same time they want to keep in force a tax which puts its hands into the pockets of every man and every woman, rich and poor alike, and enables these men of high income to make a forced levy upon every purchaser of goods in the United States.

This administration goes about whining and crying over the wrongs of the farmer. Perhaps I ought to use milder terms about so mild a man as the President of the United States. I almost wept when I heard his message on behalf of the farmers, and the low prices of the farmer. However, I could not forget that the farmer must sell his surplus product upon the broken market of Europe, and that when he undertakes to buy a dollar's worth of goods to bring back he is confronted here by an excise officer, who tells him he can not bring the goods in without paying anywhere from 30 to 300 per cent tax for importing them. Nor could I forget that the home manufacturer who had that tax enacted for his benefit has raised his domestic prices up to the level of the foreign price, plus that 300 per cent tax, or whatever percentage it may be, and that the farmer is denied an opportunity of acquiring his goods at the same kind of price at which he is compelled to sell his products. If you want to help the farmer, the thing to do is to take the tax off the things he has to buy, make it possible for him to buy in the competitive market, and give to the combinations which control American markets competition with goods from abroad, so that the



farmer will not be compelled to buy on a higher level and to sell on a low level.

The men who complain about high taxes on high incomes, I repeat, are the men who have insisted, very largely, on a tax of from 20 to 30 or 40 per cent, to as high as from 300 to 500 per cent being levied for their benefit. They put that money in their pockets; and then say we should not levy a tax upon any part of their surplus incomes.

Bear in mind that the surtaxes strike only the people who have the money, who have made it, who have made it during the year the tax covers, and who have it in their pockets. If they have not made great amounts of money, they do not have to pay large amounts of taxes. All they have to do is to divide a little with the Government.

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Missouri yield to the Senator from New Mexico?

Mr. REED of Missouri. I yield.

Mr. JONES of New Mexico. I do not know that the Senator's attention has been called to the last statement issued by Mr. Mellon on last Saturday, but in that statement he lays down two principles of economics, that all of the high surtaxes are ultimately paid by the great masses of the people in the increased prices of their products, and that these high surtaxes are the cause of the high rates of interest being paid to-day. He makes this most remarkable statement:

No thoughtful person longer doubts that, irrespective of his income, he pays the high surtaxes in the general high price level.

The statement of the Secretary of the Treasury is directly contrary to the one just made by the Senator from Missouri. I confess to having given some thought to the economic questions surrounding these so-called high surtaxes, and at the conclusion of the morning hour to-morrow, if I may have the attention of the Senate, I hope to present the views of some other economists and show that the great Secretary of the Treasury as to both of the principles which he lays down here shows his utter ignorance of modern economic thought.

Mr. REED of Missouri. Mr. President, here is a statement that taxes are passed on. Some taxes are passed on. The gentlemen who control these large fortunes attempt to pass all of them on, but if they were able to pass them all on they would be the last men in the world who would be putting up their money for propaganda to reduce their taxes.

The next observation I want to make concerns the complaint about high prices in this country from the high priest of high prices, for if there ever was a protectionist in the world it would be Andrew W. Mellon. The protectionist theory is bottomed on high prices, because the protectionist pretends that high prices make prosperity and he demands high prices so that the manufacturers may pay high wages. Yet in the same breath he complains that prices are made high by virtue of the levy of taxes which the manufacturer does not have to pay, but which the consumer has to pay.

Mr. ASHURST. Mr. President—

Mr. REED of Missouri. I yield to the Senator from Arizona.

Mr. ASHURST. In other words, Mr. Mellon's argument is that if we allow the rich to keep their money and to go untaxed they will employ the poor. By a parity of reasoning Dives ought to be allowed to have a great banquet and all the food of the country should be put upon his table because he will now and then sift down a few crumbs to poor Lazarus.

Mr. REED of Missouri. The protectionists come forward with another argument. They say that all of this money made by the taxes that have been passed on is being put into tax-exempt securities, and hence we must immediately reduce the taxes on them. Now, if that money was made by these gentlemen and it is in their coffers and yet the burden has been passed to the other people, so much the more reason why they should pay generously but if it be true that they are putting their money into tax-exempt securities, what is the alternative to which we are driven? Shall we do away with tax-exempt securities, or is there another remedy so to amend our laws, and if need be our Constitution, as to reach their property when it is invested in the so-called tax-exempt securities? As to the remedy, it is the logical and the sensible thing to do if what is said be true?

Let me again call attention to the fact that there is a great deal of moonshine about the proposition of tax-exempt securities being such a terrible thing to this country. Now, let us see. Let us take the State of Utah—and I speak of that because my friend, the junior Senator from Utah [Mr. KING], just suggested in an aside that I elaborate that a little—is, I will assume, about to borrow \$100,000,000 to build good roads

through the State. If it can sell its securities tax exempt, it probably will float them at 4 per cent and the people of that State will pay a tax sufficient to pay the 4 per cent interest.

But if the securities are not tax exempt they will probably have to pay 6 per cent, and the people of Utah will be compelled to pay a tax equal to 6 per cent on \$100,000,000. What is true of Utah is true of every other State, and it is true of our municipalities. Therefore, when we put a tax upon tax-exempt securities we raise the interest on the tax-exempt securities and raise the taxes upon the people to pay that interest.

Mr. COPELAND. Mr. President—

Mr. REED of Missouri. Therefore, so far as that argument is concerned, while I do not say that it is a complete answer in favor of tax-exempt securities, I say it is a factor which does demand weighty consideration.

I yield to the Senator from New York.

Mr. COPELAND. Would there not be some return to the city, however, from the fact that the city has to pay a tax upon those securities?

Mr. REED of Missouri. I do not know of any city that does do it. I am not arguing the merits of it. I simply say that is one fact to be considered.

Mr. COPELAND. Does not the city refrain from doing it because they are taxing their securities?

Mr. REED of Missouri. But the city is not held down by the Constitution of the United States except as to Government bonds. They are at liberty to act as they can act under their own municipal or State law. However, I am not arguing that there is no merit in abolishing the tax exemption attached to such securities out of the exemption. I do say, however, that there are many facts to be considered which have a bearing upon it and I have just named one of them.

Mr. JONES of New Mexico. May I just suggest another thought to the very important one which the Senator has mentioned? If the tax-exempt securities sell at 4 per cent and nontax-exempt securities would sell at 6 per cent interest—and I think the Senator's figures are relatively fair—the result would be that the purchaser of those securities would not in effect pay any tax upon his investment, but his tax would amount to the difference in the loss of interest to him, and it would be paid to the State rather than to the Federal Government. So that the State would collect at the source in the sale of its securities a tax of about 33½ per cent. Thus the increase in the rate of interest would have to be about 50 per cent, which would be a saving of about 33½ per cent by reason of the securities being tax exempt and the effect of it is that through the process of capitalization the purchaser of those securities would be paying to the State a tax of about 33½ per cent.

Mr. REED of Missouri. I am obliged to the Senator. I do not intend to follow that theme because I only mentioned it incidentally and the whole subject requires more time than I can give to its analysis to-day.

Mr. COPELAND. May I ask the Senator another question? If Mr. Mellon's plan is carried out, the tax-exempt securities that are now issued would still be in existence, would they not?

Mr. REED of Missouri. I think so. I question whether we could reach them even by a constitutional amendment.

Mr. FLETCHER. I think there is no question about that. We could not pass a retroactive law. I wish to ask the Senator to reserve his final conclusion on that subject, because I hope to have some opportunity to discuss it, and I believe he will change his present opinion regarding it. In the case of the people of Utah, if they have to pay 2 per cent additional on their bonds, where do they make any gain if we tax those securities and increase the interest? But I merely say now, as the Senator does not want to go into it, that I hope he will reserve his conclusions.

Mr. REED of Missouri. No; I want to conclude in a very few moments.

I believe one of the very great impelling causes for this crusade of propagandists for the Mellon plan is to defeat the soldiers' bonus. Why? Because if the taxes are allowed to remain and the soldiers' bonus is provided for, of course it means that ultimately in some form or other that bonus must be paid by the people, and of course those who possess the larger fortunes ought to pay their proportionate part.

In the original Mellon plan the same argument was produced that is now brought forward, that we could not reduce taxes at all unless we denied the soldiers the bonus. When it was proposed to retain the surtaxes and pay the soldiers' bonus out of the surtaxes there were more fits thrown in the very large centers of money than they had experienced in many years. These gentlemen are now making a campaign, and I believe

financing it heavily, against paying the soldiers a bonus. They do not believe in taxes.

Let us stop a moment and ask what a tax is. If the Government of the United States takes the money out of my pocket it is a tax, but if the Government of the United States takes my property by way of a tax it is equally a tax. Whatever the Government takes from me and puts into its coffers or into its service is in all its essences a tax. One tax against which we have inveighed in this country, and never yet levied, is a capital tax in the name of a capital tax. We take the income, but we leave the property. I assert that there was a capital tax levied on every soldier of the United States. We were in war. We levied a tax upon incomes. We levied excise taxes and finally we levied a tax on the soldiers; that is to say, we took from a few months to a year and a half of the time of those men who went to war. We levied upon their capital, upon that part of their lives, upon their total income for that time, and it was a tax. It was a levy of a capital tax upon them.

Here are two men working at the bench. Both of them are receiving \$3 a day, each of them equally liable to military service because of age and other requisites. The Government takes Jones away from his bench. The Government takes a year and a half of his time and a year and a half of his earnings and appropriates them just as much as though he had those earnings in the bank, and the Government sequestered his bank account and took the total of those earnings.

Smith, working beside him, equally liable to military service, is not taken. He stays at his bench. His wages are increased to eight or ten dollars a day. He enjoys the benefits of the war, and at the end of the war what is the situation? We have levied a capital tax on Jones for \$1,800 or \$2,000, all his total wage for that year and a half. We took it all from him, and now we say that there should be nothing done to equalize the expenditure and loss that he suffered nor to recompense him for his ability or for his patriotism, but to recompense him for the capital tax we unjustly levied upon the entire year and a half of his earnings.

Here is Jackson, who had a piece of land that was worth \$1,800. The Government wanted Jackson's land on which to establish a military camp. The Government took his land. Why not say to him "Give your land freely"? But when the Government took his land it paid him dollar for dollar its value at the very least. Such is the case of Jackson. The Government levied a capital tax on him—that is, it took by process of law, which is the same thing, his land—it paid him back dollar for dollar, if not an excessive price.

Take the case of Smith who worked at his bench and continued to work, to earn not only his former wages, but to earn increased wages, and he is allowed to keep his money. Jackson and Smith are both made whole, perhaps better than whole. But the poor fellow who went to war, in addition to risking his life, in addition to the heartaches of his family, his sister, and his wife and his children, if he had any, in addition to the terrible risk, in addition to the awful experiences that he was compelled to suffer, he must give the entire year and a half, pay that tax levied out of the capital of his life; and there are to be found in this country gentlemen worth their millions, many with their hundreds of millions, whose mouthpiece and spokesman is Andrew W. Mellon, director in 68 great trusts, banks, and counting houses, the practical owner of the aluminum monopoly, a man of unlimited wealth, whose wealth was protected, whose life was protected, whose country's honor was protected by the gallant boys who held the crimson line of France, who besieges Congress saying, "You must not levy any tax on our surplus incomes, but must take the whole of this boy's year and a half of time and of earnings and make him contribute it."

There never was presented to the American people such an insolent exhibition of cupidity, such a disposition to rob and plunder for the benefit of the ultrarich. I make no war on wealth. I have never made war on an honest dollar in my life. I hold it good that our people have the prospect of great riches as a prize to which they may attain. But when they obtain those riches, I insist that out of their abundance they shall help to defray the expenses of this Government. When we go to the polls, as we shall next November, we shall find out whether or not the counting houses and the clubs and the banks and the railroad presidents are going to control the opinion of the people of this country. We shall find out whether labor can be coerced and farmers can be bamboozled and the country sold in the shambles and markets where dollars are sacred and men of but little account.

Mr. HEFLIN. Mr. President, this morning the special committee commenced its investigation of the propaganda back

of the movement for universal peace. I went by the committee room, and I do not think I have ever seen a committee room so crowded by people who were curious to see what manner of man this man Bok is, who now dares to make an effort to promote peace and to prevent war.

As I looked upon these men and women assembled there—many of them in sympathy with him and some of them opposed to the proposition that he has in mind—I thought of the time when the President of the United States, the Commander in Chief of the Army and Navy, Mr. Wilson, was promising the boys on the battle front in France that the first thing he would do when war was over would be to use the influence of the United States to prevent the recurrence of another such war. I recalled the promises of the Republican Party in 1920, when the leaders told the people that the surest way of getting into some international tribunal for the promotion of peace and the prevention of war was by the election of the Republican ticket. I thought of how that party has dallied with the question and had done nothing whatever to promote peace and prevent war, but had quietly manipulated a situation which may result in two wars.

I want to drop this suggestion to the country and to some of the Senators on the other side of the Chamber, who are so hostile toward Mr. Bok, who dares to use his money to promote peace and prevent the slaughter of our boys in the future as they have been slaughtered in the recent past, that there may be a quiet effort going on now to involve us in war with Mexico just before the next election, and if not war with Mexico in war in the Philippine Islands, and it may be in both.

It is the duty of a Senator to mark the approach of evil of any kind to his country; not to wait until it comes, but to point it out when he sees it in the distance. I see signs of an effort on the part of some of those who have big holdings in Mexico to involve the United States Army in that conflict, and I fear that Republican leaders are looking with favor upon such a program. I see similar signs with regard to the Philippine Islands, where the son of the Governor General of the Philippine Islands, by speculation on the Stock Exchange of New York, has recently accumulated about \$1,000,000. Of course, there are men in New York who own millions of dollars of property in the Philippine Islands and they would not mind a small war out there in order to solidify sentiment in the United States back of the party that would permit them to have their way out there a little longer. I do not intend to discuss this question now, but I will have more to say about it a little later on.

I merely drop this suggestion for the consideration of Senators on the other side that, in view of the treatment of the American soldier by the leaders of the Republican Party, ill does it become them at a time like this to seek to embroil this country in any war. The American people are not in any humor to go out upon a war of exploitation and conquest. Mexico offers the finest field for exploitation under the sun, and there are men in this country who think more of gold than they do of God, who would not mind spilling the blood of our boys along the border and on the soil of Mexico to carry out their purposes, and they would not mind involving us out yonder in the Philippine Islands. I felt that I ought to say this now, Mr. President, in order that the people of this country may begin to think about what may be resorted to this year in order to elect the Republican ticket one more time.

The Washington Post this morning carries a headline "Coolidge policies have only minority support at the Capitol." The Republican Party has been repudiated by the masses of the people. The power of the purse is being resorted to to-day more than it ever has in my time to control the politics of this country. The large class of millionaires, to which the Senator from Missouri [Mr. REED] has referred, are determining to use the taxing power to relieve themselves and to unload the burden upon the masses what they term the uninfluential men and women in the common walks of life. It is my business and the business of other Senators here, who took an oath to support the institutions of this country, to do justice by all the people and to see to it that those most able to pay taxes shall bear the larger burden of taxation in this country and that those least able to pay shall have the smallest part to pay. That is in keeping with the doctrine laid down by the Master Himself when He demanded more of the man with 5 talents than He did of the man with 2.

Who is it that comes with this suggestion of tax reduction on the big taxpayers?

He is one of the three richest men in the world, the leader in many monopolies and trusts, as the Senator from Missouri [Mr. REED] has said, and he owns a monopoly in the aluminum business of America. He suggests a plan, and there is such a hard and fast propaganda behind it that Congress, composed



of 435 Members in the House of Representatives and 96 Senators from the sovereign States of this Union, is told "You must not dot an 'i' or cross a 't'; you must swallow it just as it is labeled by one of the three richest men on the globe."

Some of us said, "Let us raise the curtain, look behind the screen, and see what is up for consideration." We hear the reply, "No, do not look; if you do you will find that the man who suggests this plan will relieve himself of the payment of many million dollars of taxes." Is that the motive?

Mr. President, I have seen the time in the courts of this country when a juror who presented himself for service and admitted that he was in any way interested in the pending case would not be permitted to sit in judgment upon it. He was disqualified and had to stand aside. That order has been reversed under Republican rule, and now the more interest a man has in a thing the more readily he is selected to consider it. I saw Senators in this body whose wealth consisted in sheep—the woolen industry—voting to lay a tax upon wool to enhance the value of their own property and to put a tax upon the masses who consume the products of wool. And here is the Tariff Commission, sitting in judgment upon tax rates, when members of the commission themselves own interests in the matters under consideration. It was suggested the other day by one member of the Tariff Commission that, while he did own an interest in the sugar trust or in the sugar business, he would retire when the commission came to consider that particular question. How easy it would be for the man who owns an interest in sugar to say to the man who owns an interest in wool, "When we come to consider wool you retire. I will take care of your wool; and when we come to consider sugar I will retire and you remember my sweetening for me." Oh, how easy that would be, Mr. President!

Coming back now to the other proposition—and then I will not detain the Senate longer this morning—history is full of instances where kings, in order to bolster up their waning fortunes, have embroiled their countries in war with foreign powers in order to bring back the affectionate esteem of the people to the crowned head. It has been done many a time, and young men have poured out their blood upon the battle field for just such a purpose.

Mr. President, the American people are going to have notice; they are getting it from me to-day. There are signs that something is wrong with regard to the Philippine Islands and Mexico. I do not know, but I should like to know what the Governor General of the Philippines discussed when he was here recently. He made a visit here, I understand. I should like to know something about that. It might be well to investigate his mission; and it would be well to investigate his son, who, while holding office under his father in the Philippine Islands, has made a million dollars speculating on the New York exchange. Money is not made in that way without somebody up yonder to watch and manipulate the market. Why were they doing that big favor for this young man, the son of General Wood? I have been in the public service at this Capitol nearly 20 years, and I confess with humiliation that dollar aristocracy has this Government by the throat to-day as never before.

Rather than give up the use of the taxing power and control of the money supply of the country, this aristocracy of the dollar will plunge us into war if necessary to retain control of the Government.

#### NORTH POLE FLIGHT OF THE "SHENANDOAH."

Mr. DILL. Mr. President, a few days ago when the *Shenandoah* broke loose from her moorings and was saved as if by a miracle, I ventured to protest against the flight of that vessel to the North Pole. Since that time, I think on Saturday, the Secretary of the Navy, Admiral Moffett, and Commander Bartlett have given certain reasons, as they call them, why this flight should be carried out. I confess that the reasons they gave appeal to the imagination and I want for just a moment to pursue them.

It is proposed that this airship shall fly into the great unknown of the Far North and discover and explore a new continent and annex a million square miles of territory to this country's domain. Mr. Denby is to father this movement. Under such a plan Admiral Moffett would be a new Columbus and Denby a sort of Ferdinand and Isabella to him. When they have discovered this new continent, think of the delightful contest before the Board of Geographic Names in selecting a name for it! It might be called "Denby's Domain," or "Moffett's Land"; or, being a cold and silent land, it might even be called the "Coolidge Country."

There are also great political possibilities in the discovery and annexation of a continent like this. A million square

miles of new land would offer a means of settlement of the bonus problem that would not be embarrassing to the President, like being compelled to veto a bonus bill and have it passed over his veto. We could divide this 1,000,000 square miles of land into 4,000,000 tracts, and give every soldier a free tract of land, and let him go up there and cut ice and catch polar bears and shoot ptarmigan and snow rabbits.

That is not all. We are told that there is oil to be discovered in this new continent; and certainly the oil men would follow the Navy, in the light of the way that the Navy is now following the oil men into Mexico; and I suggest that there would not be the same danger of breaking the peace with the Eskimos that there is of breaking the peace with the Mexican people through the activities of the Navy.

Mr. NEELY. Mr. President—

Mr. DILL. I yield to the Senator from West Virginia.

Mr. NEELY. Inasmuch as Mr. Fall has either sold or given away all the oil the United States Government had, does not the Senator think that some new oil territory ought to be acquired by this country?

Mr. DILL. I think that is possibly one of the moving forces in the mind of the Secretary of the Navy—trying to discover some new oil resources to take the place of the oil reserves which have been sold or given away by this Government.

Mr. McKELLAR. Mr. President, the Senator will recall that Secretary Denby himself has been openly and avowedly charged, time and again, with being a party to the giving away of the oil in the West. May it not be that Secretary Denby is imbued with the very high purpose of discovering and acquiring some of this oil around the North Pole so that he can make the United States good for that which he has given away to these interests?

Mr. DILL. No doubt the reason suggested by the Senator is one of the reasons moving Secretary Denby to want to discover and annex this new continent by flying over it and taking some "movies" of it.

Then there is another political possibility. This great open space of country would give an opportunity for Russian propaganda to be carried on, and that would give Mr. Hughes some additional excuses for further objecting to the recognition of the Russian Government. I commend that thought to the able Senator from Idaho [Mr. BORAH], who is investigating Russian propaganda.

Mr. McKELLAR. Mr. President, has the Senator thought of this possibility? Secretary Denby, when he discovers the land and takes charge of it, can appoint ex-Secretary Fall as Governor General of the new territory.

Mr. DILL. I note in the papers that ex-Secretary Fall is thinking of traveling somewhere. I think that would make a nice trip for him. I am sure the committee would not follow him up there to get information as they followed him to Florida.

But, Mr. President, the Secretary of the Navy is thinking not only of annexing new territory. Like a good naval man, he is thinking of the defense of his country also and tells us that unless we go and explore that country by flying over it another nation will seize it. They tell us that England is about to take this northern country, and therefore as a matter of self-defense we must rush the *Shenandoah* across it this summer and explore it and annex it. That is a great idea, it seems to me, for the new labor government of England. Mr. Ramsay MacDonald, coming into power to-day, might very easily take control and might send his dirigible ships up there and solve the unemployment problem of England. The possibilities of this land, I say, are indeed unlimited.

Mr. McKELLAR. Will the Senator yield again?

Mr. DILL. Certainly.

Mr. McKELLAR. The Senator has evidently made a study of this matter he is discussing with such great interest to all of us, and I want to know if he has examined into the question as to where the money is to come from to enable the Secretary of the Navy and the Secretary of War to discover the North Pole again? I thought that Doctor Cook and Commodore Peary had already done that. Why should it be rediscovered and who is putting up the money for it? Out of what appropriations does it come? This expedition must of necessity cost a great deal of money. I am frank to say that I have not hitherto served on the Appropriations Committee, but I have no recollection of any appropriations passed by the Congress that would authorize this expedition. Where is the money to come from? Where are they to get it? Out of what appropriation is it to come?

Mr. HARRISON (in his seat). They borrowed it from Ed McLean, probably.

Mr. McKELLAR. It has been suggested that it might have been borrowed from Mr. McLean.

Mr. WALSH of Massachusetts (in his seat). Out of the income from the Teapot Dome.

Mr. McKELLAR. Or out of the income from the Teapot Dome. Perhaps in some way we will get something good out of the Teapot Dome after a while. But I am interested to know where the money is to come from. We are supposed to appropriate year by year for the expenses of the Government, and each item of appropriation, especially under the Budget system, must be declared in advance and the money for that direct appropriation must be forthcoming.

Mr. KING. Will the Senator yield?

Mr. McKELLAR. In just a moment. There has been no direct appropriation for this expedition, and I can not understand how they change the money from one fund to another, pass it from one purpose to another. I think the Senate and the House both should look into it and find out how they have been juggling the money of the United States Treasury in order to carry out such a proposition as this. I am delighted that the eloquent and splendid Senator from Washington is investigating the matter, and I hope he will throw further light upon it.

Mr. KING. If the Senator will yield, I might suggest to the able Senator from Tennessee that perhaps the money is obtained in the same way the Navy Department has entered into contracts to expend, and has expended, many millions, more than \$100,000,000, for receptacles for oil and for stations for oil. The Naval Affairs Committee did not recommend it, Congress did not appropriate the money, and yet the Secretary of the Navy has made contracts to expend more than \$100,000,000, absolutely in violation of law, in contravention of his duty. The President of the United States, knowing, as he must know, of this strange conduct upon the part of the Navy Department, ought, it seems to me, immediately call for a cancellation of the contract which was made and for a restoration to the Government of oil lands of which it has been deprived, and should compel the immediate cessation of the expenditure of more than \$100,000,000.

Mr. DILL. Mr. President, I appreciate the suggestions of the able Senators. I have just one more possibility to suggest growing out of this contemplated flight over the North Pole, and that is that since the Secretary of the Navy, in the interest of national defense, is to discover, explore, chart, and annex this land, we should all be prepared to have poured upon us the propaganda of all these patriotic organizations which are always behind any defense proposition. The National Defense League, the Navy League, the National Security League, the National Chamber of Commerce, the Manufacturers' Association, and even the Bok Peace Committee are likely to get busy now. I should think they would, and I think the select committee just appointed to investigate propaganda might well watch them to see where the money comes from, if they attempt to stampede the country into a North Pole flight.

Mr. President, I have spoken thus in order to call attention to the silly and ridiculous position into which the Secretary of the Navy is forced when he attempts to defend this foolhardy and suicide-inviting trip that is proposed over the North Pole. The argument that it is being made for the purpose of exploring that country, flying across it, in view of only a 50 or 100 mile strip at most, and thereby claiming to explore a million square miles, is not worthy of an eighth-grade schoolboy, much less a man in high position. The other argument, that it is a matter of self-defense, is the purest, unadulterated "bunk."

Mr. McKELLAR. Does it not seem strange to the Senator that this administration, which has vigorously and actively opposed adjusted compensation to the soldiers, who received only 30 cents a day during the war, should have enough money to be frittering it away—wasting it—on such foolhardy expeditions as this?

Mr. DILL. Yes; and I remind Senators and the Senate and the country that the testimony was that it will cost nearly a quarter of a million dollars to carry off this flight, to say nothing of the loss of this ship, whatever value it may have to the Government.

Mr. McKELLAR. It will cost the Government over a million dollars, and maybe several million dollars, before it is over, if it is persisted in, without any possibility of a return. It is a willful waste of the people's money.

Mr. DILL. When a dirigible can not stand a 72-mile gale, attached, as it was, by all of the modern methods of attaching a great dirigible to a mast, what will happen to it when it gets into a 95 or a 100 mile gale over those Arctic lands, over a thousand miles from any civilized country? I am told that had it not been for the broadcasting stations along the Atlantic

coast the captain of that dirigible would not have been able to bring it back into its hangar, as he was able to do.

Why do the Secretary of the Navy and his supporters and his subordinates not tell the real reason for proposing this flight? There is only one reason, and that is to advertise the Navy service in the hope of stimulating recruiting. That is all there is to it, and if they have been driven to such a status that they can not make the Navy attractive in any other way they had better resign and let somebody take charge of that department who can make it so.

Mr. McKELLAR. If the Senator will yield again, may it not also be the case that the Secretary of the Navy, realizing the impossible position in which he is placed by his giving away of the naval oil reserves to big interests, wants to organize some kind of an expedition of this sort in order to take the public mind off of the Teapot Dome and concentrate it on the North Pole?

Mr. DILL. I think the Senator's idea is a very natural conclusion to make.

#### SOVIET GOVERNMENT OF RUSSIA.

Mr. LA FOLLETTE. Mr. President, some days ago the senior Senator from Massachusetts [Mr. LODGE] delivered a speech in the Senate Chamber on the subject of the recognition of the Russian Government. In the course of his speech he had printed, I am very certain without delivery upon the floor, a criticism of a book written by Professor Ross of the Wisconsin State University, in which it was charged by Professor Ross that antisoviet Russians were employed in the State Department.

I listened, I think, to every word of the delivery of the Senator's speech, and had such criticism of Professor Ross been made by the Senator on the floor, I would have noticed it, and would have made some response to it at the time; but it was printed as a part of his speech, though I am very certain not delivered on the floor.

Since that time there has come into my possession an interview with Professor Ross published in the Madison, Wis., Daily Capital Times. I have clipped out that interview, and in justice to Professor Ross, as it is not very long, I ask to have the Secretary read it.

The PRESIDING OFFICER (Mr. FRAZIER in the chair). If there is no objection, the Secretary will read as requested.

The reading clerk read as follows:

#### ANTISOVET RUSSIANS EMPLOYED IN THE STATE DEPARTMENT.

(Statement by Prof. E. A. Ross, of the University of Wisconsin, on January 8, 1924.)

In a statement issued to-day in reply to the Department of State at Washington, Prof. E. A. Ross, of the University of Wisconsin, stands pat on the statement in his book that in 1919 the division of Russian affairs was "a nest of anti-Bolsheviks connected with the Russian aristocracy."

Professor Ross tells of a Russian princess who was made the confidential filing clerk at Washington of the Russian affairs of the State Department. Professor Ross's statement follows:

"On pages 103 and 104 of my Russian Soviet Republic, after bringing out certain insincerities of our State Department in 1919, I say: 'The fact is that after President Wilson fell sick the American State Department exhibited a malignancy and hypocrisy respecting Soviet Russia which is very unrepresentative of the American people. This appears to have been due to the fact that the division of Russian affairs became a nest of anti-Bolsheviks who by birth or by marriage were connected with the expropriated Russian aristocracy.'

"Yesterday's outgiving from the State Department, giving the present personnel of the Russian division, is not exactly a refutation of my contention.

"I shall not give here what insiders have told me regarding the Czarist Russians and American husbands of Russian titled women who have from time to time been on the staff of the Russian division and had a hand in molding our state papers relating to Soviet Russia. I am in hopes that the revelations of my book may be instrumental in bringing about a congressional investigation of the personnel of the Russian division for the past six years. I will content myself with just one sample of the way we Americans have been served by this division:

"In the spring of 1918 Trotsky proposed to Colonel Robbins, who was the link between Ambassador Francis and the Soviet Government, that if a commission appointed by our Government would superintend the running of the Russian railways he would allow it to move out of the way of German advance the vast supplies of cannon and ammunition abandoned by the Russian Army. Ambassador Francis begged our State Department to accept this offer. It was ignored. So the Germans got all these munitions and used some of them on our boys in France. On page 46 of my book I say:



"The State Department, influenced by Bakhmeteff, sent as ambassador to America by Milluokev and still treated as representative of a government, and by its consul general in Moscow, who by marriage and associations was closely affiliated with the Russian nobility and whose wife had lost an estate of 12,000 acres by the Bolshevik overturn, ignored the judgment of Francis and Robbins and stupidly withheld from Soviet Russia its railway experts."

"Now mark the sequel:

"This consul general died, and his widow, a former princess who would naturally feel the most intense hatred of the Soviet Government, which had taken her estate and humbled her caste, was brought to Washington and made confidential filing clerk of the Russian division of the State Department. Think of it. Documents on which hang the relations of nations, reports of the supremest importance and secrecy passing through the hands of a foreigner bound by nearly every human tie to a dispossessed aristocracy! As descendant of a stock which has been in this country 200 years I protest that this is no way to give the American people a square deal."

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 82) extending the time during which certain domestic animals which have crossed the boundary line into foreign countries may be returned duty free, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAWLEY, Mr. TREADWAY, and Mr. GARNER of Texas were appointed managers on the part of the House at the conference.

#### BILLS INTRODUCED.

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

By Mr. UNDERWOOD:

A bill (S. 2091) to pay to Jere Austill fees earned as United States commissioner; to the Committee on Claims.

By Mr. HARRISON:

A bill (S. 2092) to amend section 300 of the war risk insurance act; to the Committee on Finance.

By Mr. CAMERON:

A bill (S. 2093) to place Maj. Gen. Hunter Liggett, Maj. Gen. Joseph T. Dickman, and Maj. Gen. Henry T. Allen, retired by operation of law, and Maj. Gen. Robert L. Bullard, upon retirement by operation of law, on the retired list of the Army as lieutenant generals, without additional pay or allowances; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 2094) transferring to the State of Washington certain lands for park purposes; to the Committee on Public Lands and Surveys.

A bill (S. 2095) to authorize the construction of a bridge over the Columbia River at a point near Vantage, in the county of Kittitas, State of Washington, to a point on the opposite or easterly shore in Grant County, Wash.; to the Committee on Commerce.

A bill (S. 2096) granting a pension to Maria M. Berlew (with accompanying papers); and

A bill (S. 2097) granting an increase of pension to Patrick Hennessy (with accompanying papers); to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 2098) to refund to John B. Keating customs tax erroneously and illegally collected; to the Committee on Claims.

A bill (S. 2099) granting an increase of pension to Aurelia H. Glibson; to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 2100) authorizing the sale of the United States Veterans' Bureau Hospital at Corpus Christi, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. FERRIS:

A bill (S. 2101) granting a pension to Nancy A. Southwell (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 2102) granting a pension to Fred Rife (with an accompanying paper); and

A bill (S. 2103) granting a pension to William Gossett (with an accompanying paper); and

A bill (S. 2104) granting an increase of pension to Anna C. White (with an accompanying paper); to the Committee on Pensions.

By Mr. BURSUM:

A bill (S. 2105) to provide for the remodeling and enlargement of the United States courthouse building at Santa Fe, N. Mex.; to the Committee on Public Buildings and Grounds.

By Mr. SMOOT:

A bill (S. 2106) directing the remission of customs duties on certain War Department property; to the Committee on Finance.

A bill (S. 2107) for the relief of the Gunnison-Mayfield Land & Grazing Co.; to the Committee on Public Lands and Surveys.

By Mr. SHIELDS:

A bill (S. 2108) to grant the consent of Congress to the Southern Railway Co. to maintain a bridge across the Tennessee River at Knoxville, in the county of Knox, State of Tennessee; to the Committee on Commerce.

By Mr. BALL:

A bill (S. 2109) to provide for the erection of a memorial armory in the District of Columbia to those who served in the military or naval forces of the United States during times of war; and

A bill (S. 2110) to create and establish a commission, as an independent establishment of the Federal Government, to regulate rents in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BAYARD:

A bill (S. 2114) granting a pension to Leon F. Crowley; to the Committee on Pensions.

By Mr. HARRELD:

A bill (S. 2115) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Cherokee Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. HARRELD (by request):

A bill (S. 2116) authorizing the Choctaw and Chickasaw Indians to submit claims to the Court of Claims;

A bill (S. 2117) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Creek Indians may have against the United States, and for other purposes; and

A bill (S. 2118) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Seminole Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. OVERMAN:

A bill (S. 2119) to amend section 97 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary" (act of March 3, 1911; 36 Stat. 1087); to the Committee on the Judiciary.

By Mr. WARREN:

A bill (S. 2120) to increase the limit of cost of the public building at Buffalo, Wyo.; and

A bill (S. 2121) to increase the limit of cost of the public building at Cody, Wyo.; to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington:

A bill (S. 2122) to create a Pribilof Islands fund and to provide for the disposition of surplus revenue from the Pribilof Islands, Alaska, and for other purposes; to the Committee on Commerce.

By Mr. COPELAND:

A bill (S. 2123) granting a pension to Eliza H. Lockwood; to the Committee on Pensions.

A bill (S. 2124) for the relief of Perley Morse & Co.;

A bill (S. 2125) for the relief of the owner of the steam tug No. 26;

A bill (S. 2126) for the relief of all owners of cargo aboard the American steamship *Almirante* at the time of her collision with the U. S. S. *Hisko*;

A bill (S. 2127) for the relief of George W. Trowbridge;

A bill (S. 2128) for the relief of the owner of the steamship *British Isles*;

A bill (S. 2129) for the relief of R. H. Macy & Co.;

A bill (S. 2130) for the relief of the owner of the ferryboat *New York*; and

A bill (S. 2131) for the allowance of certain claims for extra labor above the legal day of eight hours at certain navy yards certified by the Court of Claims; to the Committee on Claims.

Mr. KING. Mr. President, I inquire whether the bill for compensation of employees at navy yards ought not to go to the Committee on Naval Affairs?

The PRESIDING OFFICER. At the last session the same bill went to the Committee on Claims.

Mr. KING. I think it ought to go to the Committee on Naval Affairs, and I move that it be referred to that committee.

Mr. JONES of Washington. Mr. President, we should know something about the terms of the bill before determining that

question. If it is a claim bill, I should think that it would properly go to the Claims Committee.

The PRESIDING OFFICER. The Chair will say to the Senator from Utah that the bill provides for a number of claims which have already been before the Committee on Claims, and which have been found by the Court of Claims. This bill is pursuant to the findings of the Court of Claims, and for the purpose of carrying them out. At the last session a similar bill went to the Committee on Claims.

Mr. KING. Then it does not involve an investigation as to the validity of the claims?

The PRESIDING OFFICER. The Chair thinks not.

Mr. KING. It is merely to make recommendations to carry out an order or decree of the court?

The PRESIDING OFFICER. Such is the opinion of the Chair.

Mr. KING. Then I have no objection to its going to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 2133) to correct the status of certain commissioned officers of the Navy appointed thereto pursuant to the provisions of the act of Congress approved June 4, 1920; to the Committee on Naval Affairs.

A bill (S. 2134) for the relief of L. S. Boyer;

A bill (S. 2135) for the relief of J. H. Orr; and

A bill (S. 2136) for the relief of Arthur A. Smith; to the Committee on Claims.

By Mr. EDGE:

A bill (S. 2137) fixing the grade upon retirement of certain officers who served in the war with Spain, the Philippine insurrection, or the Boxer rebellion, and the war against Germany; to the Committee on Military Affairs.

A bill (S. 2138) for the relief of First Lieut. Harry L. Rogers, jr.; and

A bill (S. 2139) for the relief of Bertha N. Rich Reisinger; to the Committee on Claims.

A bill (S. 2140) for the relief of the Polish-American Navigation Corporation; and

A bill (S. 2141) granting pensions to certain members of the former Life Saving Service; to the Committee on Commerce.

By Mr. WALSH of Massachusetts:

A bill (S. 2142) granting a pension to John J. Holmes (with accompanying papers);

A bill (S. 2143) granting a pension to William J. Mahoney (with an accompanying paper);

A bill (S. 2144) granting a pension to John H. Barnacle (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 2145) for the relief of George C. Mansfield Co. and George D. Mansfield; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 2146) to amend section 84 of the Penal Code of the United States;

A bill (S. 2147) to complete the construction of the Willow Creek Ranger Station, Mont.;

A bill (S. 2148) to empower certain officers, agents, or employees of the Department of Agriculture to administer and take oaths, affirmations, and affidavits in certain cases;

A bill (S. 2149) to facilitate and simplify the work of the Forest Service, United States Department of Agriculture, and to promote reforestation;

A bill (S. 2150) to authorize arrests by officers and employees of the Department of Agriculture in certain cases and to amend section 62 of the act of March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States";

A bill (S. 2151) to increase the subsistence and per diem allowances of certain officers and employees of the Department of Agriculture;

A bill (S. 2152) to authorize the Secretary of Agriculture to issue licenses for the preparation for sale and transportation in interstate and foreign commerce of viruses, serums, toxins, and analogous products for use in the treatment of domestic animals, and to repeal so much of the act of March 4, 1923, as relates to such products; and

A bill (S. 2153) to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906 (34 Stat. 768), so as to authorize the Secretary of Agriculture to define and fix standards for articles of food, and for other purposes.

Mr. NORRIS. All these bills were prepared and are introduced at the suggestion and request of the Agricultural De-

partment. They all pertain to either forestry or some other activity within that department. I move that they be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

By Mr. BURSUM:

A bill (S. 2154) to amend the act of September 22, 1922, entitled "An act to provide for the applicability of the pension laws to certain classes of persons in the military and naval services not entitled to the benefits of Article III of the war risk insurance act as amended"; to the Committee on Pensions.

#### COTTON REPORTS AND STATISTICS.

By Mr. HARRIS:

A bill (S. 2112) authorizing the Department of Agriculture to issue semimonthly cotton-crop reports and providing for their publication simultaneously with the ginning reports of the Department of Commerce; and

A bill (S. 2113) to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cotton," approved July 22, 1912; to the Committee on Agriculture and Forestry.

Mr. HARRIS. I ask that the bills just introduced by me relative to cotton reports and statistics may be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

A bill (S. 2112) authorizing the Department of Agriculture to issue semimonthly cotton-crop reports and providing for their publication simultaneously with the ginning reports of the Department of Commerce.

*Be it enacted, etc.,* That hereafter the Secretary of Agriculture shall discontinue acreage reports based upon farmers' intention to plant cotton and shall cause to be issued between July 1 and December 1 semimonthly reports as to the condition, progress, and probable production of cotton. No such report shall be approved and released by the Secretary of Agriculture until it shall have been passed upon by a cotton-crop reporting committee or board consisting of five members or more to be designated by him, not less than three of which shall be supervisory field statisticians of the Department of Agriculture located in different sections of the cotton-growing States, experienced in estimating cotton production and who have first-hand knowledge of the condition of the cotton crop based on recent field observations, and a majority of which committee or board shall be familiar with the methods and practices of producing cotton.

*Provided,* That the foregoing reports as of the following dates, August 1, August 16, September 1, September 16, October 1, October 16, November 1, November 14, and December 1, shall be released simultaneously with the cotton-ginning reports of the Bureau of the Census relating to the same dates, the two reports to be issued from the same place at 11 a. m. of the eighth day following that to which the respective reports relate. When such date of release falls on Sunday or a legal holiday, the report shall be issued at 11 a. m. of the next succeeding workday.

SEC. 2. All laws and parts of laws inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

A bill (S. 2113) to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cotton," approved July 22, 1912.

*Be it enacted, etc.,* That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics concerning the amount of cotton ginned; the quantity of raw cotton consumed in manufacturing establishments of every character; the quantity of baled cotton on hand; the number of active consuming cotton spindles; the number of active spindle hours; and the quantity of cotton imported and exported, with the country of origin and destination.

SEC. 2. That the statistics of the quantity of cotton ginned shall show the quantity ginned from each crop prior to August 1, August 16, September 1, September 16, October 1, October 16, November 1, November 14, December 1, December 16, January 16, and March 1: *Provided,* That the Director of the Census may limit the canvasses of August 1 and August 16 to those sections of the cotton-growing States in which cotton has been ginned. The quantity of cotton consumed in manufacturing establishments, the quantity of baled cotton on hand, the number of active consuming cotton spindles, the number of active spindle hours, and the statistics of cotton imported and exported shall relate to each calendar month and shall be published as soon as possible after the close of the month. Each report published by the Bureau of the Census of the quantity of cotton ginned shall carry with it the latest available statistics concerning the quantity of cotton consumed, stocks of baled cotton on hand, the number of cotton-consuming spindles, and the quantity of cotton imported and exported. All of these publications containing statistics of cotton shall be mailed by the Director of the Census to all cotton ginners, cotton manufacturers, and cotton



warehousemen, and to all daily newspapers throughout the United States. The Director of the Census shall furnish to the Department of Agriculture, immediately prior to the publication of each report of that bureau regarding the cotton crop, the latest available statistics hereinbefore mentioned, and the said Department of Agriculture shall publish the same in connection with each of its reports concerning cotton.

SEC. 3. That the information furnished by any individual establishment under the provisions of this act shall be considered as strictly confidential and shall be used only for the statistical purpose for which it is supplied. Any employee of the Bureau of the Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than \$300 or more than \$1,000 or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

SEC. 4. That it shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any cotton gin, manufacturing establishment, warehouse, or other place where cotton is ginned, manufactured, or stored, whether conducted as a corporation, firm, limited partnership, or by individuals, when requested by the Director of the Census or by any special agent or other employee of the Bureau of the Census, acting under the instructions of said director, to furnish completely and correctly, to the best of his knowledge, all of the information concerning the quantity of cotton ginned, consumed, or on hand, and the number of cotton-consuming spindles and active spindle hours.

The request of the Director of the Census for information concerning the quantity of cotton ginned or consumed, stocks of cotton on hand, and number of spindles may be made in writing or by a visiting representative, and if made in writing shall be forwarded by registered mail, and the registry receipt of the Post Office Department shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any cotton gin, manufacturing establishment, warehouse, or other place where cotton is ginned or stored who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$300 or more than \$1,000 or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

SEC. 5. That in addition to the information regarding cotton in the United States hereinbefore provided for the Director of the Census shall compile, by correspondence or the use of published reports and documents, any available information concerning the production, consumption, and stocks of cotton in foreign countries and the number of cotton-consuming spindles in such countries. Each report published by the Bureau of the Census regarding cotton shall contain an abstract of the latest available information obtained under the provisions of this section, and the Director of the Census shall furnish the same to the Department of Agriculture for publication in connection with the reports of that department concerning cotton in the same manner as in the case of statistics relating to the United States.

SEC. 6. That the reports of cotton ginned to the dates as of which the Department of Agriculture is also required to issue cotton-crop reports shall be issued simultaneously with the cotton-crop reports of that department, the two reports to be issued from the same place at 11 a. m. on the eighth day following that to which the respective reports relate. When such date of release falls on Sunday or a legal holiday, the reports shall be issued at 11 a. m. on the next succeeding workday.

SEC. 7. That the act of Congress authorizing the Director of the Census to collect and publish statistics of cotton, approved July 22, 1912, and all other laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. HARRIS. Mr. President, there has been a great deal of complaint on the part of the cotton producers and manufacturers on account of the crop estimates issued by the Department of Agriculture as to the amount of cotton planted and the number of bales to be ginned. There has been a lack of coordination between the Department of Agriculture and the Bureau of the Census, which publishes statistics at different times as to the number of bales of cotton ginned. There has been no criticism of the statistics issued by the Census Bureau—they get accurate reports from the cotton ginner as to the number of bales actually ginned. It is utterly impossible for the Agricultural Department's estimates to be accurate, and while there is no criticism whatever of those in charge of this work, Doctor Taylor and his assistants, they agree with Senators and Representatives from the cotton States, who are specially interested in these reports, that certain changes we are urging will greatly add to the accuracy of the crop estimates as to amount of cotton to be planted

and ginned. The bills I have introduced will, we believe, greatly enhance the value of these reports. If they become a law, the Agricultural Department will issue statements of cotton-crop estimates twice each month beginning August 1, about twice the number of reports heretofore issued, and at the same time the Census Bureau issues its reports, which also are to be more frequent. We also prohibit any crop-estimate reports based on the intention of the farmers to plant, as has been done in the past. We have made many other changes which will be helpful to the cotton producers and those interested in the cotton trade, and we have also tried to prevent so much speculation by those who gamble in cotton futures on the exchanges, which I hope to see prevented by law, as it hurts the man who produces the cotton by hard work, and allows the cotton gambler to so manipulate the market as to run cotton up or down at will. I introduced measures in the Senate, which were passed the last session of Congress, providing practically for what we are now attempting the remedy, but the Republican leaders of the House would not allow them to be considered by that body. When Congress met in December, most of the House Members and several Senators from the cotton-growing States met and recommended certain changes in the law as to cotton-acreage reports of the Agricultural Department and the statistics of cotton actually ginned, issued by the Census Bureau. At this meeting of Southern Senators and Representatives a committee was appointed to draft bills to bring about these changes. Congressmen RANKIN, of Mississippi, OLIVER, of Alabama, WINGO, of Arkansas, and SWANK, of Oklahoma, were named from the House and I was named from the Senate. We unanimously agreed on these measures I have introduced, which I ask to be sent to the Committee on Agriculture. I also ask unanimous consent that these bills be printed in full in the Record so that others interested may see what we recommend.

#### PROPOSED EXPERIMENT IN RURAL MAIL SERVICE.

Mr. HARRIS. I introduce a bill relative to a proposed experiment in the rural mail service.

The bill (S. 2111) authorizing the Postmaster General to conduct an experiment in the rural mail service, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

Mr. HARRIS. Mr. President, the bill which I introduce now calls for experiments of a plan on not more than 50 rural routes in different localities for one year from the time the law is passed to send small shipments of farm products by rural mail route to any consumer or vendor on the route or to the town where the route originates. The rates would be reduced from the regular parcel-post rates and the mail carrier would receive a commission as additional compensation for handling this business, under regulations announced by the Postmaster General. A report to Congress at the next regular session is required on the results of the experiment, which will not require any appropriation or additional expense by the Government and will bring in some revenue.

This measure is intended to help the farmers sell small amounts of vegetables, butter, poultry, dairy, and farm products in small quantities, much of which is thrown away and not sold because of the expense it would be to a farmer if he had to leave his work and go several miles to town—the loss of time and expense would take all of the profit. This plan will also help reduce the cost of living for the people living in towns and cities and be a great convenience to them.

I have several times conferred with the Post Office Department officials in regard to this measure and they have shown great interest and they believe there is merit in it.

I ask unanimous consent that the bill be printed in full in the Record and that the letter I present be printed.

There being no objection, the bill and letter were ordered to be printed in the Record, as follows:

*Be it enacted, etc.,* That during the 12 months next succeeding the approval of this act the Postmaster General be, and he is hereby, authorized to conduct experiments in the operation of not more than 50 rural routes, in localities to be selected by him; said experiments shall be designed primarily to develop and to encourage the transportation of food products directly from producers to consumers or vendors, and, if the Postmaster General shall deem it necessary or advisable during the progress of said experiments, he is hereby authorized, in his discretion, on such number or all of said routes as he may desire, to reduce to such an extent as he may deem advisable the rate of postage on food products mailed directly on such routes for delivery at the post offices from which such routes start, and to allow the rural carriers thereon a commission on the postage so received at such rate as the Postmaster General may prescribe, which commission

shall be in addition to the carriers' regular salaries. The amounts due the carriers for commissions shall be determined under rules and regulations to be prescribed by the Postmaster General, and when so determined and properly certified to the Comptroller General shall be payable monthly by warrant directly from the appropriation for Rural Delivery Service, and the amount so paid shall in no case exceed the actual amount of revenue derived from this experimental service.

A report on the progress of this experiment shall be made to Congress at the next regular session.

UNITED STATES POST OFFICE,  
Cuthbert, Ga., January 18, 1924.

HON. WILLIAM J. HARRIS,  
Washington, D. C.

DEAR SENATOR HARRIS: I read in yesterday's Macon Telegraph of your appearance before the Post Office Committee in support of your bill to reduce parcel-post rates on farm products from farms on the routes to town. The Randolph County Ad Club has put on a movement to encourage diversified farming, and this bill if it becomes a law will aid them materially in putting it over. I would appreciate it very much if you would either send me a copy of the bill or give me a general outline of it. I am a member of the executive committee of the club and want to bring it before them. I also figure that it will materially increase the receipts of the post office, and we expect to give it all the publicity possible through that source.

With kindest regards, I am,

H. J. KNOWLES, Postmaster.

LANDS SOUTH OF MAIN CHANNEL, RED RIVER, OKLA.

Mr. FLETCHER. Mr. President, I introduce a bill to repeal an act entitled "An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River in Oklahoma, and for other purposes," approved March 4, 1923. I ask that the bill be printed in the RECORD, together with a communication on this subject from the Department of Justice to President Harding, dated March 3, 1923. I may say that it is probable that the President did not have time to consider this opinion or report from the Department of Justice before signing this bill. It was passed in the closing hours of the last session; but I think it important to have the letter published in the RECORD along with the bill.

The PRESIDING OFFICER (Mr. SPENCER in the chair). Without objection, it will be so ordered.

A bill (S. 2132) to repeal an act entitled "An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River, in Oklahoma, and for other purposes," approved March 4, 1923, was read twice by its title; referred to the Committee on Public Lands and Surveys, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That an act entitled "An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River, in Oklahoma, and for other purposes," approved March 4, 1923, be, and the same is hereby, repealed.

The letter referred to by Mr. FLETCHER is as follows:

#### PROTEST BEFORE HARDING.

In a letter to President Harding March 3, 1923, the Department of Justice wrote:

"With reference to S. 4197, which I have examined to-day, I have the honor to advise that it is objectionable on the following grounds:

"First. The lands in question were claimed by the States of Texas and Oklahoma. Those who went on such lands knew of these notoriously conflicting claims, and it therefore can not be said that they developed oil wells on such lands in the good faith which this bill recites in its first section.

"Second. When the receiver who now holds these lands, and who was appointed by the court, took possession, six wells had been sunk. Under his administration several other wells were completed and 10 new wells were sunk. He holds approximately \$2,500,000 which the Supreme Court had adjudicated as the money of the United States.

"This bill permits the Secretary of the Interior to pay 87½ per cent of this amount to the defeated claimants, but such does not appear on the face of the bill.

#### RIGHT TO ACCOUNTING UPHOLD.

"Third. The United States under the recent decision of the Supreme Court has a right to an accounting for the value of the oil produced by the defeated claimants or others previous to the appointment of

the receiver. This bill directs the Secretary of the Interior to bring suits for such accounting, and out of any sum collected by him deduct one-eighth for the United States and turn the balance over, after expenses, to the persons awarded the leases or permits under this act.

"Fourth. The property is now in the hands of the receiver, an officer of the Supreme Court of the United States, which has full and complete power to administer any fund in the hands of the receiver in accordance with equitable principles, and this bill contains provisions which may seriously interfere with the ordinary administration of the fund in the hands of the receiver.

#### ALL HAD DAY IN COURT.

"In conclusion, permit me to state that in my opinion a most objectionable feature of this bill is that it contemplates depriving the United States of the results of litigation determined by the Supreme Court of the United States, in which every claimant had his day in court, after three years of bitterly fought litigation between the United States, the States of Texas and Oklahoma, and the individuals and corporations interested."

#### INVESTIGATION OF HOUSING CONDITIONS.

Mr. COPELAND. I introduce a joint resolution, which I ask to have read and referred to the Committee on Education and Labor.

The PRESIDING OFFICER. The joint resolution will be read.

The joint resolution (S. J. Res. 65) establishing a committee to investigate the housing conditions in the United States and the effect of such conditions upon the existing rentals in its relation to the high cost of living, was read the first time by its title, and the second time at length, as follows:

*Resolved, etc.,* That a joint committee be established, consisting of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled in the same manner as the original appointments.

SEC. 2. The joint committee is authorized to investigate and ascertain all housing and apartment-house conditions, the causes for the lack of construction of new dwellings and apartments for rent, and the causes for the continuous increase of rentals charged to tenants in dwelling places and apartments, and to formulate such legislative program as the committee may deem practical and effective to relieve the present conditions and prevent the exaction of excessive rentals from tenants.

SEC. 3. The committee is authorized to sit during the sessions or recesses of Congress, to conduct hearings at Washington or at any other places in the United States, to send for persons, books, or papers, to take testimony, to administer oaths, and to employ experts deemed necessary by such committee, a clerk, and a stenographer to report such hearings as may be had in connection with any subject which may be before said committee. The expenses of the committee shall be paid out of the contingent funds of the Senate and the House of Representatives in equal shares.

SEC. 4. The committee shall from time to time report to both the Senate and the House of Representatives the results of its inquiries, together with its recommendations, and may prepare and submit bills or resolutions embodying such recommendations, and the final report of said committee shall be submitted not later than the beginning of the second session of the Sixty-eighth Congress.

The PRESIDING OFFICER. The joint resolution will be referred to the Committee on Education and Labor.

Mr. OVERMAN. Mr. President, it seems to me the joint resolution ought to go first to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. The joint resolution will still have to go to the Committee to Audit and Control the Contingent Expenses of the Senate after the Committee on Education and Labor report on it before it can be passed.

#### AMENDMENT OF INTERIOR DEPARTMENT APPROPRIATION BILL.

Mr. PHIPPS submitted an amendment proposing that the offices of register and receiver at the Denver, Colo., land office be not consolidated, and that the Lamar, Colo., land office be not abolished, intended to be proposed by him to House bill 5078, the Interior Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### BIOGRAPHICAL CONGRESSIONAL DIRECTORY.

Mr. OVERMAN submitted the following resolution (S. Res. 129), which was referred to the Committee on Printing:

*Resolved,* That the Biographical Congressional Directory, from the First to the Sixty-second Congress, inclusive, 1774 to 1911, be revised and edited up to the close of the Sixty-eighth Congress, and that the same be printed as a Senate document, of which 1,000 copies shall be for the use of the Senate and 2,500 copies for the use of the House.



## COST OF GASOLINE AND PETROLEUM PRODUCTS.

Mr. LA FOLLETTE. I offer the resolution which I send to the desk and request its immediate consideration.

Mr. CURTIS. Let it be read first.

The resolution (S. Res. 130) was read as follows:

*Resolved*, That in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on Manufactures be, and is hereby, empowered to procure the printing of 1,000 additional copies of the hearings held before a subcommittee of the Sixty-seventh Congress, second and fourth sessions, on the high cost of gasoline and other petroleum products.

Mr. LA FOLLETTE. I request the immediate consideration of the resolution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

Mr. ROBINSON. Will the Secretary please read the resolution again?

The reading clerk again read the resolution.

Mr. LA FOLLETTE. I may state that the supply of the printed testimony in question and the report has long been exhausted and my office is simply swamped with requests from libraries and from various sources for additional copies.

Mr. ROBINSON. I have no objection whatever to the adoption of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. ROBINSON. In connection with the consideration of the resolution let me focus attention upon a fact which came to my knowledge to-day illustrative of the spread in the price of oil.

One of the largest oil-producing fields in the world is what is known as the Eldorado, Ark., field, developed within the last few years. During 1923 crude oil in that field sold at 40 cents a barrel approximately, and it is now selling at 55 cents per barrel. After extracting certain by-products of considerable value, yielding sometimes as much as 60 cents per barrel, the same class of oil for fuel purposes I am informed is sold in the city of Washington at 10 cents per gallon where the amount is less than 500 gallons, and at 8 cents per gallon where the amount exceeds 500 gallons, the spread apparently being something like from 700 to 1,000 per cent.

Of course these figures do not take into consideration the transportation costs, and I have been unable to ascertain what they are. But it is of importance to know how such a spread can occur.

Oil is used very extensively, of course, for fuel purposes in the United States, and there is every reason why the consumption should be increased. But if the cost to the consumer is to represent a spread of 1,000 per cent difference between 1 or 1½ cents a gallon and 8 or 10 or 12 cents per gallon some information on the subject ought to be gathered so that the public at least might understand why these extortionate charges are being made and whether they can be escaped.

Mr. LA FOLLETTE. I would not detain the Senate a moment at this time for a further discussion of the oil problem and of the proper regulation of it. I will say, however, that the investigation which was conducted by the Committee on Manufactures under a resolution introduced by the Senator from Tennessee [Mr. McKellar] was, if I may say so, a very thorough-going investigation and elicited a vast amount of very valuable information. It was very comprehensive and thorough in character. I hope to be able within a brief period to introduce a bill concerning the whole subject which I trust will be made the subject of further investigation eliciting important facts that have transpired since the preceding investigation and which will meet just such a situation as the Senator from Arkansas has referred to.

Mr. McKellar. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Certainly.

Mr. McKellar. The Senator spoke of the resolution under which the Committee on Manufactures has been acting. May I ask if there have been any changes in the price of oil since the time the investigation began, and if so, just about what those changes were?

Mr. LA FOLLETTE. Oh, yes; but I am not able to state what the changes have been in recent months. I was absent from the country for some three months shortly following the investigation, and was ill for a month or two after my return, so that I am not able to give the Senator any definite information as to the fluctuation in prices within, say, the last six months, but I know in a casual way that there have been wide fluctuations in price.

Mr. McKellar. There have been substantial reductions also since the investigation was begun.

Mr. LA FOLLETTE. Yes, and there were some legitimate reasons for that, and some that will bear questioning, perhaps.

Mr. KING. Will the Senator from Wisconsin advise the Senate whether a report was submitted by his committee at the conclusion of their investigation?

Mr. LA FOLLETTE. Oh, yes; a very comprehensive report, if I may say so, of perhaps 75 pages. It is printed in connection with the testimony, and will be reprinted if the resolution is agreed to, and will then be accessible to all Senators.

Mr. KING. I recall that the testimony taken was very full and complete. I have had many inquiries for the report, but I had not been advised that one had been made.

Mr. LA FOLLETTE. It was submitted during the last Congress.

Mr. KING. I hope the request of the Senator may be acceded to.

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

The resolution was agreed to.

## REENTRY OF DOMESTIC ANIMALS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the joint resolution (H. J. Res. 82) extending the time during which certain domestic animals which have crossed the boundary line into foreign countries may be returned duty free, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to, and the Presiding Officer appointed Mr. Smoot, Mr. McLean, and Mr. Jones of New Mexico conferees on the part of the Senate.

The PRESIDING OFFICER. Morning business is closed.

## WORK OF MIXED CLAIMS COMMISSION.

Mr. KING. Mr. President, I ask the attention of the Senator from Massachusetts [Mr. Lodge] to the request which I am about to make. I ask unanimous consent to have printed in the RECORD a very excellent article which appears in the North American Review of January, 1924. It is written by Mr. Joseph Conrad Fehr, a brilliant young lawyer of my State. In the article he makes a very comprehensive and able presentation of the work which is being done by the Mixed Claims Commission, which is now considering and adjudicating the claims of American citizens against Germany. Many inquiries are coming to Senators relative to the work of the commission and what is being done by the commission. Mr. Fehr's article furnishes very full and comprehensive information upon the subject.

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

## AMERICAN CLAIMS AGAINST GERMANY.

(By Joseph Conrad Fehr.)

In the midst of what appears now to be a fruitless effort on the part of European nations to reach a definite understanding as regards the projected inquiry into Germany's governmental and economic stability, with a view to determining her relative capacity to pay the reparations demanded of her, an announcement is made by the Mixed Claims Commission, United States and Germany, by way of that tribunal's first decision and opinion, in four parts, which so interprets and clarifies the main provisions of the treaty of Versailles which are, by reference, incorporated into the treaty of August 25, 1921, known as the treaty of Berlin, as practically to settle the entire reparations question as far as the United States is concerned.

Although England, France, Italy, and Belgium have their own respective mixed arbitral tribunals and are, therefore, not governed by any action taken by the corresponding tribunal sitting in Washington, the decisions just announced by the Mixed Claims Commission, United States and Germany, are of such far-reaching effect, and the observations made therein so illuminating in construing the language of both the treaty of Berlin and the treaty of Versailles, that the United States is again on record as the world's pathfinder, ready and willing to blaze the trail to amity and good will among nations.

This continued devotion to the service of the world's peace and progress emphasizes the importance of the doctrine of international arbitration, which has come to be regarded by the world as decidedly American in modern practice; that is to say, the arbitrament of differences and misunderstandings between nations through judicial, rather than diplomatic or administrative, means, which latter so often fail because of petty prejudices and animosities.

The work just accomplished by this tribunal, actuated, as it was, by this larger and much finer international viewpoint, marks the achievement of only a year's labor, and was made possible because the

United States on August 10, 1922, entered into an executive agreement with Germany providing for the creation of the Mixed Claims Commission, United States and Germany. By the terms of the agreement the commission was empowered to pass upon claims of the United States and American nationals against Germany and German nationals arising out of the war. The claims are classified as follows in the aforementioned agreement:

"(1) Claims of American citizens arising since July 31, 1914, in respect of damage to, or seizure of, their property, right, and interests, including any company or association in which they are interested, within German territory as it existed on August 1, 1914;

"(2) Other claims for loss or damage to which the United States or its nationals have been subjected with respect to injuries to persons or to property, rights, and interests, including any company or association in which American nationals are interested, since July 31, 1914, as a consequence of the war;

"(3) Debts owing to American citizens by the German Government or by German nationals."

To carry out properly the purposes of this gigantic task it was agreed between the two nations that the commission should consist of an umpire, appointed by and with the consent of both Governments, together with an American commissioner and a German commissioner. Besides being president of the court, the umpire is the final arbiter concerning all issues upon which the national commissioners can not agree. Each Nation is to be represented by an agent or chief counsel in charge of a legal staff of associate counsel, who are engaged in the preparation of claims for hearing and argument before the commission.

Having full faith in the fairness and integrity of the United States, the Government of Germany urged that an American be named as umpire, and in accordance with this expressed desire the two Nations agreed upon the appointment of the late William R. Day, at that time Associate Justice of the Supreme Court of the United States. Judge Edwin B. Parker, of Texas and New York, who was chairman of the United States Liquidation Commission in Paris following the war, accepted the position of American commissioner, and Dr. Wilhelm Kieselbach, a distinguished specialist in international law, of Hamburg, Germany, was assigned to duty by his Government as German commissioner.

When Justice Day resigned as umpire last spring because of ill health, the United States and Germany agreed to the promotion of Judge Parker to the position of final arbiter. Justice Day, it will be recalled, died soon after. Chandler P. Anderson, long a recognized authority on international law and a frequent representative of the United States on various international arbitrations at The Hague and elsewhere, was then appointed American commissioner, succeeding Judge Parker. All three of these gentlemen bring to the deliberations of the Mixed Claims Commission highly trained legal minds and powers of observation and perception that have been seasoned with many years of experience in the practice and research of the law.

When the work of the commission was first organized a year ago the United States was represented before the tribunal by Robert C. Morris, of New York City, as agent and chief counsel. Mr. Morris was the agent of the United States at the United States-Venezuelan Arbitration of 1903; and in addition to his law practice he has for many years labored as a lecturer and writer to further the practice of arbitration as the first great forward step in the promotion of world peace. He was assisted in the work of organizing the American agency by Marshall Morgan, who was for many years one of the assistants to the various incumbents of the office of Secretary of State.

In order to make the adjudication of the more than 12,000 claims filed with the Department of State for prosecution against Germany strictly a matter of judicial and not diplomatic or administrative action, it was early decided that each claim should have its day in court. However, for the sake of practical expedition, it was deemed advisable to file with the commission for hearing and argument certain typical cases representing various classifications, such as *Lusitania*, war-risk insurance premiums, insurance underwriters, debts, property in Germany, property in occupied territory, estates, submarine warfare, and other groups of claims.

Both Mr. Morris and Mr. Morgan have since resigned from the American agency to reenter the private practice of law. Mr. Morris is succeeded by Robert W. Bonyng, of New York, a former Member of Congress from Colorado. Harold H. Martin, of Washington, succeeds Mr. Morgan. In the presentation of claims Mr. Bonyng is carrying out the policy inaugurated by his predecessor. Germany's agent and chief counsel before the commission is Karl von Lewinski, one of the ablest members of the German foreign office, who has served in this capacity ever since the commission was first organized.

That the action just taken by the Mixed Claims Commission, with respect to the *Lusitania* and war-risk insurance premium claims, will have a material bearing on the economic situation now impending in Germany, can not be doubted. In laying down the fundamental legal principles involving Germany's responsibility for the sinking of the *Lusitania* on May 7, 1915, the Mixed Claims Commission, in the opinion

written by the umpire, and concurred in by both the American and German commissioners, peremptorily disposes of this entire group of claims arising out of this disaster, in the following language:

" \* \* \* The commission finds that Germany is financially obligated to pay to the United States all losses suffered by American nationals, stated in terms of dollars, where the claims therefore have continued in American ownership, which losses have resulted from death or from personal injury or from loss of, or damage to, property, sustained in the sinking of the *Lusitania*."

Definite principles and rules are laid down for measuring damages in each of these groups of claims, rules applicable in all death cases pending before the commission. The right of claimants to recover exemplary, punitive, or vindictive damages is denied. The opinion points out that "the words exemplary, vindictive, or punitive as applied to damages are misnomers. The fundamental concept of 'damages' is satisfaction, reparation for a loss suffered; a judicially ascertained compensation for wrong. The remedy should be commensurate with the loss, so that the injured party may be made whole. The superimposing of a penalty in addition to full compensation and naming it damages, with the qualifying word 'exemplary,' 'vindictive,' or 'punitive,' is a hopeless confusion of terms, inevitably leading to confusion of thought." This branch of the opinion concludes thus:

"It is our opinion that as between sovereign nations the question of the right and power to impose penalties, unlimited in amount, is political rather than legal in its nature, and therefore not a subject within the jurisdiction of this commission. \* \* \* The treaty is one between two sovereign nations—a treaty of peace. There is no place in it for any vindictive or punitive provisions. Germany must make compensation and reparation for all losses falling within its terms sustained by American nationals. That compensation must be full, adequate, and complete. To this extent Germany will be held accountable. But this commission is without power to impose penalties for the use and benefit of private claimants when the Government of the United States has exacted none."

As soon as every *Lusitania* claim has been examined, so that the measure of damages adopted by the commission may be properly applied to the peculiar facts of each particular claim, the respective awards will be made in line with the so-called general *Lusitania* decision recently announced by the commission.

While allowing, in principle, the *Lusitania* claims, the commission has at the same time paved the way for dismissing every claim for reimbursement on account of war-risk insurance premiums paid during the war. These claims make a total of 3,190 in number, and aggregate, in the amount of money claimed, \$345,000,000. The group constitutes nearly 31 per cent in number and 23.03 per cent in amount of all the claims filed with the American agency for eventual presentation to the commission. That means that the total number of claims in terms of dollars and cents is thus cut by this sweeping decision from \$1,479,064,313.92, representing the total amount of the more than 12,000 claims, down to \$1,134,064,313.92. This figure includes America's claim for the cost of maintaining American troops in the army of occupation on the Rhine, which was on April 9, 1923, estimated at \$255,554,810.53. It will be recalled that this claim by the Government of the United States has been the subject of special negotiation with the allied Governments, and Elliot Wadsworth, Assistant Secretary of the Treasury, secured an agreement at Paris last May for the payment of this item by Germany through the Allied Reparations Commission.

It is clearly set forth in these definitive decisions of the Mixed Claims Commission that it is not concerned with the payment of Germany's financial obligations as stipulated in the treaty of Berlin and the treaty of Versailles.

The umpire points out that the commission's task is confined solely to the fixing of the amount of these obligations. The Mixed Claims Commission, therefore, is controlled and governed in all its adjudications by the terms of its charter—the treaty of Berlin. And the United States is apparently not concerned with the present probability that Germany will fall to pay the awards to be made by the commission. For by joining with the United States in the agreement of August 10, 1922, providing for the creation of the commission to determine "the amount to be paid by Germany in satisfaction of Germany's obligation under the treaty concluded by the two Governments on August 25, 1921," Germany put herself on record as a responsible republic ready to meet the obligations set forth in the treaty of Berlin which restored "friendly relations."

The United States has cause to feel gratified over the work which the Mixed Claims Commission is accomplishing, because the profound but clear-cut decisions of the umpire are distinct contributions to the field of international law.

The first part of the decisions analyzes Germany's treaty liability, deals generally with the functions of the commission, and prescribes fundamental rules of decision. It goes on to point out that in fixing the amount to be paid by Germany in satisfaction of her financial obligations to the United States and to American nationals, the commission must first define its jurisdiction with respect to each claim and



then prescribe the measure of damages involved therein, fixing the exact amount of the financial obligations of Germany upon the basis thus established. Says the umpire:

"When the allegations in a petition or memorial presented by the United States bring a claim within the terms of the treaty, the jurisdiction of the commission attaches. If these allegations are controverted in whole or in part by Germany, the issue thus made must be decided by the commission. Should the commission so decide such issue that the claim does not fall within the terms of the treaty, it will be dismissed for lack of jurisdiction. But if such issue be so decided that the claim does fall within the terms of the treaty, then the commission will prescribe the measure of damages, apply such measure to the facts in the particular case as the commission may find them, and fix the financial obligation of Germany therein. The commission's task is to apply the terms of the treaty of Berlin to each case presented, decide those which it holds are within its jurisdiction, and dismiss all others."

In this connection the commission has specifically stated that it is not concerned with the Treaty of Versailles, as such, "but only with those of its provisions which have been incorporated by reference into the treaty of Berlin."

Although all claims, except Government demands, are presented on behalf of American nationals who are either individuals, partnerships, or corporations, the commission emphasizes the fact that the parties to this international arbitration are the two Governments. The real parties in interest in all international arbitrations are, of course, the claimant and the respondent Governments, respectively, either in their own stead or on behalf of one or more of their nationals. Hence, the United States appears as the claimant in all cases before the Mixed Claims Commission.

It does not, however, follow that every claim presented before the commission constitutes a financial obligation on the part of Germany.

There are three different classes of claims which are expressly exempted from the operation of the decisions just announced, to be covered later by separate decisions. First, there is the group of claims brought strictly by the Government, as such, which includes, besides the item with respect to the cost of the army of occupation, claims by the United States Shipping Board, United States Veterans' Bureau, War Department, and United States Railroad Administration. Then come the claims for payment of pre-war private debts, owing by German nationals. And the third class consists of claims seeking reimbursement from Germany on account of damage or injury by way of sequestration, requisition, or otherwise to American privately owned property in Germany during the war. This group includes hundreds of pre-war bank deposits, which were held in Germany during the war by reason of the exceptional war measures and measures of transfer effected by the German Government after the United States entered the war. The vast scope which this adjudication of claims has assumed thus serves to combine in the Mixed Claims Commission the powers and functions of the Reparations Commission, clearing-house system, and the respective mixed arbitral tribunals which the allied and associated Governments have put into operation pursuant to the treaty of Versailles. And so, although the United States failed to ratify the treaty of Versailles, the Mixed Claims Commission is on behalf of this Government doing the work of the Reparations Commission, the clearing-house system and the various mixed arbitral tribunals, by way of the greatest arbitral lawsuit ever known to mankind.

In order to bring a claim, other than a demand made by the Government of the United States, within the jurisdiction of the commission, the rule is that the loss must have been sustained by an American national and that the claim arising therefrom was at the time of its inception owned, and is still owned, by an American national. The umpire's language stressing the importance of proving the fact that the claimant is an American national and that the claim is and was at the time it originated American owned, reiterates the long-established principle on the subject, as follows:

"In order to bring a claim (other than a Government claim) within the jurisdiction of this commission, the loss must have been suffered by an American national, and the claim for such loss must have since continued in American ownership.

"The inquiry is: Was the United States, which is the claimant, injured through injury to its national? It was not so injured where the injured person was at the time of suffering the injury a citizen of another State. While naturalization transfers allegiance, it does not carry with it existing State obligations. Any other rule would convert a nation into a claim agent in behalf of those availing of its naturalization laws to become its citizens after suffering injury."

Perhaps the chief value of the Mixed Claims Commission's decision and opinion lies in its magnificent exposition of the law of proximate causation and its effect upon claims based on indirect or consequential damages. The umpire analyzes the Porter-Knox peace resolution, which is the introductory part of the treaty of Berlin, with reference to section 5 in order to ascertain precisely what claims are embraced

within its provisions and intended to be actionable against Germany on behalf of American nationals who, since July 31, 1914, have "suffered, through the acts of the Imperial German Government or its agents, \* \* \* loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise."

According to Judge Parker, American nationals must have suffered—

- A. (Cause?) through the acts of Germany or its agents;
- B. (When?) between August 1, 1914, and July 2, 1921, both inclusive;
- C. (What?) loss, damage, or injury to their persons or property
  - (1) directly or
  - (2) indirectly, whether
    - (a) through the ownership of shares of stock in any domestic or foreign corporation;
    - (b) in consequence of hostilities or
    - (c) of any operations of war, or
    - (d) otherwise.

A simple test in all cases, as the decision points out, is just this: Has an American national proved that he sustained a loss susceptible of being measured with a reasonable exactness by pecuniary standards? And can that loss be attributed to Germany's act as the proximate cause? Applying this test, therefore, to the facts in the group of cases which have come to be known as the war-risk insurance premium claims, the commission "has no hesitation in holding that they do not fall within the terms of the treaty of Berlin." The commission categorically debars them on the grounds that "they are not claims for injury or damage to, or destruction or conversion of, property, by the acts of Germany or her agents. They are claims put forward to recover the amount of premiums paid for protection against possible happenings which never in fact happened; for protection against risks to both neutral and belligerent commerce of a highly speculative and uncertain nature, incident to the very existence of a state of maritime warfare, participated in by both groups of belligerents."

It is the following language of the decision and opinion, laying down the rule upon this very question of damages, that constitutes, probably, the decision's chief contribution to international law:

"It matters not whether the loss be directly or indirectly sustained, so long as there is a clear, unbroken connection between Germany's act and the loss complained of. It matters not how many links there may be in the chain of causation connecting Germany's act with the loss sustained, provided there is no break in the chain and the loss can be clearly, unmistakably, and definitely traced, link by link, to Germany's act. But the law can not consider, the Congress of the United States in adopting its resolution did not consider, the parties in negotiating the treaty of Berlin did not consider or expect this tribunal to consider, the 'causes of causes and their impulsion one on another.' Where the loss is far removed in casual sequence from the act complained of, it is not competent for this tribunal to seek to unravel a tangled network of causes and of effects, or follow, through a baffling labyrinth of confused thought, numerous disconnected and collateral chains, in order to link Germany with a particular loss. All indirect losses are covered, provided only that in legal contemplation Germany's act was the efficient and proximate cause and source from which they flowed."

Although discussing the category of claims referred to in the Porter-Knox peace resolution, the language just quoted has, nevertheless, an important interpretative value in connection with articles 231 and 232 of the treaty of Versailles and other clauses of that treaty dealing with reparations.

Article 231 sets forth that—

"The allied and associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the allied and associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies."

This article, in the opinion of the Mixed Claims Commission, "at most amounts to no more than an acceptance by Germany of the affirmation by the allied and associated Governments of Germany's responsibility for all loss and damage suffered as a consequence of the war—a moral responsibility. Germany's financial responsibility for losses occurring during belligerency is limited and clearly defined in the succeeding article and the annex pertaining thereto and other provisions of the treaty."

Claims listed under article 232 of the treaty of Versailles, particularly those numbered 5, 6, and 7, calling for reimbursement to the Government of the United States as such of the cost of pensions and separation allowances, instead of damages suffered by the civilian population, have no significance as far as the United States is con-

cerned. This Government has expressly committed itself not to prosecute against Germany any of the claims arising under these three categories before the Mixed Claims Commission.

Many otherwise public-spirited citizens still insist that this tremendous arbitration, which has been pronounced as the greatest, in scope and amount of money involved, in the history of international arbitrations, is merely an academic proceeding to afford the United States and Germany an opportunity to indulge in sophistries designed indefinitely to postpone the payment by Germany of her just obligations. These critics point to the fact that the Mixed Claims Commission has jurisdiction only to determine Germany's liability and financial obligations. The commission has not the authority to provide money settlements in payment of the awards that are to be made. This is, perhaps, the only important feature in which the commission differs from the operation of the clearing house instituted by the allied governments for the payment of private claims.

In view of the calamitous situation in Germany, which has been rapidly approaching a climax during the past few weeks, claimants are naturally dubious concerning any promises that their prospective awards will ever be paid by that vanquished nation. This anxiety is warranted somewhat by Germany's failure to announce any definite plan for the financial settlement of American claims.

In this connection it is urged by many that the United States negotiate with Germany for the purpose of arriving at a sound arrangement for the ultimate liquidation of the meritorious claims now pending before the Mixed Claims Commission. Others maintain that the United States should hold the private German-owned property remaining in the hands of the American Alien Property Custodian, after satisfying the provisions of the so-called Winslow Act, not merely as a pledge to secure payment of these American claims but as an actual fund out of which they can be paid. In support of this contention it is argued that section 5 of the Porter-Knox peace resolution, approved July 2, 1921, authorizes such a procedure by the following provision:

"All property of the Imperial German Government \* \* \* and of German nationals, which was on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America, \* \* \* shall be retained by the United States of America and no disposition thereof made \* \* \* until such time as the Imperial German Government \* \* \* shall have \* \* \* made suitable provision for the satisfaction of all claims \* \* \* of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered \* \* \* loss, damage, or injury to their persons or property." \* \* \*

Whether the Government of the United States should take this privately owned enemy property and apply it to the payment of the several groups of American claims now pending before the Mixed Claims Commission for adjudication is, of course, a question which Congress only can decide. And inasmuch as a policy of confiscation is one strictly within the determination of the sovereign law of a nation, this question will no doubt be one of the important measures taken up for consideration and action by the Sixty-eighth Congress.

The allied and associated Governments are already engaged in liquidating their claims against Germany through the respective clearing houses. In Great Britain, for instance, the adjudications of the Anglo-German Mixed Arbitral Tribunal, which corresponds to the Mixed Claims Commission, United States and Germany, pass through the clearing house in accordance with the provisions of the annex following article 206 of the treaty of Versailles. Thus, a British national with a claim against Germany or a German national, which is acted upon favorably by the Anglo-German Mixed Arbitral Tribunal, becomes a judgment creditor and as such can proceed against the clearing house and obtain payment of his award by an attachment upon the German property seized during the war by the British public trustee. This procedure appears to be authorized by the following provision of Great Britain's treaty of peace order of August 18, 1919:

"The clearing office shall have power to enforce the payment of any enemy debt against the person by whom the debt is due, together with such interest as is payable under paragraph 22 of the annex to the said section 3, and for that purpose shall have all such rights and powers as if they were the creditor; and if the debt has been admitted by the debtor or the debt or amount thereof has been found by arbitration or by the Mixed Arbitral Tribunal or by a court of law in manner provided by paragraph 16 of the annex to said section 3 \* \* \*."

Just what action Congress will take on this score in the disposition of the \$300,000,000 worth of former enemy property still in the hands of the Alien Property Custodian is quite problematic. But so much is certain, that having provided the machinery for the disposition of the more than 12,000 claims of American nationals against Germany, and Germany having whole-heartedly entered into this great arbitration, the Government of the United States can be depended upon to protect

the interests of her nationals and to find some way of bringing a practical result from the work that is being accomplished by the Mixed Claims Commission, United States and Germany.

#### DEPARTMENTAL EXPENSES.

Mr. DIAL. Mr. President, while we are discussing the Mellon plan and other plans for tax reduction, may I say that I have just received a letter from one of my constituents calling my attention to extravagances on the part of the Government. It is not only desired to enact some legislation better than the Mellon plan, but it is also desired to try to keep down unnecessary expenses.

It does seem to me that some of the departments' employees exercise exceedingly bad judgment and put the taxpaying people, the hard-working people, of the country out of humor with public officials and public employees. To illustrate: The writer of this letter says that if Congress wants to appropriate certain sums of money for certain purposes, we should look into the expenditure of that money. The writer of the letter, who is a constituent of mine and whose name I shall not disclose, lives within 7 miles of a large city down South. He states that an employee of the Department of Agriculture of the Government had a little matter of business with him and came down in a hack, at an expense to the taxpayers of \$4 a trip.

My constituent further states that he had two telephone lines from his office to the office of the Government official in that city, that messages were transmitted free, at no expense whatever to the Government, but, notwithstanding that, this employee of the Government went personally to my constituent's office merely to deliver a short message of less than 10 lines on a matter that was not secret. The second trip also was made in a taxicab at a cost of \$4 to the Government, thereby entailing an expense of \$8 for two little messages which could have been transmitted free.

My constituent states also that he is so much disgusted with the method of transacting business that he has discontinued his connection with that department of the Government.

Of course, Mr. President, that is a very small matter, but it is an example of how irresponsible some people are when they have the opportunity of spending public funds. They show extravagance, indifference, and a total disregard of the interest of the people of the country.

In this particular instance the employee was under the Agricultural Department.

I feel that a Government employee who has no more discretion, no more common sense than to transact a little matter of business in the manner which this man did ought to be discharged from the Government, and he should be allowed to go back to plowing cotton or sowing wheat or to some other agricultural pursuit. I hope the officials of the Government will so conduct themselves as to receive and deserve the respect and confidence of the public. We are liberal in appropriations, but there is no use to complain about taxes until we cut appropriations.

I am exceedingly obliged to my constituent for calling my attention to this matter, and I hope more of the constituents of other Senators will call their attention to any willful extravagance upon the part of Government employees. I shall have this instance investigated and ascertain whether the conduct of this man in the case to which I have called attention is his usual practice and what excuse he may have for transacting business in the way I have stated. If the Secretary of Agriculture will follow my advice, I think this employee should be discharged from the pay roll of the Government.

#### THE CALENDAR.

Mr. WADSWORTH. Mr. President, do I understand that morning business has closed?

The PRESIDING OFFICER. Morning business has closed.

Mr. WADSWORTH. Is the calendar now in order?

The PRESIDING OFFICER. It is.

Mr. CURTIS. Mr. President, I understand this is Calendar Monday. If any Senator wishes to submit remarks, I think it would be well for him to wait until the first bill on the calendar is stated. In that way we will be able to take up the calendar and Senators who are absent will know that the calendar is up and may govern themselves accordingly.

Mr. ROBINSON. The Senator from Kansas, I understand, proposes that the Senate consider unobjected bills under Rule VIII.

Mr. CURTIS. Yes.



The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of unobjected bills on the calendar under Rule VIII.

The bill (S. 987) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis within the States of Illinois and Missouri was announced as first in order.

Mr. CURTIS. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 665) to amend section 13, chapter 431, of an act approved June 25, 1910 (36 Stat. L. p. 855), so as to authorize the Secretary of the Interior to issue trust and final patents on lands withdrawn or classified as power or reservoir sites, with a reservation of the right of the United States or its permittees to enter upon and use any part of such land for reservoir or power-site purposes, was announced as next in order.

Mr. SMOOT. I ask that that bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

EMMA KIENER.

The bill (S. 1605) for the relief of Emma Kiener was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, in line 11, to strike out "\$5,000" and insert "\$1,500," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, for the relief of Emma Kiener, of Salt Lake City, Utah, widow of Christian Kiener, deceased, for damages suffered through the destruction by soldiers stationed at Fort Douglas, Utah, of certain buildings erected on a homestead location, made in good faith, near Fort Douglas, Utah, by said Christian Kiener, the sum of \$1,500.

The amendment was agreed to.

Mr. DIAL. Mr. President, I do not desire to object to the bill, but I doubt whether it ought to pass. It seems to me that perhaps the bill is badly drawn. It refers to the widow of a man who is alleged to have suffered certain damages to his property. The report shows that there were children, and they would have an interest in that property. I do not know that the bill protects the Government from another suit later on at the hands of the other parties in interest. Not only that, but the report shows that the husband of this claimant had no title to the land and that he had been ordered from it by the War Department. I believe, furthermore, the War Department reports against the bill.

This is another one of those difficult cases which it is very embarrassing to oppose. In my opinion, this kind of cases ought to go to the Court of Claims. I submit that Congress is not prepared; it has not the facilities, the time, or the patience to arrive at a just conclusion. I want everyone who has a just claim to be paid, but this is a very slipshod way to adjudicate such cases, and, while injustice may be done some people by rejecting the bills for their relief, I am satisfied that great raids on the Treasury are made when they should not be made.

The merits of this case appear to be such that the bill ought to be defeated. Not only that, but I look at it as a bad precedent for Congress to override the recommendation of a Government official charged with responsibility. I understand that a Government department reported against this bill. I see here, however, plenty of other cases where the Committee on Claims reports bills after the claimant has been paid in part or some Government department has said that the claim ought not to be paid; for instance, where the claimant has brought about his own injury, and even cases where the parties have accepted a settlement and then turned around and come back to Congress and asked Congress for additional money.

If we are going to economize and going to be honest about it, it is time to get at it in every branch of the Government. I feel that claims, if we are going to pursue this method of adjusting them, ought to be looked into here about as carefully as can possibly be done in view of the time we can give to them. I do not think this claim ought to be paid; at least, I question whether it ought to be paid.

Mr. SMOOT. Mr. President, will the Senator allow me to explain the bill?

Mr. DIAL. Yes; I shall be glad to yield to the Senator. I know but little about it, only having had a few minutes in which to examine the bill, and possibly I may be in error. It seems to me, however, that the grounds are not adequate to sustain the claim.

Mr. SMOOT. I will be glad to explain the bill. If there is any bill at all that should be paid by the Government of the

United States in the way of a claim, it is this particular bill. The facts in the case are as follows: On November 6, 1888, Christian Kiener filed upon land in the Fort Douglas Reservation, which was then open to entry. He went to the land office at Salt Lake City, declared his intention of entering, and did enter. He built himself a home and cultivated the land, and when the time for his proof came, in 1890, as I remember, he made application for title to the land.

That was the first time, Mr. President, that the Salt Lake City land office knew that that land had been withdrawn from entry in order to make an addition to the Fort Douglas Reservation. If the Senator from South Carolina will read the report he will discover the exact facts to be as I have stated.

Mr. Kiener went there, as he had a right to do as an American citizen, and applied to the Salt Lake City land office for title to the land. He complied with all the laws; he spent over \$15,000 there in the way of improvements, and when he refused to go off the land the officers at Fort Douglas took him bodily, with his children and his wife and all his goods, and removed him. They appropriated the spring of water which he had developed there, and own it to-day, as they own the land. The report simply says that it is not strictly a legal claim. The reason of that is that because of the fact that here in Washington, where he never was supposed to come, and no entryman upon any land ever comes, the true condition as to the land apparently was not known. The fault was that of the Government of the United States, that when the withdrawal of the land was made the office at Salt Lake City was not notified. Mr. Kiener received no notice, but was allowed to spend over \$15,000 upon the land, as well as all of his time, during the period I have indicated in making a farm.

Mr. President, there was claimed originally \$20,000, and the first bill that was introduced here proposed to appropriate that amount. If the Senator wants to take the time to do so—and I am perfectly willing that the bill shall go over in order to allow him the opportunity—he can visit the War Department and find there the letters showing how Mr. Kiener and his wife were treated by the officers.

The committee has said to this widow: "We will give you \$1,500." The bill passed the Senate at the last session of Congress but failed to pass in the House, as is the case with other bills upon the calendar. Now, of course, if the Senator wants to object to the bill he can.

Mr. DIAL. No; but let me ask the Senator how is the Government protected in settling with the widow and not settling with the other heirs? The other heirs may come back and ask for an additional amount.

Mr. SMOOT. There is only the widow left.

Mr. DIAL. As I understand the report, Mr. Kiener had eight children.

Mr. SMOOT. He did have eight children; but the estate has been settled long ago, and whatever the United States gives her is hers.

Mr. DIAL. That is true; but the children would have an equal right to come in and say that they were damaged.

Mr. SMOOT. Mr. President, the Senator does not think for a moment that Congress would pass another relief bill for the children, does he?

Mr. DIAL. Yes; I do.

Mr. SMOOT. I do not.

Mr. DIAL. I think the Congress would pass almost anything they are asked to pass.

Mr. SMOOT. The Senator has, perhaps, some justification for saying that, in view of some of the bills that have been on our calendar and passed. I recognize that fact. As far as this bill is concerned, however, if we are going to do anything at all for this woman, let us do it. If not, let us say so, and tell her that it does not matter whether the Government of the United States ill-treated her or not, whether or not her husband for years established his home there upon land that he had an absolute right to, and not only that, but the Salt Lake land office passed the title to him as far as they could go, and then he came to Washington, and was told that the land had been withdrawn years before.

Mr. DIAL. Of course I believe that the officials ought to do their duty. I read here from the report, though hurriedly, that he only paid \$22, I believe, on the land, and cleared four acres. I can find nothing in the report showing that he spent any \$15,000; but if the Senator says so, of course I do not question any fact he states.

Mr. SMOOT. The Senator knows that the \$22, or whatever was paid, is the filing fee that is paid by every man who enters the public domain in the West. When he homesteads land he does not pay, but he must make certain improvements, and

he must live upon the land before ever he can get title to it; and this man did that.

Mr. DIAL. I have no doubt that is true.

Mr. SMOOT. This man remained there, built a home there for himself and his wife and his children, cultivated the land, and not only did that, but he developed the water that the Government of the United States is using to-day.

Mr. DIAL. It is simply a spring, as I understand. The spring was already there, coming out of the hill. Does not the Senator agree with me on my legal proposition that if the children are alive they would have an interest in this matter, along with the wife?

Mr. SMOOT. No; because of the fact that Congress says this money is given to her, and it is a direct appropriation to her, and any interest at all that they have in it will come into existence when she dies. Then, if there is any of the money left, the children may have an interest in it.

Mr. DIAL. No; they would inherit directly from the father, and not from the mother, as yet.

The report says:

While the evidence does not conclusively show the destruction of the buildings, it is shown that it was the purpose of the commanding officer of the post at the time of the ejectment to tear them down and remove them, and the present commanding officer in his report thereon states that this was undoubtedly done by order of the commanding officer as a proper sanitary measure. He concludes his report with the remark that from the facts and correspondence submitted damages would seem to be due the United States rather than to the heirs of the estate of Kiener.

That is from the officer's report.

That is all I care to say. I know but little about it. I have had only a minute or two to examine the report; but the first proposition I make is that the bill ought to be amended by bringing in the heirs. Whatever Congress pays, if it pays anything, ought to be paid to the heirs of the deceased. In the next place, I rather question whether anything at all ought to be paid.

Mr. SMOOT. The Senator can object to the consideration of the bill, and let it go over.

Mr. DIAL. I do not want to object to it. I think it is nonsense to object to the consideration of bills.

Mr. SMOOT. I am the last person in the world to ask the Government of the United States to pay out of the Treasury a single, solitary dollar that it does not lawfully owe. I do know, however, that after the Government of the United States had sent the plats of this land out to the Salt Lake office it was open for entry. I do know that Christian Kiener located on this land. I do know that he built himself a home there. I do know that he went into the mountains and there drilled and got water for the land. I do know that these people claim that they have spent over \$20,000 there. I know that they have a home, because I have seen it myself, and I know that this man lived upon the land for the allotted time.

When the time elapsed he applied for patent to the land, and the Salt Lake office agreed to it, and forwarded it here to Washington; and that is the first time that the man himself or the Salt Lake office knew that the land had ever been withdrawn for military purposes. If the Government of the United States is not responsible for a condition like that, and at least, after the years and years that the widow has suffered, and the man has died, is not willing to pay 10 or 15 per cent of the loss involved in the destruction of the improvements put upon the land, the Government never ought to pay any bill.

Mr. DIAL. Of course I do not in the least question the motives of the Senator. I was just reading from the report. I take it that no lawyer on this floor or anywhere else who ever read law three months will dispute my contention that if there are any children they would have an interest in this proposition, along with the widow.

Mr. WADSWORTH. Mr. President, will the Senator yield at that point?

Mr. DIAL. I yield.

Mr. WADSWORTH. Would the Senator's point be met if an amendment were adopted on line 7, after the word "deceased," inserting the words "in full satisfaction"?

Mr. DIAL. That would not be res adjudicata as to the parties who were not parties to the bill. If the amount were directed to be paid to the widow and the other heirs at law, that would cover it.

Mr. WADSWORTH. Would not that language, however, carry the very clear intent of the Congress that the \$1,500 was to cover all the damages?

Mr. DIAL. It would; yes.

Mr. SMOOT. I am perfectly willing to accept that amendment, if the Senator will offer it.

Mr. WADSWORTH. I move, then, to strike out the word "for" and insert "in full satisfaction of all."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 1, line 7, it is proposed to strike out "for" and insert "in full satisfaction of all," so that it will read:

In full satisfaction of all damages suffered through the destruction by soldiers—

And so forth.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS PASSED OVER.

The bill (S. 56) for the allowance of certain claims for indemnity for spoiliations by the French prior to July 31, 1801, as reported by the Court of Claims, was announced as next in order.

Mr. CURTIS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1769) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co., was announced as next in order.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 946) for the relief of the family of Lieut. Henry N. Fallon, retired, was announced as next in order.

Mr. DIAL. Mr. President, that is another claim that perhaps ought not to be paid; but I do not see the author of the bill present, and I will ask that it go over. I want to discuss it on its merits.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1035) for the relief of the city of New York was announced as next in order.

Mr. DIAL. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

#### DR. C. LEROY BROCK.

The bill (S. 1664) for the relief of Dr. C. LeRoy Brock was considered as in Committee on the Whole, and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. C. LeRoy Brock, Government physician at the Northern Pueblo Agency, N. Mex., the sum of \$750 for the loss of his personal automobile in a flood while responding to an emergency call among the Indians.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS, ETC., PASSED OVER.

The resolution (S. Res. 118) providing that any person or agency investigated by any Senate committee shall have the right to be present in person and by attorneys and to present evidence in their own behalf, was announced as next in order.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 49) for the relief of Elizabeth H. Rice was announced as next in order.

Mr. DIAL. I see that the author of that bill is not here, and I ask that it go over. I want to argue it on its merits.

The PRESIDING OFFICER. The bill will be passed over.

#### NAVAL OIL RESERVE LEASES.

Mr. CARAWAY. Mr. President, I ask unanimous consent to have read from the desk the clipping which I send to the desk.

The PRESIDING OFFICER. Without objection, the clipping will be read.

The reading clerk read as follows:

FALL IS "THROUGH" WITH PUBLIC LIFE—ANNOUNCES HE'S "OUT OF POLITICS"—TO TRAVEL—REPLIES TO CARAWAY.

[By the Associated Press.]

NEW ORLEANS, January 18.—Albert B. Fall, former Secretary of the Interior, stated here to-day he was through with politics.

"I'm out of politics," he declared. "I'm going to spend the rest of my life traveling around and"—with a twinkle—"hiding out, just as I have been hiding out. I hope to take that ocean voyage soon."



Mr. Fall yesterday replied briefly to an attack in the United States Senate Wednesday by Senator CARAWAY, of Arkansas, denying charges of the Senator that he had received any compensation from the Sinclair oil interests in connection with the leasing of the Teapot Dome oil reserve or that he had registered at a hotel in Palm Beach, Fla., under a different name during the congressional investigation of the oil lease.

"The investigating committee has been on the job for many months and has not produced a shred of evidence," Mr. Fall said. "Even the innuendo witnesses are breaking down. One of them, for instance, testified that I had at one time told him I was broke, and a few years later bought a large ranch in New Mexico. He admitted being a bitter political enemy of mine."

Mr. CARAWAY. Mr. President, there are a few things I wish to call to the attention of the Senate.

This, the item just read, is the third statement that Mr. Fall has made with reference to this matter. In the first statement he said that I had been attacking him all along and that that was just one in the series. I never mentioned Albert B. Fall until he betrayed my country. It must have been his conscience that assailed him. It was not I. I had not said a word about him.

Next, he makes the startling revelation that he is out of politics. Why, God bless his soul, if he does not mind, he is going to put all of his friends out, also.

The next statement is that he is going to travel. I remember that Benedict Arnold traveled after he sold West Point. Sinclair has already traveled. He has gone to Europe. Bergdoll is in Europe also, as I now remember; and when Mr. Fall joins them they will have a congenial reunion over there.

He next asserts that he was not "hiding out" in Florida. I do not know what he calls "hiding out." Nobody could find him. He said at last, I believe, that McLean had rooms rented for his friends and that he merely went in there as one of the guests and it was not necessary to reveal who he was. McLean, I know, said that he did not invite him; that he took up his quarters without invitation and had the bill charged to him. As between these two gentlemen I express no opinion as to who told the truth. I think either one of them could be believed if you knew that what he said was true.

I have here another telegram which I wish to read into the RECORD.

FALL POSTPONES VOYAGE UNTIL OIL PROBE IS ENDED.

Former Secretary of the Interior Fall, whose action in leasing Teapot Dome oil reserve is being probed by a committee of the Senate, denied in a telegram to Universal Service last night that he intended to make a sea voyage immediately. He stated two physicians had advised he leave at once on a voyage because of the serious condition of his health, but has replied he will not leave the United States until the committee probe is finished.

Of course, I do not know anything about the state of his health. I have not heard of any doctor making any statement about it at all. He has had lawyers go to Florida from Washington to consult with him, but my information was that they were not talking about his health, but were trying to devise some scheme by which he could make another statement that would somewhat rehabilitate him. I mean morally, not physically.

We do know that when a committee went to Florida to take his statement he could not be seen; he could not be located except by consulting McLean and McLean's lawyer. A letter had to be delivered to them in order to get it to the attention of Mr. Fall. We do know, if public prints may be believed—and I believe them in this particular case—that when Senator WALSH left Florida, Fall came out of his hiding and boastfully said he was not going before WALSH and was not going before any committee; that it was not anybody's business where he got his money, and he was not going to tell.

Here is a man who stands indicted before the bar of public opinion of treason—it is nothing less than that when a man sells the means by which a nation may live—and now declines to come before the committee which has jurisdiction and defend himself, but contents himself to stay in hiding in New Orleans or in Florida and give out silly statements. If he is not guilty he would come before this committee and tell the truth. If he does not do that he enters a plea of guilty, and every man and woman in America knows it, and he knows it. What is he going to do? Is he going to stay in hiding in New Orleans until the committee shall have made its report, so near the coast that if it happens to be that they want him for any purpose he can get a ship before they can get him?

I do not care for his little fling at me. He said I had been breaking my lance on him. I have not discussed him at all.

He is not evading any issue by saying it is political animus in my heart that moves me. He said I was leading a senseless assault on him. If a man is so sunk in all those things that animate men of honor that he regards a charge against him that involves his honor as a senseless assault, and will not dignify it by an explanation, I am curious to know what sort of a statement he would feel inclined to dignify with an explanation.

Mr. McKELLAR. Did not Secretary Denby, of the Navy Department, also sign the lease for the naval reserve oil lands in conjunction with Secretary Fall?

Mr. CARAWAY. Of course he did.

Mr. McKELLAR. Has Secretary Denby ever asked for permission to appear before the committee and make an explanation of his connection with the deal, and has he made such an explanation?

Mr. CARAWAY. Oh, yes; he said this was just a little matter of detail that a man with a great mind like his could not pay any attention to at all; that selling all the naval reserve oil was a matter of detail which did not concern him. His Assistant Secretary assumed exactly the same attitude.

Mr. McKELLAR. Has he been before the committee since these last charges were made?

Mr. CARAWAY. No; he has not.

Mr. McKELLAR. Has he asked permission to come before the committee when a charge reflecting upon his honor was made here in the Senate?

Mr. CARAWAY. No; I am sure he wishes there was not any committee.

ESTATE OF ELIZABETH H. RICE.

Mr. LODGE. Mr. President, I was out of the Chamber for a few moments when Senate bill 49 was reached in the call of the calendar and passed over on account of my absence. I ask unanimous consent that we may return to that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 49) for the relief of Elizabeth H. Rice.

The bill had been reported from the Committee on Claims with an amendment, in line 6, to strike out "\$84,467.56" and to insert in lieu thereof "\$42,233.78," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth H. Rice, or her executors or administrators, the sum of \$42,233.78, in compliance with the findings of the Court of Claims in the case of Elizabeth H. Rice against the United States, congressional, numbered 13689.

The amendment was agreed to.

Mr. DIAL. Mr. President, I objected awhile ago to the consideration of the bill, when the Senator from Massachusetts was absent. I am very slow to object to any action by the Court of Claims. I think the proper way to settle these cases is to send them to the Court of Claims. But I do not see any proof in the report of an assignment of this claim from the husband to the wife.

Mr. LODGE. The husband, Colonel Rice, was a very distinguished officer in the Army and is dead.

Mr. DIAL. That is true, as I gather from the report; but should not the amount be paid to the executor or administrator of Mr. Rice? How does the wife become the owner of the claim?

Mr. LODGE. Because she was the heir of her husband, I suppose, and inherited the claim for whatever it was worth.

Mr. DIAL. There was no proof to show she was the sole heir, as I gather.

Mr. McKELLAR. Did the colonel leave any children?

Mr. LODGE. I think not.

Mr. DIAL. I think the Government ought to be protected if there should be any other claimants.

Mr. LODGE. I think the Government is protected entirely. I know Mrs. Rice was a widow and had the claim which she had inherited from her husband.

Mr. DIAL. That is what I presumed.

Mr. LODGE. And I suppose, as this intimates, that she herself has died, and the claim goes to her executors, as it is stated here.

Mr. DIAL. It does state that it will go to her executors after it is paid, and it will, I have no doubt; but the point I am making is that there is no proof to show she is the sole heir of Mr. Rice, and if we pay the claim to her, and he had children, they will come in with a bill asking that they be compensated in some way. I merely want the Government's interest protected. After the Court of Claims has passed on the amount, I think that is sufficient as to that.

Mr. LODGE. They have passed on the amount, and the committee has held that the relief is due to Mrs. Rice. I did not know of my own knowledge that she was dead, but I have not the slightest question that she inherited the claim for whatever it was worth. I am very sure she had no children.

Mr. DIAL. I suggest that the Senator look into that. I have nothing to say about it, except that I want to have the Government protected by amending the bill so as to make the payment go to her or the heirs at law.

Mr. LODGE. I did not look into her legal claim. I supposed that point was, of course, covered by the court.

Mr. DIAL. I do not see anything to show it.

Mr. LODGE. I do not suppose the court would make a decision in her favor unless she had a proper title.

Mr. DIAL. I do not see anything to show that the point was covered.

Mr. KING. Mr. President, I am not combating this claim, but will the Senator from Massachusetts consent to an amendment at the close of the pending bill to meet the suggestion offered by the Senator from South Carolina in part, to add the words, "and also in full of all claims and demands arising out of the transactions referred to in such findings of the Court of Claims"?

Mr. LODGE. I have no objection to that amendment.

Mr. KING. I offer that amendment.

Mr. DIAL. Then I suggest to the Senator, if he cares to do so, that he amend the bill at the end of line 5 so as to read, "to Elizabeth H. Rice and the other heirs at law, if any there be."

Mr. McKELLAR. I suggest to the Senator that if it is paid to the executors of Mrs. Rice it is their duty and obligation to see that it goes to the proper heirs.

Mr. LODGE. Of course.

Mr. McKELLAR. And it would be unnecessary, it seems to me, to make that amendment.

Mr. DIAL. That would not cover the case. The heirs at law of Mrs. Rice would not necessarily be the heirs at law of Mr. Rice, under the statute of distribution.

Mr. LODGE. But the title passed from him to her.

Mr. DIAL. If she were the sole heir at law, it would; but if he had children, it would not. She would inherit only a part.

Mr. LODGE. I understand there were no children.

Mr. DIAL. If there were no children, I have no objection.

Mr. LODGE. I knew Colonel Rice. As I said, he was a very distinguished officer in the Army and commanded a regiment in the Spanish-American War. I am certain there is nothing wrong about this. It is perfectly obvious.

Mr. DIAL. I do not claim that there is anything wrong at all. I merely want to have the Government protected from any other claims if there are any other heirs.

Mr. LODGE. It seems to me this does protect the Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. KING]. The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### NEW JERSEY SHIPBUILDING & DREDGING CO.

The bill (S. 1572) for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J., was announced as next in order.

Mr. KING. Before consenting or objecting to the consideration of this bill, may I inquire of the Senator from New York if it has not been the practice, with measures of this kind, to refer them to the Court of Claims?

Mr. WADSWORTH. Not in all cases, by any means. When a department of the Government, such as the Navy Department in this case, has made its investigation, fixed the responsibility for the accident, made a survey of the property injured or destroyed, and has certified that the damages suffered amount to so many dollars, it has not been the practice of the Congress to refer the matter to the Court of Claims, which would simply go over the same ground again.

Mr. KING. I suggest to the able Senator from New York that where actions are based upon the alleged negligence of the Government, or some of its agencies, that issue ought to be tried by a court rather than by some administrative officer of the Government. I think it is a rather dangerous precedent to establish to authorize the payment of large sums upon some investigation by a department, where the matter does not grow out of a contract as to which there may be no controversy whatever, but grows out of the alleged negligence of the Gov-

ernment, and there may very properly be a diversity of opinion as to whether there was negligence or not. I recall that in a number of cases where there have been collisions we have referred them to the Court of Claims. So far as I recall that has been the uniform practice since I have been in the Senate.

Mr. WADSWORTH. I think that procedure is adopted in the absence of any report from the governmental department involved agreeing upon the extent of the damages, where some legal question is still left in dispute, and the petitioner has been required by the Congress to go to the Court of Claims, sitting in admiralty, to present his case.

Mr. KING. The Senator knows that we have only a small calendar and will reach this bill perhaps to-morrow or the next day. Will he not consent that it may be passed over until I have an opportunity to look into the question I have just suggested?

Mr. WADSWORTH. I shall not object to that course. A similar bill passed the Senate last year, and it is exactly like every other bill in which a citizen suffers damages from the Government and the Government admits the liability and states the amount of the damages.

Mr. KING. I shall agree with the Senator that when we return to the calendar the bill may be taken up for consideration at that time.

The PRESIDING OFFICER. The bill will be passed over.

#### PROPOSED REDUCTION OF INCOME TAXES.

Mr. REED of Pennsylvania. Mr. President, I wish to say a few words about the proposal to reduce the surtaxes. So that we may understand some of the discussion that has preceded it, I want to put to the Senator from Michigan [Mr. COUZENS], whom I now see in the Chamber, a question or two regarding the statement which he has published about his own tax payments. I would never dream of interrogating the Senator from Michigan about his own personal affairs if he had not already made them public in a letter to the Secretary of the Treasury and given his letter to the newspapers.

The Senator from Michigan stated, I believe, and he will correct me if I am wrong, that in the past 10 years his payment of income taxes amounted to something over \$8,000,000. I want to ask the Senator if he will not tell us whether he has in any of the last four years paid any income tax whatever; and if he has, will he not amplify the statement that he has heretofore made by telling us how much he has paid during each of the last four years?

Mr. COUZENS. I decline to be interrogated by the Senator from Pennsylvania as to my personal affairs until the Secretary of the Treasury has disclosed his hand. I hope that is perfectly plain.

Mr. REED of Pennsylvania. I do not understand that my question has anything to do with the correspondence with the Secretary of the Treasury further than to say that it was in that correspondence that the Senator had made the statements which I have asked him to amplify and which I understand he refuses to amplify.

Mr. COUZENS. Mr. President, I would like to speak a moment upon that remark of the Senator from Pennsylvania. I want to point out that not only is the reference made by the Secretary of the Treasury and the Senator from Pennsylvania impudent and irrelevant, but it is entirely outside of the issue, because I pointed out when the correspondence with the Secretary of the Treasury began just exactly what taxes I had paid to the Treasury in eight years. I did not go into all the details by years, neither did I make any reference to any personal investment I had, nor did I make any reference to the sale of any particular stock I had, and yet the Secretary of the Treasury has violated the law to the extent of going to the records of the Treasury Department to ascertain from confidential records my individual and personal business, something that no other public officer can get and would have no right whatever, if he did have it, to disclose to the public.

Inasmuch as the Senator from Pennsylvania has raised the question I want to go on record now as saying that the Secretary of the Treasury not only ought to disclose his own personal investments and the benefits that he has derived from his position as Secretary of the Treasury, but he ought to tell us how much he is going to save as a result of his proposal to reduce taxes.

More dishonest statements, misstatements if not absolute falsehoods, have been handed out at the Treasury Department of the United States for the purpose of misleading the public than ever were issued by a public department in my recollection of government.

Mr. President, it is the duty of the Congress and the Senate to know the facts, not only the facts with respect to indi-



vidual investments and taxes paid by the respective persons whom the Senator from Pennsylvania has brought into this discussion, but to find out the motives back of the propaganda and misstatements. In a statement issued by the Secretary of the Treasury only a day or two ago as having been sent to the Ways and Means Committee of the House did he make the assertion that all surtaxes were passed on to the consumer and therefore a reduction of surtaxes would create a reduction in the cost of living. A school boy would know better than to make such a statement as that, and yet he is heralded throughout the press of the country as the Hamilton of the Treasury. There never was a greater representative of the moneyed interests of the country in the Treasury Department than is there at this particular time, and yet he has the impudence to bring into public discussion the private affairs of a citizen whose record he has, and he is the only man in the country who has that record.

I am not going at length into a discussion of the economics of the situation, but simply point out that the surtax is practically the only tax that can not be passed on to the consumer. He, unfortunately for himself, made reference to maturing bond issues of the Baltimore & Ohio Railroad and some other railroads, and said that their debt had to be funded, that they would have to pay 6 per cent, and the difference between the bonds which they refund at  $3\frac{1}{2}$  to 4 per cent and the 6 per cent that they would have to pay would go upon the farmers in additional freight rates. There never was a more absurd statement when it is well known that the Interstate Commerce Commission fixes the freight rate based upon the value of the property and not upon the investment or the stocks and bonds a particular railroad company may have upon the market.

I would like to ask the Secretary of the Treasury if the Pennsylvania Railroad Co. dividends, the Baltimore & Ohio dividends, if there are any, the dividends paid to the stockholders of the United States Steel Corporation, or the dividends paid to the stockholders of the American Telephone & Telegraph Co. can possibly be passed on to the consumers? It is not possible to do it, and it is practically the only tax—at least it is the only tax I know of—that can not be passed on to the ultimate consumer.

I asked some of the motor car manufacturers of Detroit in November whether they preferred to have the surtax reduced or whether they preferred to have the automobile tax remitted. They said they preferred to have the surtax reduced. Why? Because the 5 per cent excise tax on the automobile can be passed on to the consumer and is being and has been passed on to the consumer and will continue to be so passed on, while the surtax can not be passed on to the public. That is the reason why the big motor industry is not kicking up a big fuss about the 5 per cent tax on automobiles, but prefers that the reduction in tax, if possible, be passed to the big surtax income-tax payers.

In answer to the Senator from Pennsylvania further, I want to say that I have not paid any tax in 1924, but I have paid taxes within the last four years.

Mr. REED of Pennsylvania. Mr. President, I do not wish to prolong the discussion at this time, because I expect to speak again this week on the matter, but I want to say now that I have an idea that both Mr. Mellon and the Senator from Michigan are wrong, because they have carried on the discussion on the theory that the rich men of the country are paying the high surtaxes. I think the rich men of the country have all escaped from the surtaxes, that they have all hidden themselves away under the devices that are open to them under the law. I think it would be very interesting to know whether the Senator from Michigan himself has paid any surtaxes during the past four years, and whether he thinks that the surtaxes are just after he has had the experience of paying them, the way the professional men of the country have to pay them, because they have no escape from the surtaxes, or whether his experience goes to prove my theory, and that is that the rich men we have heard denounced so often in the Senate, whose wealth is our excuse for maintaining these high rates, have all of them slipped out from under and none of them are paying the surtaxes.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REED of Pennsylvania. In just a moment. I have addressed an inquiry to the Secretary of the Treasury, asking him the occupations of the 146 men mentioned in his letter to the chairman of the Ways and Means Committee. I would like to find out whether those 146 men are the great doctors, like Mayo, the great singers, the great engineers and architects. I am quite confident that if the facts can be obtained they will support that theory.

When we stand in the Senate and talk about levying the surtaxes on the rich, we are deluding ourselves and we are deluding the country, because the rich men have all escaped through the many holes that we have left in the income tax law. We ought to face that situation like men. If we are going to tax the rich, we ought to make a law that does reach them, but we ought not to put the penalty upon talent and call it a tax on the rich.

I yield now to the Senator from Tennessee.

Mr. McKELLAR. I am very much interested in what the Senator has said about the manifest evasion of the act by the rich taxpayers. If that is true, does not that form a very cogent argument why the Congress should publish and make public the income-tax returns so that the people can see whether the manifest purpose of the act is being evaded, and if it is being evaded, take such steps to correct it as justice may demand? Does not the Senator feel that a full publication of the income-tax returns would prevent an evasion of the act?

Mr. REED of Pennsylvania. We have enough publication now to know what the facts are. We have seen published in the press the details of the estate of William Rockefeller, and we saw that about two-thirds of it was utterly exempt from taxation.

When I speak of evasion of taxes, I do not mean that men are doing dishonest or illegal things to escape taxation. I mean that our lack of power to reach them and the deductions which we have allowed by the terms of our law have been legally enough taken advantage of by the rich men of the country, and the man of invested wealth does not need to pay a surtax unless he wants to, and in most cases he does not do it. That is why I was interested in hearing what answer the Senator from Michigan could give me about the surtaxes he had paid.

Just to answer in a sentence more the question of the Senator from Tennessee, we have allowed in our income tax law not only the privilege of every taxpayer to invest his money in tax-free bonds, but we let him register off losses and we let him charge off depreciation, which is an imaginary loss, and as a result of those various privileges which men of vast property have under the law, but which no money earner has under the law, we have a situation to-day where the talent of the country and the brains and the hard workers of the country bear the burden.

I am not scolding one side of the Senate more than the other, because it seems to me the fallacy of the argument has prevailed as much on one side of the aisle as on the other. This is not a partisan argument I am making. It is just an appeal that we who have to consider the question of surtaxes shall stop for one moment in our consideration to inquire who it is that is actually paying. I desire to speak more fully on the question again this week, so I shall not take more of the time of the Senate now.

Mr. HARRISON. Mr. President, I understood the Senator from Pennsylvania to ask the Senator from Michigan whether or not in the last four years he had paid any surtaxes.

Mr. REED of Pennsylvania. I did make that inquiry, and the answer was that the Senator declines to reveal his personal affairs to the extent of telling us whether he has paid any.

Mr. McKELLAR. Until the Secretary of the Treasury discloses also, as I understand.

Mr. HARRISON. Does not the Senator think that it would be just as pertinent to direct an inquiry to his fellow townsman, the distinguished Secretary of the Treasury, and to inquire of him how much surtax he paid and how much he would save by virtue of the proposed change in the law?

Mr. REED of Pennsylvania. I think it would be an impertinence to ask any taxpayer, whether the Secretary of the Treasury or the learned Senator from Mississippi or myself, or any of the rest of us, to divulge such information.

Mr. HARRISON. It would not be difficult for the Senator from Mississippi to make reply; he can make it right off the reel; but does not the Senator from Pennsylvania think it a little inconsistent to inquire of the Senator from Michigan how much he pays and then to say it is impertinent to ask the Secretary of the Treasury how much he pays?

Mr. REED of Pennsylvania. Mr. President, the Senator from Mississippi has not allowed me to finish my sentence. I think it is an impertinence to ask any taxpayer to disclose the details of his payments unless he first, as the Senator from Michigan did, has made public in a statement to the newspapers the amount that he has paid in taxes. I would not have dreamed of addressing such an impertinent question to the Senator from Michigan if he had not already published his affairs broadcast in the newspapers of the country. The Senator told us that he had paid eight and a quarter million dollars in income taxes in the last 10 years, and that about seven and a quarter million

dollars—the Senator will correct me if I am wrong in the figures—were paid in one year. I think it would add very much to our correct appraisal of the situation if we could know whether the Senator has paid any surtax whatever since that one great transaction which led to the payment of seven and a quarter million dollars in one year. I think it would be interesting to us all to know whether a gentleman of such great wealth has himself escaped from the payment of the surtaxes that we prattle about here in the Senate as if they were taxes on rich men. I think they do not reach the rich man at all. I think it would help us very much if the Senator would disclose the situation.

Mr. COUZENS. Mr. President, if it would be of such great interest to the Senate and to the public to know the amount of surtaxes which I have paid in the last four years, would it not be equally of interest to know the financial gains that would be made by the man who proposes to take off the surtaxes? In other words, I am willing to put my cards on the table for the Senate to see; but we were discussing a proposal made by the Secretary of the Treasury; and if it is of interest to Senators to know what I pay, should it not be of just as great interest to Senators to know what the proponent of the plan has paid and what he would save under the program?

The intimation is that I have a selfish interest in the matter; but it must equally be so that the chief proponent of the measure to reduce taxes must have a selfish interest. In other words, it seems to me, Mr. President, to be unfair to call upon me to disclose such matters when the proponent of the measure declines to disclose the benefits that he will gain. It is not my measure; it is the measure of the Secretary of the Treasury about which we are talking, and he ought to be able to tell us how much he is going to save if we adopt his plan. I have endeavored to point out how much will be saved by the surtax payers in this country if this plan shall be adopted, and the Secretary of the Treasury ought to aid in that direction.

Mr. HARRISON. I desire to ask the Senator from Michigan a question before he takes his seat. I am sure that, with the exception of the junior Senator from Pennsylvania [Mr. REED], practically all the Senators agree that the distinguished Senator from Michigan through his courage and patriotism in writing these letters and laying the cards, so to speak, on the table, has rendered a great service to the country. If I read correctly the Senator's last letter which he wrote to the Secretary of the Treasury, he inquired of him whether or not he would take the country into his confidence and tell just how much he would save by virtue of the change in the tax law which he had recommended. I inquire has the Senator any reply from the Secretary of the Treasury touching that matter?

Mr. COUZENS. No, sir; I have had no reply.

Mr. HARRISON. Has the Senator put into the RECORD his last letter to the Secretary of the Treasury?

Mr. COUZENS. No; it has not been put into the RECORD.

Mr. HARRISON. Would the Senator object if I asked unanimous consent to have it inserted in the RECORD?

Mr. COUZENS. Not at all.

Mr. HARRISON. I ask unanimous consent to have inserted in the RECORD the letter of the Secretary of the Treasury to the Senator from Michigan under date of January 15, and the reply of the Senator from Michigan, dated January 18.

There being no objection, the letters were ordered to be inserted in the RECORD as follows:

THE SECRETARY OF THE TREASURY,  
Washington, January 15, 1924.

MY DEAR SENATOR: I have your letters of January 9 and 11. Much of what you say in these letters is simply a reiteration of your previous statement. You raise, however, several matters which are not covered by my letter to you.

You argue that the reduction in the high surtax rate will have no effect upon business, because the most it will mean simply a shifting of investments, and some one must purchase the tax-exempts if they are sold. Before the imposition of the high surtaxes, municipal and State bonds had a wide market. They were well regarded by the investor and found their way into trust funds and into the strong boxes of the conservative investors no longer in active business. Men of initiative and activity did not acquire these securities. Their wealth, therefore, was left free to be devoted to productive business. Under high surtax rates tax-exempts without risk afforded a greater net return than productive business with risk could provide, and men with the capacity to produce found it more remunerative to do nothing. High surtaxes are no more than a bonus at the expense of the Federal Government to the State and municipal borrower, giving a wholly artificial value to tax exemption. A removal of this artificiality will restore all securities to natural conditions. True State and municipal extravagance will be

curtailed, but their bonds will sell on their merits to the same class of investors who heretofore favored them. The men capable of business success will get out of their dead investments and put their brains and money to work.

It is not the existing highly successful industrials which need the effect of a system of taxation which will give a freer play of capital. I might mention two businesses of great importance to the general public which are not now adequately supplied. It is estimated that the railroads will require a billion dollars a year of new capital in order satisfactorily to provide the facilities and equipment requisite to handle the traffic presented and to reduce the cost of transportation. In earlier years the railroads have been able to maintain a reasonable proportion between their total stock issues and their total interest obligations. As illustrative of this, the percentages of new bond issues to new stock issues in the three years, 1911, 1912, 1913, were respectively 59 per cent, 60 per cent, and 53 per cent. In the last three years, under high surtaxes, these percentages have become 100 per cent, 95 per cent, and 94 per cent. The time is rapidly approaching when the railroads will be unable to issue further bonds without substantial increase in the stock investment. Originally, railroad stocks have been purchased and held by wealthy men and the bonds have more generally gone into the hands of the smaller investor. The Supreme Court has recently sustained the validity of the "recapture clause," which effectually prevents any new stock being sold at a price which would give a man with large income an adequate return on his investment. If the railroads are to be furnished with capital, much must come from the sale of stock and to permit any sale surtaxes must be so reduced as to attract the large investor to that type of security.

There is still an acute shortage of housing facilities in the large cities of this country. While it is true that the high cost of material and labor has contributed to this shortage, the real reason why capital has not been more attracted to this investment is the surtaxes. If a flat building could be built in 1913 on a \$100,000 investment, and the investor desired 8 per cent return, his rents had to be adjusted so as to give him net \$8,000. If in 1923 a similar building should require \$200,000, the investor, to get the same return after high surtaxes, would need net rents of \$38,000. He would probably, however, wish to provide against this abnormal cost of building by amortizing the excess cost and demand net rents of \$48,000. We have either the failure to make investment because of the unlikelihood of adequate return or a gouging of the tenants.

I am glad that you have brought up your own case. It is not unusual. I have heard of other men in your situation, and actual experience is the best test. Just as the statement in your previous letter that no man having opportunity to invest in Standard Oil stock would touch tax-exempt securities was happily answered by the probate record of the estate of William Rockefeller, which showed the exact contrary, so I think you are the answer to your own arguments. In your letter of January 11 you say that in 1920 you paid some \$7,000,000 of tax on the profit from the sale of certain property, obviously your stock in the Ford Motor Car Co., and you then largely invested your capital in tax-exempt securities. It is reported in the newspapers that all of your capital is now in tax-exempt securities, and I have not seen any denial from you. This means, if it means anything, that you pay no income tax. Now, it is a most unusual thing that a man of wealth and business experience should put his entire fortune into one class of security which some change in the law might render much less valuable. It has usually been considered prudent that investments be diversified, and you might have selected, as well as tax-exempt securities, United States Government and sound public utility and industrial bonds, the care of which would bring no more business worry than tax-exempts. If, as you say, high surtaxes are immaterial, it would be interesting to know what influenced you in your selection of tax-exempt securities to the exclusion of all others.

Let us, however, apply your case to the arguments in favor of a reduction of high surtaxes, with which I understand you disagree.

It is urged that high surtaxes bear most heavily on the taxpayer while he is producing—that is, making money. The increase in value of your investment in Ford Motor Car Co. stock is unique, and few and far between will like opportunities come again, but while you were acquiring this wealth you paid, as you say, a large tax.

It is urged that wealth in possession, either by inheritance or realization of a fortunate investment, is not taxed. Your wealth is all in tax-exempt securities and you pay no tax.

It is urged that the high surtaxes are becoming less productive of revenue. In your case they have become barren.

It is urged that if high surtaxes were reduced it is probable that the Government would receive more revenue under a lower rate than it receives under the higher rate. It is not to be doubted that if surtaxes had been reasonable at the time you invested your wealth you would have done the prudent thing and diversified your investments, taking part at least in securities the income from which is taxable. If you had done this, certainly the revenue to the Government from your income would have been greater than nothing.



You say you paid several million dollars tax on the sale of your stock in the Ford Motor Car Co. This tax must have been based on the difference between your sale price and the March 1, 1913, value. What percentage did you pay of your actual profit based on your original investment cost, which you say is the true criterion?

You say that when you bought your tax-exempt bonds you prepaid taxes in their price. To what Government did you make payment?

Your tax-exempts must return you about 4½ per cent. Sound taxable bonds would probably not pay over 6 per cent. Is the loss of 1½ per cent of interest equivalent to 58 per cent of your total income?

Must a system of taxation which permits a man with an income of over \$1,000,000 a year to pay not one cent to the support of his Government remain unaltered?

Very truly yours,

A. W. MELLON,  
Secretary of the Treasury.

HON. JAMES COUZENS,  
United States Senate, Washington, D. C.

JANUARY 18, 1924.

MY DEAR MR. SECRETARY: I have your letter of the 15th.

The two fundamentals used by you in your recommendation for a reduction in surtaxes—first, the present surtax is reducing Government revenue from that source; and, second, that it is diverting money for necessary industrial purposes—have evidently been abandoned. I am delighted that I have convinced you of the fallacy of these two fundamental reasons for your recommendations. However, you have not answered my query as to—

1. Which are the most productive enterprises to put money into—

Schools, water works, lighting plants, street-railway plants, good roads, colleges, sewers, hospitals, or—

Theaters, office buildings, moving-picture houses, ball parks, distilleries, breweries, chewing-gum factories, cosmetic factories, near-beer plants, etc.?

The country would be glad to have your opinion on this, and I urge you to give it to us.

2. Now that it has been pointed out to you what a small percentage of tax-exempt bonds there are on the market in relation to the total of one hundred and thirty-six billions of securities, are you still of the opinion that they are a vital factor in effecting surtax receipts of the Government?

3. You have failed to accept my invitation to debate publicly these questions. I repeat my invitation.

Railroads: You point out that the Supreme Court decision as to the validity of the recapture clause in the transportation act of 1920 "effectually prevents any new stock being sold at a price which would give a man with a large income an adequate return on his investment." Why does a man with a large income have to have an adequate return on his investment any more than a man with a small income? You then make the astonishing statement that if the railroads are to be furnished with capital it must come from the sale of stock. How do you expect people to invest in stock of the railroads after you point out that the recapture clause of the transportation act of 1920 "effectually prevents any new stock being sold at a price which would give a man with a large income an adequate return on his investment"?

Every investor knows the reason that stock of the railroads can not be sold. For 10 years or more you must admit that all the campaign of the railroads has discouraged investment in their stocks. They constantly cry about and exhibit their poverty and their demoralization because of their failure to earn more money. The purpose of this campaign, of course, is to increase freight rates, and there is a continuous effort made in that direction. Now that rates have been boosted in many instances to a point confiscatory of products carried, and now that there is available from earnings incomes sufficient to pay large dividends on most roads, there is an effort on the part of the railroads to sell stock.

I am informed from reliable authority that when the report for railroad operation in 1923 is completed, the railroads will have available for dividends an amount which would permit a dividend rate of 9.8 per cent to 10.88 per cent on all railroad stocks of Class 1 railroads. This is on the par value of the stocks and includes the stocks which are not entitled to earnings in that they never represented value, as well as the sound stocks. Perhaps, if the railroads published this fact they might be able to sell some of their stock. However, this may not be possible for the reason of the public impression that the railroads are badly managed and because it is well known their relations with the Government are most unsatisfactory.

Investors would not and should not buy stocks on which the railroad managers and the Wall Street bankers can stop dividends with impunity. They should require mortgages on the railroad property so that when they stop interest payments the owners will have some recourse in the way of collecting returns on their investments and, if necessary, their principal. This is the real reason for the increased bond issues in relation to stock issues.

No matter to what point you reduce the surtax, investors are not and should not take this kind of a hazard. All records show, however, that admitting your statement that the railroads need a billion a year, there is plenty of money when the railroads give security for the money. They got it last year, and they will get all they need this year.

Housing facilities: You admit that the high cost of material and labor has contributed to the shortage of housing facilities in large cities. You further say the real reason why capital has not been attracted to this investment is the surtaxes. To prove the fallacy of this conclusion, I desire to point out that every possible piece of building construction was carried on last year that men could be secured to work on. The limit of building was the limit of men and not the limit of capital. Despite this, in 1921 the value of building in 36 States covering seven-eighths of the population was \$2,300,000,000; in 1923, it was \$3,500,000,000.

The high cost may not make these comparisons mean much, so I will refer to the amount of square feet of building for three-fourths of the population in the same years as above. In 1921, there was built 386,753,800 square feet, and in 1923 it rose to 592,557,900 square feet. I can not conceive where you got the figures for a flat building that could be built in 1913 for \$100,000, and that if it were built in 1923, it would cost \$200,000. We will grant that this difference in cost might exist; but you say that for the same building an investor desiring an 8 per cent return would require \$8,000 in 1913, and in 1923, for the same building costing twice as much, he would, after paying the high surtaxes, require \$38,000. Let me point out that you are assuming that only individuals build these places, while as a matter of fact, they are mostly constructed by corporations which do not pay any surtax. If an individual did this, and his total income was from the investment of \$200,000, then he would only require \$18,000 in rents in 1923, in comparison with \$16,000 for a \$200,000 investment in 1913. Therefore, your example means nothing as affecting the desirability of reducing surtaxes.

The facts are that corporation taxes have been so reduced by the removal of the excess-profits tax that if a corporation put up this hypothetical flat, they would be able to rent it for less money than the example above shows. The shortage of housing facilities is due to the suspension of building during the war and the lack of artisans to do the work at this time. There is plenty of money to be had for this purpose.

Now, as to my own case and the estate of William Rockefeller, to which you refer. The point I made was that Mr. William Rockefeller would not invest in tax-exempt securities if he could get any more Standard Oil stock at the original price it was sold. Neither would I invest in tax-exempt securities if I could get any Ford Motor Co. stock at the price I paid originally. The facts are that neither Mr. Rockefeller nor myself can buy these securities any cheaper than anybody else and there is no reason why we should buy them, because, as pointed out, it would only be a transfer of ownership from one individual to another. These corporations have plenty of money of their own for expansion and do not have to sell new stock.

With reference to my own experience, you have either only used part of the Treasury record or else you have made a wild assumption that the taxes I paid in 1920 were on the sale of Ford Motor Co. stock only. There were other incomes which went to make up this tax.

So long as you have entered into the record of my securities, will you please tell us what your securities are, how much you own of each, and how much you will benefit by the reduction of the surtaxes as proposed by you?

You refer to the newspapers saying that all my capital is now in tax-exempt securities and you assume that it is true because I have not denied it. Certainly I can not enter into a denial of everything the newspapers print, but I wish to point out to you that such a statement is absolutely untrue, that I have millions of dollars invested in buildings, real estate, and building operations, and I ask if this is more productive than money invested in distilleries and breweries.

I do not know why it is necessary to tell absolute untruths in saying that my wealth is all in tax-exempt securities and that I pay no tax. I have already pointed out some of the taxes I have paid, and there are, of course, some years when my losses have exceeded my taxable income. In addition I gave to hospitals and crippled children in 1919 nearly 400 shares of Ford Motor stock of a market value of nearly \$2,000,000 on which I was receiving 35 per cent dividends on par value of \$400,000 or \$140,000 per year, on which I could readily have paid a 50 per cent income tax and had a comfortable income besides.

You make another misstatement when you say, "You say you paid several million dollars on the sale of your stock of the Ford Motor Co." I made no such statement and I challenge you to point out where I made such a statement. The basis on which I paid has nothing whatever to do with what I paid for the stock, because it was purchased 10 years prior to the income tax laws. The cost of the stock

and the returns thereon are obviously the criterion as to the returns on the investment, and not the market value, because this particular stock had no market value at the time it was sold.

In my letter I pointed out that on the tax-exempt bonds I prepaid my taxes in the price I paid, and to prove this I quote from your own letter to Congressman FREAR, dated January 8, 1924:

"Your bill affects existing securities in the hands of innocent holders. Tax exemption was a material factor in fixing the price at which these securities were sold to their present owners. As an example of what this means, the first Liberty 3½'s are fully tax exempt, the 4½'s of the same issue and maturity are exempt as to normal tax only. Based upon the average market price of these bonds during last month, the removal of the exemption from surtax would drop the price from 99.7 per cent to 87.2 per cent, or a loss of \$125 for a \$1,000 bond, and removal of the normal tax exemption would reduce the price further to 82.4 per cent, or a total loss of \$173 on each \$1,000 bond. A similar situation would, of course, exist in every municipal and State bond. This is the value of tax exemption sold and paid for."

You see I use your own statement in saying that I prepaid taxes when I bought my bonds.

I do not want in any way to convey the impression that I am ashamed of the fact that I have been a large purchaser of State and municipal bonds. A considerable part of these were Detroit city bonds, which I took at a time when there was difficulty in securing the money needed for schools, sewers, and other most essential public works.

May I point out further that the effect of making these State and municipal bonds subject to tax would be to increase their interest rate, and thereby simply add to the tax burden of the cities and States? In effect it would amount to taking money from the local public treasuries and transferring it to the Federal Government.

Very truly yours,

JAMES COUZENS.

HON. ANDREW W. MELLON,

Secretary of the Treasury, Washington, D. C.

Mr. REED of Pennsylvania. May I ask the Senator from Mississippi whether he will offer objection to the reply also being inserted in the *Record* when it shall have been made?

Mr. HARRISON. Indeed not. We shall receive it with open arms and a blare of trumpets if the Secretary of the Treasury will make it.

Mr. REED of Pennsylvania. We shall have two trumpets blaring at that time.

Mr. GLASS. Mr. President, it seems to me that the Senate ought not to be so much concerned to know in what degree the Senator from Michigan or the Secretary of the Treasury escapes taxation. The Senator from Michigan has stated that he can demonstrate that the surtaxes are paid by the rich. The Senator from Pennsylvania states that he proposes to demonstrate that they are paid by those of us who are not rich. It seems to me that the country is interested in having these two latter demonstrations rather than in ascertaining precisely what taxes the Senator from Michigan pays or what taxes the Secretary of the Treasury may be enabled to escape by the reformation of the revenue law.

Mr. CARAWAY. May I ask the Senator from Virginia a question?

Mr. GLASS. Yes.

Mr. CARAWAY. It strikes me and does it not also strike the Senator from Virginia that if the Senator from Pennsylvania is correct and the rich do not pay the surtaxes, they are making a lot of noise about something that is not hurting them?

Mr. GLASS. Yes; I think so; and therefore I am very much interested to have the Senator from Pennsylvania demonstrate to me that I am paying surtaxes and that neither Mr. Mellon nor the Senator from Michigan is paying them.

Mr. CARAWAY. I am sure the Secretary of the Treasury would be glad to have the Senator demonstrate that. Then he could change the plan without any further dispute.

Mr. COUZENS. Mr. President, I should like to correct one statement made by the Senator from Virginia. I have at no time made the charge that the surtaxes were paid by the rich. I said, and I now repeat, that the surtaxes are paid by those well able to pay them. The definition of what is rich and what is not rich may be widely apart in the minds of different Senators, but I still contend that the surtaxes are paid by persons well able to pay them.

Mr. REED of Missouri. Mr. President, it seems to me that my distinguished friend from Virginia [Mr. GLASS], as well as my distinguished friend from Pennsylvania [Mr. REED], both miss the point of this discussion, if they will permit me to say so. It is true that the main question is the one stated by the Senator from Virginia; that is the real controversy before the people; but it is also true that the personal interest of any witness goes to his credibility and the force of the testimony.

As I understand, the Senator from Michigan wrote an article—I have not followed the correspondence in detail—in which he advocated a reduction of the tax upon large incomes and opposed the plan of Mr. Mellon. If Mr. Mellon had met that with a simple argument discussing the question which the Senator from Virginia rightly says is the question, and if Mr. Mellon had remained content with that kind of argument, no one would have raised any question as to Mr. Mellon's personal interest; but, in order to weaken in the public mind the statement of the Senator from Michigan, the Secretary of the Treasury enters into personalities. He gives out a statement to the effect that the Senator from Michigan has invested his wealth largely in tax-exempt securities. His purpose was perfectly plain. Having entered upon that kind of argument as to his opponent, having made this appeal to prejudice as against his opponent, what is the impropriety in our having the interest of the witness on the other side shown up? Let us see whether there is any motive that controls his judgment. That would be permitted in ordinary courts of justice.

So it seems to me, while it is entirely true that it might be impudence, as the Senator from Pennsylvania says, to ask Mr. Mellon how much his tax returns were as an original proposition, and it might be aside from the real merits of the question to enter into the inquiry at all, as the Senator from Virginia says, still, since the Secretary of the Treasury has entered into the personal field and appealed against his antagonist upon the ground that his antagonist escaped taxes, it becomes somewhat pertinent to learn whether he has not hold of the same end of the tarred stick, if, indeed, it be a tarred stick.

Mr. GLASS. Mr. President, I would not relish being identified as in particular sympathy with either one of these disputants. I am not here to defend the attitude of the Secretary of the Treasury or to criticize that of my colleague from Michigan, and I confess to just as much curiosity as the Senator from Missouri can possibly have to know what amount of taxes the Secretary of the Treasury or any other immensely wealthy man pays. I have some curiosity to know how much the Senator from Michigan pays. But I merely offered a suggestion to rescue the problem from the personalities with which it is now invested. Let us determine what are the real facts as to who does and who does not pay the surtaxes.

Mr. REED of Pennsylvania. Mr. President, I think the Senator from Virginia is exactly correct and that the Senate ought to try, if it can, to determine these questions aside from personalities. But where any disputant in a public correspondence tells us a part of the truth there surely is no impropriety in asking him to tell us the rest of it. If Mr. Mellon chooses in the course of this long correspondence to make any statements about his affairs, then I hope that we will insist that he make a full disclosure. If any one of us in debate sees fit to introduce his own personal affairs into the discussion by way of illustration, then I hope that his brethren here on the floor will invite him to tell the whole truth, and so with any other public officials; but so long as one refrains from talking about his personal affairs, I think that he should be accorded the same courtesy that each of us expects, so long as he chooses to hold his peace about his own personal business.

I hope I have made my point clear. I would not have dreamed of asking the Senator from Michigan so impertinent a question if he had not already voluntarily interjected, by way of illustration, numerous statistics regarding his own affairs.

Mr. NORRIS. Mr. President, the Senator from Virginia and the Senator from Pennsylvania on part of this dispute have reached a common ground upon a matter that I think we will all agree with, namely, that it is desirable to know, in connection with this disputed question, who pays the big income taxes and who escapes payment.

When this income tax law was first proposed this same question arose. The Senators who are anxious to get this information admit that they have not the information. It is an impossibility to get it. The Secretary of the Treasury has it, but it is locked up. We have not access and the people have not access to the records. We who are going to be called upon to pass a new law on the subject are kept in absolute ignorance as to what the experience under this law has shown during the time it has been on the statute books.

Publicity is a great cure of governmental ills. When the first income tax law was brought before the Congress under a Democratic administration the proposition was made that we should have publicity of these returns, and at that time we had a roll-call vote upon the question. I think there was more than one roll call, but I have here one that was taken on the 5th day of September, 1916. On that roll call there were 26 Senators in favor of this publicity, 32 opposed to it, and 37 not voting.



When the administration changed, and the law was changed under a Republican administration, this same question again arose and another roll-call vote was had. It was taken on November 7, 1921. At that time there were 28 Senators who voted in favor of making these records public, 34 Senators who voted against it, and 34 Senators not voting.

Mr. President, if on either one of these occasions those who were in favor of publicity of returns had prevailed, and that provision had been put into the law, this discussion in the darkness and this lack of light for legislation would not be here. We would then be able to revise this tax law in the light of our governmental experience, which is going to be denied us now.

When you give your tax return to your local assessor he files it in his office. It is kept in the county seat. The reviewing board or equalization board has access to it, and any of the county taxpayers can come in and complain that his tax is too high or that your tax is too low. He does that because of the publicity, because the records are public. I never have heard of anyone being injured on account of that publicity, nor have I ever heard of any particular damage resulting to a man from having all his neighbors know the value of his taxable property that he himself has returned under oath; and I can not myself understand why, in making a Federal tax return under the income tax law, the same rule should not apply and the same kind of a law be in force.

That would remedy this difficulty. It would not only remedy the difficulty but all students of economics know that it would increase by many millions of dollars every year the taxes on incomes that would come into Uncle Sam's pocketbook. The fact that the return would be public, the fact that it would be within the province of anyone to point out what he might know about as being erroneous in the return of anyone's income, would of itself prevent that same kind of error creeping into the returns; and we would not have, as we always have had, and as we always will have, this continual talk about men escaping payment of their income taxes because the returns would be public. Everybody would know about them, and without any question that would not only bring to us the ability to legislate in the light and with the knowledge of our past experience but it would make it much more difficult for anyone to cover up his income and to creep out through the various loopholes the law has ready for him.

The Senator from Pennsylvania [Mr. REED], who has studied this question probably much more than I have, says that there are many loopholes—and there is not any doubt but that he tells the truth about that—by which wealthy men with large incomes escape taxation. If we should not change the law so as to shut up those loopholes, they would escape just the same under Secretary Mellon's plan as under anybody else's plan. If we had publicity of returns, we would know what those loopholes are, and where they are, and how many men are crawling through them.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield?

Mr. NORRIS. Yes.

Mr. REED of Pennsylvania. If the Senator has read the bill which has been introduced in the House of Representatives, he has seen that one of the largest loopholes is closed, and that is the one by which losses are registered by the large taxpayer. That has been the greatest source of loss of revenue to the Government. Such a provision is in the bill and will plug that hole.

Mr. NORRIS. If that be true, then will it not follow that even though we do not cut down, as Secretary Mellon wants us to do, the surtaxes on the large incomes, a lot of fellows who in the past have been going out of that loophole will be unable to continue to do it? So it is not proper to charge that there will be a continual loss of income tax because the surtaxes are too high.

At present these fellows are getting out of these loopholes, and the one that the Senator has mentioned is not the only loophole that will be found. There will be loopholes that we never will find until we are able to look into the returns, and we never will be able to do that until Congress passes a law that will make those returns public property, so that anybody can examine them and see where the loopholes are and where the difficulty lies.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield again?

Mr. NORRIS. Yes.

Mr. REED of Pennsylvania. Does not the Senator think that some light is cast into the darkness, of which he speaks, by the publication of such estates as that of Mr. William Rockefeller?

Mr. NORRIS. Yes, sir; I do. I am not denying that. I think light has been cast on it by the discussion between the able Senator from Michigan [Mr. COUZENS] and Secretary Mellon. Of course, I have no right to say to Secretary Mellon: "You ought to disclose your hand now, as the Senator from Michigan has done." He is not compelled to do that under the law. He has a perfect, legal right to decline; but being Secretary of the Treasury, and being, I presume, the author or, at least, the backer of this new plan of reduction of high surtaxes, and, being, as everybody knows, one of the wealthiest men in the world, and presumably having one of the largest incomes, and occupying a great place in the Cabinet of his country, what good work he could perform if he would lay his cards face up on the table and say: "I am not required to do this, but in answer to the challenge of the Senator from Michigan I say, 'Here are my returns. I will save so many dollars if my proposition to amend the law is enacted into law.'"

Why, Mr. President, in every lawsuit before any justice of the peace, anywhere in any civilized community where a man is trying to do something, where it is shown in the case that he has an interest in it, you can always show, as throwing light on his motives, what effect it will have on him.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield again?

Mr. NORRIS. In just a moment. You can always show the interest of the witness. You can always show the interest of either side to the controversy, as to whether it would be for their interest in a financial way or otherwise if this or that were done. It would have great weight with me, and I presume it would with millions of other common people in this country, if Secretary Mellon were able to show by his own case, using that as an illustration, as the Senator from Michigan used his: "If the proposal that I have made to cut down these big surtaxes is passed, I will save every year so much money, or I will lose so much money, or it will make no difference." In any case, those who judge his proposition would be able, as they have a right to do, to judge it in the light of his own personal interest in what he proposes.

Now I yield to the Senator from Pennsylvania.

Mr. REED of Pennsylvania. Would not the Senator think, then, that inasmuch as the Secretary of the Treasury has no vote on this subject, and as each of us has a vote, it is still more important that each of us who speaks or votes upon this matter of a revision of the tax law should disclose to the country what his interest is?

Mr. NORRIS. Exactly.

Mr. REED of Pennsylvania. Because we stand to be judged by our action, and each of us has a vote, and he has not.

Mr. NORRIS. I am perfectly willing, and when I propose that all these returns shall be made public I will not exempt Senators of the United States. They will be included just the same as anybody else, and they were included in both of these propositions that we voted on.

Mr. GLASS. Mr. President—

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

Mr. GLASS. May I ask if, in either event, the disclosure suggested by the Senator would determine the soundness of a tax measure?

Mr. NORRIS. No; I do not claim that.

Mr. GLASS. It would satisfy my curiosity, as it would that of other people—

Mr. NORRIS. No; it is not curiosity.

Mr. GLASS. And I grant that it might in some degree determine the sincerity of the Secretary of the Treasury in making certain recommendations to Congress; but, after all, it would not determine the soundness of a taxing policy.

Mr. NORRIS. I admit that. I do not claim that is the only thing involved in it. If I have given anybody that impression, he certainly has misunderstood me, or I have not been able to convey the idea I wanted to convey.

I am only claiming what I would claim if I were trying a lawsuit involving \$5, that when a witness went on the witness stand, if I was able to show, by cross examination of that witness, that he was directly interested in the result, I would have a right to do it, as throwing light upon the transaction. Every judge says to the jury when he charges them, "It is not only your right, but your duty, in considering the weight you should give to anybody's evidence, to consider what, if any, interest he has in the result of the suit, what bias or prejudice he may have."

Therefore it seems to me it would have a good deal of weight before the American people if they knew just how that proposition would affect Mr. Mellon himself.

Mr. CARAWAY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. I yield.

Mr. CARAWAY. Evidently the Secretary of the Treasury thought those things would influence people's conduct, because he says to the Senator from Michigan, "You are affected by reason of certain exemptions." He recognized that as proper to be known, so that you could judge of the sufficiency and disinterestedness of the testimony of the witness. Therefore, why should he not be fair and disclose his interest?

Mr. NORRIS. I think he should, as would persons interested in the result of even a lawsuit. It does not follow that he would testify falsely. A man may be directly interested and not shave the truth an iota; but the men who are passing on the case—the jury—will be told by the judge, who knows human nature, "You have a right to know that, and you have a right to consider it, together with all the other evidence in the case, and give it such weight as you think it is entitled to."

When Mr. Mellon proposes a certain tax scheme in lieu of one that now exists, if it should appear to the American people that it would decrease his taxes several million dollars every year, do you not suppose they would give that some weight? They might say, and it might be true, that that did not influence him a particle; but they have a right to know it when they pass judgment upon it.

Therefore, Mr. President, it seems to me it comes back to this: That we ought to have publicity of these returns. I can not myself see how it would hurt anybody to give publicity to his tax returns any more than it hurts one when publicity is given to his tax returns to his local assessor; and as far as I know, everywhere in the United States such returns are made public, and nobody objects to it. It does not hurt anybody.

It seems to me that if a man has a good big income he ought to feel pretty good if everybody knows about it. I would be glad, if I had that kind of an income, to have everybody know about it. It can not hurt anybody. We see now what good it would do. If such a law had been on the statute books from the time the first income tax law was passed until now, there is no question in my mind—and I do not believe there is any question in the mind of any student of economics—but that in the aggregate it would have increased the returns going into the United States Treasury, not millions but billions of dollars.

I do not intend to read these roll calls at this time, Mr. President, but if Senators have occasion to look them up they will find this about them, that some Senators voted the same way both times, on both those propositions—and they were in effect the same. Some Senators voted one way when their party was in power and the other way when the other party was in power. They voted one way when they had a man of their party in the White House who was moving the political and partisan checkerboard down here and they voted the other way when they were free, and I suppose then they voted their conscientious convictions. The object at one time was to save the party policy of one political party, and the other time the object was to put the other political party in a hole. But there were some Senators, as the roll calls show, who voted the same way both times, some on one side and some on the other—and I give one side just the same credit I give the other. The man who voted believing the returns ought to be kept secret, and conscientiously believed that, is entitled to credit for doing so. I concede that.

Mr. President, in due time there will be another tax bill before Congress. In due time that measure will reach the Senate, and in due time we will have an opportunity to vote on this question, because I call attention to the fact now that there will be a roll-call vote upon it.

Let us remember then what has happened to-day. All of this difficulty has arisen simply because we have not the law we ought to have had, and we will in the future put a law on the statute books that can be examined by anybody, so that after it has been on the statute books a year we will be able to know where the loopholes are, who gets out, and how he gets out, in order that we may shut those loopholes up.

Mr. DIAL. It seems to me, Mr. President, from the way Senators are consulting the roll calls on the desk of the Senator from Nebraska, that some of them have forgotten how they voted.

Mr. NORRIS. They are finding out. Senators can tell by either the smiles or the disappointed looks on the faces of the Senators who are examining the roll calls how they voted. [Laughter.]

Mr. JOHNSON of Minnesota. Mr. President, I desire to take only a few minutes of the time of the Senate. I intend to speak a little bit later on the tax problem.

I am for publicity, and I know that we will have it. I am indeed glad that the Secretary of the Treasury stirred up something when he proposed the Mellon scheme. In the great progressive State of Minnesota we have had publicity lately. I know that perhaps there are other States in this great Union which to-day are publishing the personal property tax statements, and I know that the Nation at large should give more publicity to them.

I understand the Senator from Pennsylvania [Mr. REED] is defending Mr. Mellon because Mr. Mellon is not a member of this body, and that he has not a vote on this proposition; and, by the way, I happened to make a little speech in a little town in Pennsylvania a few days ago. I am sure that Mr. Mellon to-day has men with fortunes behind them and also with ability and high standing, if not officials, men of high standing in their respective communities, to defend him.

I was of the impression that the judges of the courts in this country were not in politics. When I stated the other day in Philadelphia that the Mellon tax plan would not go through the way he proposed it if I had anything to say about it, I was hissed. That is all right. I did not kick on that, but I really kicked, when I got through speaking, when the chief justice of the supreme court of the great State of Pennsylvania got up and said, "We are going to see to it that the Mellon tax plan does go through, and if Congress at this session does not put it through, we will see to it that the next Congress will put it through."

This is mighty interesting when we are talking about investigations. We got after the Steel Trust, that big corporation that was mentioned only a few moments ago by one or two speakers. I have had something to do in regard to the Steel Trust in the State of Minnesota. We put a tax upon it. Of course they squealed, and they tried to evade it by going into the State supreme court, and also the Supreme Court of the United States, but we licked them on that proposition.

I am taking an interest in these tax debates, but I could just as well inform the Senator from Michigan [Mr. COUZENS] and also the Senator from Pennsylvania [Mr. REED] that as far as the country people are concerned, and especially the farmers—because I am one of them—we are interested in who is paying the taxes.

Some of us do not need to pay taxes any more, because we lost everything we paid taxes on, but I want to say that the Steel Trust of this country, which was forced to pay three or four million dollars into the treasury of a State like the State of Minnesota, will not help the people of the great United States if under the laws of this country it will have a right to take back the taxes paid from those who buy the things it produces. That would not help us at all. Therefore I tell both of these Senators that we do not care who paid the taxes. If Mellon pays \$1,000,000 taxes a year, that does not hurt him at all if he has an opportunity to go to the people of this country and get the money back.

Therefore I certainly approve of the remarks of the Senator from Nebraska [Mr. NORRIS] that there should be publicity. God knows we need more publicity, and there is going to be more publicity if the progressive forces of this country have anything to say about it at this session of Congress.

Mr. HEFLIN. Mr. President, this discussion is very interesting. It discloses the need for some very important legislation. As the Senator from Nebraska [Mr. NORRIS] has said, Why should not a record be provided by which the people of the country can know whether a man is paying taxes that are fair and just? I would be glad to support a measure providing for such a record.

The Senator from Pennsylvania [Mr. REED] tells us that the mighty rich are escaping the payment of taxes. They have done that always when the Republican Party was in power. I can tell the Senator how some of them escape taxes now. I think the Senator from Pennsylvania himself was present and voted for a measure which permitted them to escape certain kinds of taxation. I saw the Republican Party take off the profiteers' excess-profits taxes amounting to \$450,000,000 a year. If there ever was a tax that was fair and just, it was the excess-profits tax. There was no excuse for lopping off the profiteers' taxes which the Republican Party took off, amounting to \$450,000,000 a year.

I saw the Republican Party take off surtaxes to the amount of \$90,000,000 a year. In the four years of Republican administration, these profiteers' taxes and surtaxes would have amounted to \$2,100,000,000 in round numbers.

This, with the insurance features and the land features, would have paid the soldiers' bonus by the end of the present administration. I suggested that we continue that tax on



profiteers and that we let that surtax remain and use the money thus raised to pay adjusted compensation to our ex-service men. But no, these mighty men, influential with the Republican Party, whose wealth is powerful with the leaders of that party, demanded that the soldiers be put aside and that that tax be taken off, and it was done. The Senator from Pennsylvania [Mr. REED] suggests now that the rich are escaping taxation. The Senator from Arkansas [Mr. CARAWAY] said: "Why should they be complaining then about the tax if they do not pay it?"

Mr. President, when they took off that \$90,000,000 they said: "This is about as much as the country will stand at this time. The people will soon forget, and then we will take the other off." Now they view public opinion in the country with alarm. They think they are going to be driven from power this fall—and they are right about it—and they say they had better put this bill through now while they have a Republican President, Republican House, and Republican Senate, for they feel that the places that know them now will soon know them no more forever.

I saw in the Washington Post this morning where the leader of the Republican Party in this body, Mr. LODGE, and the leader of the Republican Party in the House, Mr. LONGWORTH, had decided to adopt conciliatory measures instead of reprisal tactics, and I thought of the story of the man who lived on the roadside and whose neighbor built a modern mansion just opposite his home on the other side of the road. He was filled with envy and jealousy. He wanted to dispose of that house. Late one afternoon when the workmen were gone, seeing this splendid frame house nearly completed, filled with shavings and fat dry timbers lying around, he tied a corn shuck to a cat's tail and struck a match to it and tried to shoo the cat across the road so it would run under this new building and dissolve it in flames. But the cat suddenly turned and ran under the man's own house and was about to set it on fire when the man threw a rock at the cat, saying, "Scat out from under there." But the cat did not scat. Then in his anxiety and desperation he changed his tactics and his tone and said softly, "Kitty, kitty, kitty." [Laughter.]

I wondered if the progressives in the House would respond to the "Kitty, kitty" call of the old guard. It was scat out from here just a little while ago, and the Washington Post, the administration paper, had double-column editorials excoriating the progressives, threatening them, abusing them, and trying to whip them into line. Now, the Senator from Massachusetts [Mr. LODGE], a past master in such matters, with the smooth artist in the House from the State of Ohio, Mr. LONGWORTH, have gotten together and they have at last decided that they would abandon the "scat, scat" tactics and employ "Kitty, kitty, kitty." [Laughter.]

Oh, Mr. President, if we can just get to the country what we are unearthing here now, things that have been going on in this Republican feast, scandals that smell to high heaven, there will be such a landslide in the country this fall as the people have not witnessed in a long time. The Republican Party seems to have thought when it came into power that it was licensed to go into the business of pillaging and plundering the material substance and natural resources of the country. There never has been a time in the history of the Government when greed for the dollar was so great among the grafters and when the almighty dollar was so potential and powerful with the party in power. Why, nobody fears prosecution and punishment at the hands of the party now in power. You can go into any kind of questionable business if you have a big bank account and contribute large sums to the campaign funds of the Republican Party; you can go home and go to sleep, because they will baby your case along until it has whiskers on it. No vigorous prosecution against a big crooked rich man has taken place. Show me one man who has money who has put on the stripes under this administration! But the poor fellows who have but little of this world's goods are overtaken and put into the penitentiary and are now eking out a miserable existence maybe for offenses they committed at the instance of crooks higher up, and the crooks higher up are clipping their coupons and driving in their big limousines and writing checks for contributions to the campaign funds of the Republican Party.

I thank God for the signs that I see of an awakened conscience amongst the masses of America. The day is not far distant when there will be a new declaration of independence. It is coming this year—the independence of the people from the money lords of the United States. The most dangerous trust in America to-day is the money trust. Several thousand greedy millionaires forming themselves into a band of maraud-

ers are marching upon the Capital for the purpose of taking taxes off themselves and placing the tax burden upon the people in the common walks of life, the rank and file of the masses of over 100,000,000 of people. "Do what we tell you to do. Did not we furnish your campaign funds?" say these tax dodgers. "Why, certainly." "Well, take that tax off." There were thousands of soldier boys who had but little to live upon. They were discharged from the Army when they were getting the dollar a day, and discharged when a panic was upon the country and the deflation hogs were devouring our material wealth, making for themselves millions and hundreds of millions of dollars. We must do something for these boys. They saved our liberty and the liberty of the world. But they say, "Away with that. They are commercializing their patriotism." They are doing nothing of the kind.

Mr. President, if we have another war while I am serving here, I am going to have something to say about getting more men to the front who possess large financial fortunes. Why should I be criticized and why should other Senators be criticized for saying to the soldier and to the country and to the rich of the country who made money out of the war that we have not paid the boys enough? They have an account against the Government, and I for one am willing to hear them on it. I want to pass judgment on it, and if the country ought to pay them more per day than we have paid them—not a bonus; it is not a bonus; it is doing justice to them by giving to them adjusted compensation—why should I be criticized for it and why should the soldier be criticized for asking that this bit of justice be done him by his country?

We have reached the point in this country that every other country that has perished has reached when it got on the downward grade, and that is when the purse-proud plutocrats, banding themselves together, every crooked interest tying itself to every other crooked interest, until the power of greed and the power of predatory wealth became a menace and a danger to the liberties of the people. We have reached that time right here in the United States of America.

What are we to do? Where are we to go? We shall appeal to the judgment and the conscience of the intelligent men and women of the country and ask them, "Are you ready to demand at the hands of the Government the enforcement of the laws of justice? Are you ready to demand the adoption of principles and policies which will bring about the greatest good to the greatest number?"

I rejoice that the time has come when the American people are being aroused to the importance of having a thorough housecleaning in Washington and the driving from power those who have practiced deception upon the public and been unfaithful to the American people. Rich coal lands have been squandered to coal kings under Republican control. The Nation's oil lands have been squandered to oil kings under Republican rule. The natural resources of the Government become a matter of speculation and barter when the Republican Party is in power. That is plain talk, Mr. President, but it is the plain truth.

Mr. McKELLAR. Mr. President, we have some things, however, for which we should be thankful. Mr. Albert W. Fox, one of the most brilliant of our newspaper correspondents in the Capital, and one perhaps nearest to our Republican administration, usually speaking by the card, wrote a very interesting article this morning headed "Coolidge policies at Capitol backed by minority only." In the article he undertakes to show that the Republican organization in the two Houses and the Republican administration have at last realized they do not have a majority in each body, and that therefore they are going to let Congress pass its own revenue bills. I want to read just the concluding sentence by this correspondent who speaks by the card and sits right under the throne. We know he always reports accurately and faithfully what is told him. The concluding paragraph reads as follows:

It is now realized generally that the Mellon bill will be changed and that the changes will be the result of compromises. It was made clear at the White House on Friday that the President appreciates this phase of the situation. The work of preparing a tax-reduction program for the country will now go on, it is explained, and the best means of expediting such work, it is added, will be to let the Congress have full and unhampered opportunity to register its judgment.

I congratulate the Congress upon having the permission of the administration to register its judgment unhampered by the administration. But is it not a remarkable thing—the Congress, upon whom devolves the duty under the Constitution of raising all the revenues for the Government, having to be permitted by the administration to do its work?

I join with this correspondent in congratulating not only the Congress itself but the country upon the fact that President Coolidge and his administration have at last, when they have found defeat staring them in the face, when they know they can not put through this measure without dotting an "i" or crossing a "t" as they first declared they were going to do, when they find an outraged people rising up against any such nefarious measure, that they are willing to let Congress register its judgment. They are willing, Mr. President, simply because they know they can not themselves control it and because they know that the Members of this Congress are going to pass a tax-reduction bill which will be a real tax-reduction bill; one that will reduce taxes equitably, fairly, and justly on all the income-tax payers of the United States and not merely upon a favored class of wealthy income-tax payers.

While I am on my feet, Mr. President, I wish most heartily to commend the views of the Senator from Nebraska [Mr. NORRIS] in regard to the publicity of income-tax returns. Publicity is the only way to bring about a fair and equitable adjustment of income taxes. Who knows what income taxes are being paid? Who can tell? There is not a Member of Congress who has a right to look into the matter. We have ourselves cut off our right to look into the matter of the evasion of such taxes. A man may be worth a thousand million dollars and yet may be escaping all taxes under the present régime. We do not know whether or not such a man is paying an income tax. We, however, ought to know it. Every income-tax return should, under proper rules and regulations, be made public for examination. I am happy to say that I was one of those who in 1921 voted for the publicity of tax returns. I shall do so again, and I hope the next time with more success, for we shall never get an honest administration of the income tax law until we have publicity of tax returns.

#### HEIRS OF AGNES INGELS, DECEASED.

The PRESIDING OFFICER. The Secretary will state the next bill on the calendar.

The bill (S. 1765) for the relief of the heirs of Agnes Ingels, deceased, was announced as next in order.

Mr. DIAL. Mr. President, this is one of those bills which ought to be referred to the Court of Claims. The report of the committee, on page 7, shows that the accident involved was unavoidable. The report states:

The two accidents were immediately investigated by the board of officers, which found that the accidents were unavoidable and not due to neglect or carelessness on the part of the driver of the Dodge truck.

Mr. President, I wish to be consistent in these matters, but this bill shows the improper way that we have of appropriating money. Here is a report of the Government official who investigated the case, which states that the accident was unavoidable on the part of the driver of the truck.

Mr. CURTIS. Mr. President—

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Kansas?

Mr. DIAL. I yield.

Mr. CURTIS. If the Senator is going to ask that the bill go over, may it not now go over in order that the matter may be looked into before we reach the calendar to-morrow?

Mr. DIAL. Yes; I have no objection to the bill going over, if that be the desire.

The PRESIDING OFFICER. The bill will go over.

#### BILLS PASSED OVER.

The bill (S. 1330) for the relief of the estate of Ely N. Sonnenstrahl, deceased, was announced as next in order.

Mr. DIAL. I ask that that bill go over.

The PRESIDING OFFICER. Being objected to, the bill will go over.

The bill (S. 1918) relative to officers in charge of public buildings and grounds in the District of Columbia, was announced as next in order.

Mr. McKELLAR. Mr. President, I have just looked over that bill very hastily, but I see from section 4 of the bill that it is largely, if not entirely, a bill to raise the salaries of certain officers. I had rather look into the bill, and I will ask that it go over.

The PRESIDING OFFICER. The bill will go over.

Mr. McKELLAR. I wish to suggest that I hope whatever Senator reported the bill will offer an explanation of the bill to-morrow.

#### CHANGE OF NAME OF KEOKUK STREET TO MILITARY ROAD.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 113) changing the name of Keokuk Street, in the county of Washington, D. C., to Military Road, which was read, as follows:

*Be it enacted, etc.*, That the name of the street known as Keokuk Street NW., extending from Military Road at Twenty-seventh Street to Wisconsin Avenue, be, and the same shall henceforth be, known as Military Road. And the Commissioners of the District of Columbia are hereby directed to cause the name of Military Road from Military Road at Twenty-seventh Street to Wisconsin Avenue NW. to be placed upon the plats and maps of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS PASSED OVER.

Mr. McKELLAR. Mr. President, the four remaining bills on the calendar involve a change from the existing law now in force in the District of Columbia. They provide that a different rule shall be put in force because of special reasons. I therefore ask that all of those bills go over.

The PRESIDING OFFICER. The bills will go over.

The bills referred to are as follows:

A bill (S. 1339) to authorize the widening of Georgia Avenue between Fairmont Street and Gresham Place NW.;

A bill (S. 1341) to authorize the opening of a minor street from Georgia Avenue to Ninth Street NW. through squares 2875 and 2877, and for other purposes;

A bill (S. 1784) to provide for the closing of a portion of Massachusetts Avenue NW., in the District of Columbia, and for other purposes; and

A bill (S. 1343) to authorize the widening of Fourth Street, south of Cedar Street NW., in the District of Columbia, and for other purposes.

#### EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 22, 1924, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate January 21, 1924.*

##### PROMOTIONS IN THE DIPLOMATIC SERVICE.

*From secretary of embassy or legation of class 2 to secretary of embassy or legation of class 1.*

Frederic O. de Billier, of the District of Columbia.  
Frederic R. Dolbeare, of New York.  
Francis White, of Maryland.  
Norman Armour, of New Jersey.  
Allen W. Dulles, of New York.

*From secretary of embassy or legation of class 3 to secretary of embassy or legation of class 2.*

Frederick C. Chabot, of Texas.  
J. Theodore Harbner, of Maine.  
Clarence B. Howes, of Louisiana.  
Jay Pierrepont Moffat, of New York.  
Richard B. Southgate, of Massachusetts.  
James Clement Dunn, of New York.  
Myron A. Hofer, of Ohio.  
F. Lamont Belin, of Pennsylvania.  
George A. Gordon, of New York.

*From secretary of embassy or legation of class 4 to secretary of embassy or legation of class 3.*

Benjamin Muse, of Virginia.  
Cord Meyer, of New York.  
J. Webb Benton, of Pennsylvania.  
Frederick P. Hibbard, of Texas.  
G. Harlan Miller, of Pennsylvania.  
H. Dorsey Newson, of New York.  
Foster Stearns, of Massachusetts.  
Jefferson Patterson, of Ohio.  
Elbridge D. Rand, of California.

##### MEMBER OF THE FEDERAL TRADE COMMISSION.

George B. Christian, jr., of Ohio, to be a member of the Federal Trade Commission for the term expiring September 25, 1925, vice Victor Murdock, resigned.



## SURVEYOR GENERAL OF ARIZONA.

Charles M. Donohoe, of Arizona, to be surveyor general of Arizona, vice Frank P. Trott, whose term will expire January 25, 1924.

## UNITED STATES DISTRICT JUDGES.

Frank H. Kerrigan, of California, to be United States district judge, northern district of California, vice William C. Van Fleet, deceased.

Charles N. Pray, of Montana, to be United States district judge, district of Montana. (An additional position created by the act approved September 14, 1922.)

Charles B. Davis, of Missouri, to be United States district judge, eastern district of Missouri. (An additional position created by the act approved September 14, 1922.)

## UNITED STATES ATTORNEY.

Allen Curry, of Missouri, to be United States attorney, eastern district of Missouri, vice James E. Carroll, resigned. (Mr. Curry is now serving under a recess appointment.)

## PROMOTIONS IN THE REGULAR ARMY.

*To be colonels.*

Lieut. Col. Howard Campbell Price, Infantry, from January 3, 1924.

Lieut. Col. Walter Bogardus McCaskey, Infantry, from January 8, 1924.

Lieut. Col. Oliver Hart Dockery, jr., Infantry, from January 16, 1924.

*To be lieutenant colonels.*

Maj. Glen Fay Jenks, Ordnance Department, from January 3, 1924.

Maj. Clarence Beaumont Ross, Coast Artillery Corps, from January 8, 1924.

Maj. Richard Henry Jordan, Quartermaster Corps, from January 16, 1924.

*To be majors.*

Capt. Paul Alfred Hodgson, Corps of Engineers, from January 3, 1924.

Capt. Donald Angus Davison, Corps of Engineers, from January 3, 1924.

Capt. Henry Spiese Aurand, Ordnance Department, from January 8, 1924.

Capt. Thomas Bernard Larkin, Corps of Engineers, from January 16, 1924.

*To be captains.*

First Lieut. Louis Arthur Witney, Infantry, from December 23, 1923.

First Lieut. Ade Orrill, Infantry, from December 24, 1923.

First Lieut. Oscar Glenn Stevens, Infantry, from December 28, 1923.

First Lieut. William Thomas Brock, Infantry, from December 29, 1923.

First Lieut. John Edward Langley, Corps of Engineers, from December 30, 1923.

First Lieut. Lorenzo Dow Macy, Infantry, from January 1, 1924.

First Lieut. George Augustus Jahant, Infantry, from January 3, 1924.

First Lieut. Curtis DeWitt Alway, Infantry, from January 3, 1924.

*To be first lieutenants.*

Second Lieut. John Endler, Infantry, from January 3, 1924.

Second Lieut. John Howell Collier, Cavalry, from January 3, 1924.

## APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY.

## JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Maj. Basil Duke Edwards, Infantry, with rank from July 1, 1920.

## SIGNAL CORPS.

First Lieut. Charles Wesley Wood, Quartermaster Corps (detailed in Signal Corps), with rank from July 1, 1920.

## FIELD ARTILLERY.

Maj. William Anderson Raborg, Cavalry, with rank from July 1, 1920.

Capt. Charles Conrad Brown, Quartermaster Corps, with rank from July 1, 1920.

## COAST ARTILLERY CORPS.

Second Lieut. Kenneth Eugene Webber, Air Service, with rank from June 12, 1923.

## AIR SERVICE.

Maj. Hugh Johnston Knerr, Coast Artillery Corps (detailed in Air Service), with rank from July 1, 1920.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 21, 1924.*

## UNITED STATES DISTRICT JUDGE.

Ernest F. Cochran to be United States district judge, eastern district of South Carolina.

## UNITED STATES MARSHAL.

Samuel L. Gross to be United States marshal for the northern district of Texas.

## POSTMASTERS.

## ILLINOIS.

Alice Bacon, Buckner.

George T. Schuler, Mounds.

## MICHIGAN.

Lila Botsford, Comstock.

Edna B. Sargent, Levering.

Mathew A. Braml, Ramsay.

Frank W. Thompson, Reese.

## MISSOURI.

William W. Shoop, Green City.

Myrtle V. Duncan, Iberia.

## NEW JERSEY.

George W. Schloendorn, Clementon.

## NORTH DAKOTA.

Edith M. Will, Leith.

## HOUSE OF REPRESENTATIVES.

*Monday, January 21, 1924.*

The House met at 12 o'clock noon.

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

We bless and praise Thee our Father in heaven for all the wonderful works of Thy hands and for the depth of the riches of the wisdom and the knowledge of God. How unsearchable are Thy ways, and yet goodness and mercy are the marvelous expressions of Thy glory, which rises in universal assurance and says: "Lo, I am with you always." Oh, let the moral beauty and the spiritual excellence of Jesus of Nazareth be revealed unto us. He makes us love God, because He makes God lovable; He makes us know God by making God knowable. Do Thou make our souls braver and more hopeful so they shall leave an atmosphere of sweetness and light that can not be dimmed. Bless our country and our President and direct this Congress in all its ways. Amen.

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

## SWEARING IN OF A MEMBER.

Hon. JAMES A. GALLIVAN of Massachusetts appeared at the bar of the House and took the oath of office.

## PERMISSION TO ADDRESS THE HOUSE.

Mr. YATES. Mr. Speaker, I ask unanimous consent to address the House at the conclusion of the remarks of the gentleman from Michigan [Mr. Cramton].

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for five minutes at the conclusion of the remarks of the gentleman from Michigan [Mr. Cramton]. Is there objection? [After a pause.] The Chair hears none.

## MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had insisted upon its amendments to the joint resolution (H. J. Res. 82) extending the time during which certain domestic animals which have crossed the boundary line into foreign countries may be returned duty free, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. Smoot, Mr. McLean, and Mr. Jones of New Mexico as the conferees on the part of the Senate.

## SENATE BILL REFERRED.

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

S. 384. An act to authorize the building of a bridge across Waccamaw River in South Carolina, near the North Carolina

State line; to the Committee on Interstate and Foreign Commerce.

S. 1. An act granting a pension to Florence Kling Harding; to the Committee on Pensions.

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

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

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

#### PERMISSION TO ADDRESS THE HOUSE.

The SPEAKER. By special order of the House the gentleman from Michigan is recognized for 30 minutes.

Mr. CRAMTON. Mr. Speaker, I will be glad to be notified when I have consumed 25 minutes.

Mr. Speaker and gentlemen of the House, this day there meets in Washington the Association Against the Prohibition Amendment in a so-called face-the-facts conference. I would, therefore, call attention at this opportune time to some facts deserving of consideration in connection with this association which has in its aims, its policies, and its methods more possibilities of evil for the future political, industrial, and moral welfare of our land than any other organization now in existence. [Applause.] It is an organization opposed to law enforcement, promoting, thriving upon, and rejoicing at triumph of crime and disorder over law and order. It brazenly proclaims by its title its opposition to a part of the Constitution of the United States, the fundamental law of the land—that Constitution which is the very code of Americanism wherein from time to time our democracy has enshrined its political policies and ideals. It zealously proclaims in its constant propaganda its right and the purpose of its membership to respect, support, and obey only such part of that Constitution as it suits their purposes and their appetites to conform to. It exalts the individual will, the personal desire, and would undermine the effectiveness of the formal decision of a great Nation on a question affecting the common welfare of all its people. Through its opposition to prohibition of the liquor traffic it has become the outstanding opponent of law effectiveness.

It appears to have in its membership a large number of men of high standing in their communities, of eminence in the professions, or in the world of finance. It is only because of this that the Association Against the Prohibition Amendment is dangerous to the Nation's welfare. America does not need to fear organized criminals and bootleggers. But when men of high place in legitimate callings, men fitted for and insisting upon leadership, lend their names and their influence to direct attack upon the Constitution and seek to justify its nullification, lovers of our country who have due regard for its institutions and for supremacy of law and order may well give heed. [Applause.]

The following facts demand your thought:

1. *The Association Against the Prohibition Amendment was formed for the avowed purpose of nullifying the eighteenth amendment.* From its very beginning the Association Against the Prohibition Amendment has proclaimed its nullification program. In its prospectus, issued soon after the incorporation of the organization in April, 1919, before the war-time prohibition measure had gone into effect, but some months after the eighteenth amendment had been ratified in the manner prescribed by the Constitution, it declared:

This association has two immediate aims: (1) To prevent the country from going on a bone-dry basis on July 1 and (2) to make the eighteenth amendment forever inoperative.

2. *To bring about nullification, it opposes any laws, State or Federal, for enforcement of the eighteenth amendment.* In its literature it has constantly declared its purposes to be:

A. To get the Volstead Act out of the law and to keep it out.

B. To oppose the passage of similar tyrannical laws, and to endeavor to have the enforcement of the eighteenth amendment (so long as it remains in force) left to the people of the several States under the "concurrent" clause.

C. To work patiently, lawfully, fairly, and patriotically for the repeal of the prohibition amendment and in the hope that the Constitution of the United States will hereafter be preserved from mutilation by an organized fanatical minority.

If the association confined its labors to patient, lawful, fair, and patriotic efforts for repeal of the eighteenth amendment, there could be no criticism of its course even by those who would disagree with its wisdom. But it makes no such efforts. It seeks, rather, repeal of the eighteenth amendment as a surrender by Uncle Sam to the lawless, to be brought about by nonenforcement.

As to enforcement of the eighteenth amendment, the policy of the organization and its leaders is clear:

1. No Federal enforcement.

2. No State enforcement.

Their policy is typified by the course of their "typical Member" and spokesman in this House, the gentleman from Maryland, the Hon. JOHN PHILIP HILL, who advocates repeal of the Volstead law, and has assured this House that, due in part, at least, to his leadership, "there will not be any enforcement act in Maryland in the next three years." And in New York the association actively aided in repeal of the State enforcement law and proposes nothing in its place.

So hamstrung, they would make the eighteenth amendment "forever inoperative." Such is the course of modern nullification. It is for this that lawlessness reported from any place in our land brings joy to the headquarters of the Association Against the Eighteenth Amendment.

3. *No American institution is high enough, sacred enough, to be safe from attack of this organization formed to make "inoperative" the fundamental law.* The Supreme Court of the United States was itself the object of attack by the nullificationists. In its prospectus, the closing paragraph asserted that the highest tribunal in the Nation, the guardian of the constitutional rights of the people, the very fountainhead of justice, may be influenced, if not intimidated, by a "crystallized" public opinion. This is the language quoted from that document of the Association Against the Prohibition Amendment:

As to the Federal prohibition amendment, all the lawyers who have been consulted are unanimous in the statement that it is illegally a part of the Constitution of the United States and that, therefore, the United States Supreme Court will declare it null and void. But the members of the United States Supreme Court are extremely sensitive to public opinion. They must be made to feel the weight of public opinion that has been aroused all over the country by this attempt to prohibit, by constitutional amendment, the natural and inherent rights of free men in a free country. That sentiment can only be crystallized by the expenditure of a very considerable sum of money, and the Association Opposed to National Prohibition has nowhere near enough money to prosecute the campaign.

Public opinion has its legal and orderly method of expression through elections, petitions, or court procedure. "Crystallization" is a rather vague phrase, but there is nothing vague about the false assertion that the decisions of the supreme tribunal of the land are "extremely sensitive to public opinion."

As yet, fortunately, the association has neither been able to "crystallize" public sentiment nor tamper with the Supreme Court. It is simply a startling example of the reckless disregard of all else in the struggle for booze.

4. *The association has close liaison with the liquor interests.* In its literature the association frequently refers to what it terms a clause in its general rules to the effect that "brewers and distillers are ineligible to voting membership." No statement is made concerning contributions from such sources. The following letter may illustrate possible channels of revenue for those who are working to repeal the outlawry of brewers:

MILWAUKEE, WIS., October 6, 1922.

GENTLEMEN: In view of the fact that the Wisconsin division of the Association Against the Prohibition Amendment has done such wonderful work during the last primaries, having been positively instrumental in securing 8 "wets" out of the 10 congressional candidates, and all of which facts were again praised and confirmed by Mr. Dietrichs, of Chicago, at our meeting held yesterday, it was unanimously decided to give them further financial aid in order that the association might be able to complete the work they have set out to do.

To this end we permitted ourselves to be assessed for half of the amount contributed at our previous meeting, namely, at the rate of 5 cents per 1,000 bushels of steeping capacity.

In as far as the money is needed now, will you not be kind enough to forward immediately to the undersigned your check for \$———?

Very truly yours,

WISCONSIN MALSTERS' CLUB,  
Per WALTER A. ZINN, P. O. Box No. 47.

A blue ticket inclosed with this letter read as follows: "No money for our soldiers unless you bring back beer. Moonshine pays no taxes."



5. *The proposal of the association for return of beer and wine is not possible under the present Constitution.* The courts have taken judicial notice that beer and wine are intoxicating, and hence forbidden by the eighteenth amendment. Wine that contained so little alcohol as to be nonintoxicating would not be wine. The "beer and wine" slogan is useful to rally the votes of those whose thirst and gullibility exceeds their knowledge of the Federal Constitution, but its proponents know they are "imagining a vain thing."

6. *Supremacy of law is a greater issue than the use or prohibition of liquor.* While Vice President, Calvin Coolidge declared at Reynoldsville, Pa.:

Law reigns. It is the source of order, of freedom, of righteous authority, of organized society, and also of industrial success and prosperity. To disregard it is to perish, to observe it is to live, physically, mentally, morally, spiritually.

In his Denver speech last July the late lamented Harding, speaking of this very issue and after long official contact with the problem, declared:

I do not see how any citizen who cherishes the protection of law in organized society may feel himself secure when he himself is the example of contempt for law.

A millionaire member of the Association Against the Eighteenth Amendment has no more right to claim protection of constitutional guaranties of property rights while refusing to respect and support the constitutional provision for national sobriety and the common welfare than has the "down-and-out" to plead the law of necessity as a justification for taking the property of another without "due process of law." [Applause.]

Former Vice President Marshall, who was not an advocate of national prohibition, well said January 7, 1923:

When citizens of foreign birth note the attitude of mind and observe the conduct of other citizens who appear to be leaders in all walks of life toward the Volstead law, what ideas do they gain about the Government; what impression do they receive as to the kind of Americans they ought to be? \* \* \* We are going to have much difficulty in teaching our foreign-born man to be a law-abiding citizen so long as he has examples of so-called good citizens who reserve the right to eliminate certain laws from among those which they voluntarily obey. And we are doing a very bad thing when we tell him that those laws can not be enforced. That should be said of no law, and no law should be repealed because it can not be enforced. It should be enforced to its strictest letter until citizens, voluntarily obeying it, go about its repeal in an orderly manner. \* \* \* We can not make Americans out of foreigners by teaching them principles and at the same time showing them that loyalty to them is merely lip service. We will make of them good Americans only when we keep and enforce our laws.

Chief Justice Taft has said:

If every man thinks every law must suit him in order to obey it, he is not a democrat but an anarchist.

7. *The Association Against the Prohibition Amendment is in large part responsible for whatever failure prohibition enforcement has suffered.* It daily prophesies failure, justifies violation of the law, opposes enforcement, throws its influence on the side of lawlessness when it ought to be on the side of law and order. It seeks to constitute itself, and in some States no doubt is, the balance of power that throws the victory to the violator rather than to the law. It is not playing the game of self-government fairly. [Applause.] What William Howard Taft said February 5, 1919, applies to the Association Against the Prohibition Amendment:

This is a democratic Government, and the voice of the people expressed through the machinery provided by the Constitution for its expression and by constitutional majorities is supreme. Every loyal citizen must obey. This is the fundamental principle of free government. Those who oppose passage of practical measures to enforce the amendment, which itself declares the law and gives to Congress the power and duty to enforce it, promote the nonenforcement of this law and the consequent demoralization of all law. This was the evil result of the amendment prophesied, and they are thus doing all they can to vindicate their view. Such a course is unpatriotic and is not playing the game of self-government fairly.

In a recent personal letter to me, Hon. Arthur J. Tuttle, United States district judge for the eastern district of Michigan, who has served many years on the Federal bench with high credit to himself and to his country, says:

For the present discussion, passing over all those officials who dishonestly conduct themselves and try to make the law a failure, I think the harm done by well-meaning and honest officials and indi-

viduals could be enumerated in three classes: (1) Those who by word of mouth and publication continually circulate the reports and statements that numerous people are becoming rich by unlawful traffic in liquor; (2) those officials and individuals who are repeatedly declaring that the law can not be enforced; (3) those judges who, through sympathy and kindness of heart, are imposing very light sentences for violation of this law.

I can't help but feel, after confidential talks with hundreds of offenders of this kind, that very many of them are taking up the unlawful pursuit because they have the mistaken notion that they can get rich, the officers will not catch them, and if they do catch them they will get off with a little fine. I think there is no more mistaken notion broadcast to-day than the one that very many men are accumulating fortunes in this way. I know that people believe that, but I am equally certain that if they will go at it and make a careful study of the situation they will find that out of every 100 reports of rich men who have accumulated fortunes in this way they will not average 1 where the actual facts bear out the reports. The truth is the majority of the men who go into this unlawful business turn out like everyone else who undertakes an unlawful thing—they get poor, unhappy, and eventually land in jail.

Of course, every time they hear that this law can't be enforced it encourages them to take a chance on making some money in the belief that they will not get caught at it. It is not a difficult law to enforce from the standpoint of getting the evidence. Intoxicating liquor is bulky stuff as compared with narcotic drugs and many other things in which men unlawfully traffic. In other words, it is necessary for them to handle a lot of liquor in order to make \$100. While one woman can put \$100 worth of morphine in the hair of her head and walk around town without being discovered except by careful examination, and \$1,000 worth of counterfeit money can be carried in the inside vest pocket, common sense tells us that if a man is bootlegging it is not difficult to get the evidence. The principal difficulty, as I see it, is the large number engaged in the business. That, as I have said, results very largely from the three things which I have mentioned. It may not be easy to remedy those things but, if I am right about it, it is the duty of those who want to see the laws and Constitution of their country enforced to try to remedy those things.

The leader in the whole movement to discredit the law and make it "inoperative," as originally promised by it, is the Association Against the Prohibition Amendment.

A few days ago the Detroit Free Press ran a short editorial with reference to this "Facing the facts conference," heading it "How about facing this fact?" The Free Press was always an avowed opponent of prohibition, but since its incorporation as a part of the Federal Constitution is rendering splendid support to enforcement of the law. It said:

The Association Against the Prohibition Amendment announces a "face-the-facts conference" to be held in Washington January 21. The forecasts indicate that those who attend the conference will work from the general premise that prohibition has been and is a hopeless failure. There is no human likelihood that this preconceived verdict will be altered in any material way. Consequently it will be a waste of breath for the dregs or anybody else to argue this main point with those who are delegates to the gathering.

But the question of the cause of the condition which the Association Against the Prohibition Amendment asserts exists is a little different matter. And if the members of that association are conscientious and really undertake to face all the facts they can not avoid asking how far they themselves are responsible for whatever failure prohibition enforcement has suffered, because they have persistently disobeyed the eighteenth amendment and have tried to cripple the agencies for its enforcement. In short, how many of the members of the organization will go to Washington with clean hands?

Such a statement from a great daily in one of the country's greatest industrial centers should be a revelation to these nullifiers of New York, Boston, Philadelphia, and Washington as to just how provincial is the eastern attitude.

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

Mr. CRAMTON. I will be glad to yield for a question.

Mr. TILLMAN. The gentleman refers to what some people charge as a failure of the enforcement of the Volstead Act. As a matter of fact, the Volstead Act is not a failure.

Mr. CRAMTON. It is not a failure, and I am very glad the gentleman asked that question. I have not time really in this speech to discuss it, but, using only two minutes, I want to call two witnesses upon that question. One of them is Mr. Brisbane, the noted editor, not noted for his advocacy of this particular policy, who writes as follows:

However, accidents have diminished by 250,000—prohibition deserves all credit there. And while New York statistics show many more arrests for drinking in 1923, compared with 1922, the 1923 number is 30 per cent below the days before prohibition.

Next is that of Roger W. Babson, who says:

The great improvement in business which followed the war was very largely the result of the influence of prohibition and the salvage of our former waste of \$2,000,000,000 or more each year due to the liquor traffic. I know of no other way to account for the great impetus in home building, the tremendous numbers of new automobiles purchased, the larger volume of department-store sales, accompanied at the same time by a continued swelling of savings-bank deposits, when the tendency of business as a whole should normally have been downward.

Perhaps I may also be pardoned for calling a third witness, one of my constituents, a country editor, my fellow townsman, Mr. Forrest Lord, publisher of the Lapeer County Clarion. In the recent prohibition contest of Collier's Magazine Mr. Lord won second prize by his statement. I would have given him first place. In any event in a few words he demolishes the whole program of the Association Against the Prohibition Amendment, beer, wine, and all. This is Mr. Lord's statement:

I have lived among the lumberjacks of northern Michigan, and in the city of Detroit under both wet and dry conditions; have visited Europe; seen the results of the licensed sale of hard liquors in England and Scotland; observed the practical working out of Norway's prohibition law. And I still believe that the American people did a wise thing when they adopted the eighteenth amendment, and that it should be respected and enforced.

In one week I saw more drunkenness in Great Britain than I have seen in the United States in five years. I visited the Merchants' Club in Christiania. My host ordered whisky and got it. No questions asked; no attempt at concealment. Plenty of wine and beer to be had without violating Norway's prohibition law, but everyone around me was drinking whisky. Four American battleships came into the harbor. Two thousand marines spilled into the city. Three hours later the parks were filled up with spewing American youths, drunk and sick on Norway's "light wines and beer."

And this is what a liberal minority want to foist on the American people.

Will wine and beer satisfy the American thirst? It hasn't the Norwegian. Our prohibition enforcement problem, discouraging as it is, is nothing compared with Norway's. When we see a man drunk in this country it is evidence that some one has violated the law. In Norway they don't know whether he is drunk on legal beer or illegal gin. My observations in Norway convince me that there can be no halfway measures.

I think the Volstead Act should stand; that the people of the United States should emerge from their cloak of hypocrisy and obey the spirit of the eighteenth amendment; that prohibition should be given an honest trial, which it has never had. If then it fails to stand the test, I am ready to compromise. I want what is best, not for myself, but for my country.

FORREST LORD.

8. *Leadership which leads to nullification is inglorious.* These leaders of the professions and in finance whose names bolster a discreditable cause, and we who are gathered here to legislate for the most progressive people in the world, leaders in a Government framed to advance the common good of all, should all appreciate our responsibilities.

Edgar A. Guest recently wrote Law and Leadership, which I will read to you in closing. It is for the nullifiers; it is for us all as well:

He who is wise is the strength of the fool, the strong is the guide to the weak,

As a man and his wife are we bound in our race and one common glory we seek.

And the law is our tie and who laughs at the bond or shrinks from the duty it asks

Shall find with the morning the men of the field unwilling to go to their tasks.

For all was it written, the great and the low, for the dull and the wise is it said,

This you must do for the good of our land and this is the path you must tread.

And the rich man, the great man, the wise man who sneers and turns to an easier way

Shall find with the morning the men of the field unwilling the law to obey.

High the example the great man must set, wise deeds must come from the wise,

Much must be done by the man who has much or all of his glories are lies.

And if wise men shall scoff at the law of the land it must follow as night follows day

That the men of the field, seeing all that you do, shall also refuse to obey.

You who are leaders must lead to what's best or our Nation goes down in despair;

If you shall venture to scorn of the law, your people will follow you there.

They see what you do and they know what you are, and if to the law you're untrue,

You shall find, with the morning, the men of the field betraying our country as you.

[Applause.]

Gentlemen, I thank you. [Applause.]

Mr. BLANTON. Will the gentleman from Michigan yield?

Mr. CRAMTON. I will yield to my friend.

Mr. BLANTON. There has been a resolution introduced in the House to investigate the Anti-Saloon League, which is composed of the leading men and women of this Nation who stand in their respective communities for morality. I want to ask the gentleman if he does not think at the same time it would be wise to introduce in the House a resolution to investigate this organization so as to know exactly the wherefores of the various men who are behind it?

Mr. CRAMTON. Mr. Speaker, I have no desire to bring on a joint debate between the gentleman from Texas and my friend from Maryland [Mr. HILL], who is also on his feet.

Mr. BLANTON. I thought possibly if the gentleman introduced the resolution the other one might be withdrawn.

Mr. CRAMTON. I do recall—

Mr. HILL of Maryland. Will the gentleman yield for just one question?

Mr. CRAMTON. In just a moment. I do recall, with reference to a former resolution introduced by the gentleman from Maryland, that when we proceeded to widen its scope we heard no more of it. When considering the resolution with reference to some remarks the gentleman from Georgia [Mr. UPSHAW] had made outside the Chamber alleged to impugn the integrity of Members of the House, and the attention of the gentleman from Maryland having been directed to the fact that he himself had more flagrantly impugned the virtue of Members of the House in his speech in St. Louis, and it being suggested that his resolution be broadened to include his own remarks, we heard nothing more of it. I am not, however, one who believes that we are ever going to get far by constantly investigating. I believe in legislation and effective administration. That is what is needed. [Applause.]

Mr. HILL of Maryland. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes, I yield.

Mr. HILL of Maryland. I would like to say to the gentleman from Michigan, in answer to the suggestion of the gentleman from Texas [Mr. BLANTON]—

Mr. CRAMTON. No; I thought you wanted to ask me a question.

Mr. HILL of Maryland. I would be glad to move an amendment to provide that this proposed meeting should be investigated when the Anti-Saloon League is investigated.

I want to ask the gentleman one other question. Governor Pinchot stated that the law was not being enforced. I have introduced House Resolution No. 153 for the investigation of the prohibition unit, suggested by Governor Pinchot, a prohibitionist. I will ask the gentleman if he will vote to help get out a favorable report on House Resolution No. 153?

Mr. CRAMTON. Absolutely no; I am not ready to help the gentleman in his campaign, to which he refers, to make ineffective the Constitution by his effort to cause the country to think that it can not be enforced and is not.

I am frank to say that I do not subscribe entirely to the statement made by the Governor of Pennsylvania, but I nevertheless have great respect for him on account of his declaration for enforcement and his efforts to make the law effective, which is not the purpose of the gentleman who introduced House Resolution 153. I do recollect with pride a former statement by Governor Pinchot when he opened his administration:

This administration will be dry. The executive mansion will be dry, and the personal practice of the governor and his family will continue to be dry. \* \* \* I shall expect and demand from every public servant appointed by me or subject to removal by me, from the highest to the lowest, entire and ungrudging obedience to the eighteenth amendment and the Volstead law.

[Applause.]

If that policy were followed throughout by Federal, State, and municipal governments, there would be less trouble about this enforcement. Let me remind the gentleman of the contrast. In the city of Philadelphia the city authorities



brought in a splendid man, General Butler, to clean up the city of Philadelphia. That great city is being cleaned up, and the mayor goes to the city fathers with General Butler and says he can get along with 500 less policemen. [Applause.]

The SPEAKER. The gentleman from Michigan has consumed 25 minutes.

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent that the gentleman be given 10 minutes more.

Mr. CRAMTON. I do not need it.

Let me remind you of a contrast. A few months ago the chief of police of another great city, the city of Detroit, announced that the law could not be enforced. He went the other day before the city authorities, not asking for 500 policemen less, but asking for 500 more policemen in order to better enforce the law.

In other words, gentlemen, you see that the moral influence of an uncompromising stand by the man who is at the head of the task of enforcement in any great city is equal to a thousand policeman under him. [Applause.]

I yield back the balance of my time.

The SPEAKER. The gentleman from Illinois [Mr. YATES] is recognized for five minutes.

PERMISSION TO A COMMITTEE TO SIT DURING THE SESSIONS OF THE HOUSE.

Mr. ELLIOTT. Mr. Speaker, I have a personal request to make. Elections Committee No. 3 commenced hearings this morning in the case of Chandler against Bloom. There are a number of attorneys from New York here, and it is going to be a good deal of an accommodation to them to continue the hearings as promptly as possible. I therefore ask unanimous consent that the Committee on Elections No. 3 be granted permission to sit and conduct hearings during the sessions of the House.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the Committee on Elections No. 3 be granted permission to sit during the sessions of the House. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. YATES] is recognized.

#### PROHIBITION.

Mr. YATES. Mr. Speaker, I shall be obliged to read, because my time is limited to five minutes. I would like to ask unanimous consent to extend my remarks in the RECORD, instead of reading all the questions, as I have not the time to read them. I request unanimous consent.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. YATES. Mr. Speaker, I am in receipt of a printed invitation to a convention, namely, a "Face the facts convention," of the so-called "Association Against the Prohibition Amendment," beginning this morning in this city.

For whatever of courtesy was intended, in and by the sending of this, I return thanks; it is far from my thought to be discourteous concerning any invitation, especially when that document bears upon its printed third page the printed names of some scores of American citizens who are leaders in their professions, generals and admirals, editors and educators, captains of industry, wizards of finance, magnates of baseball, actors, promoters, and so forth.

But when the recipient of an invitation has reason to believe that a gigantic injustice is being staged—an injustice on the one hand to all Americans in general, and on the other to the scores of men and women, respectable, conscientious, and influential, who would not willingly be guilty of any double-dealing—then it is a plain duty to, in plain words, call attention to this thing.

I believe the men behind the scenes—rich, ruthless, and resourceful—intend to use this convention as a smoke screen and a sham fight to lure American patriots to lend their aid and comfort to an attitude and to an attack the triumph of which would not bring about the thing which the invitation intimates that it seeks. The invitation says "Come and fight the eighteenth amendment," but no fight on the amendment, other than a sham fight, will be started or mentioned or conceived by the masterful managers. No man or woman involved has any hope of repealing the amendment. On the contrary, every man and woman in America knows that there is no more chance of repealing the amendment than of abolishing the Declaration of Independence.

I deem it my duty, as just one man, just one Representative—appealing for my vindication to my own State of Illinois—to submit to the rulers and whips of this convention a few questions. If I am wrong—that is, if the convention really starts a fight to repeal the amendment—it will be easy to answer the questions; but if the hidden purpose exists, namely, to ruin the amendment by wrecking the enforcement act, so as to make beer and wine unlimited and free, that purpose will be disclosed by the answers—or by the silence—which I expect.

QUESTIONS SUBMITTED BY CONGRESSMAN RICHARD YATES, OF ILLINOIS, TO THE ASSOCIATION AGAINST THE PROHIBITION AMENDMENT TO BE ANSWERED AT ITS CONVENTION AT WASHINGTON.

If your association, as its name suggests, is opposing the prohibition amendment by legal and orderly methods, why does it not fight to have that amendment submitted to the States, so that it can be repealed or changed legally, instead of trying to nullify it?

Do you still advocate your original slogan, "Repeal the Volstead Act"?

If, as you assert, you favor the enforcement of the law by the separate States, why did your association in the State of New York help to repeal the State enforcing act without substituting anything in its stead?

Why does your association oppose the enactment of any legal code to enforce the prohibition laws in Massachusetts and Maryland if you stand for law and order?

If you still advocate your slogan, "Beer and light wines now; the saloon never," how would you distribute the beer and wine?

Do you believe it is possible to legalize the sale of beer and light wines without changing the eighteenth amendment when the courts have taken judicial notice of the fact that beer and wine, light or heavy, are intoxicating?

Since you can not license the sale of beer and light wines forbidden by the eighteenth amendment, how can you defend your proposals to remove the penalties for their manufacture, transportation, sale, and so forth, in violation of the Constitution?

Do you believe it possible for Congress to legalize any liquor which a State has prohibited?

Since more than two-thirds of the States have prohibited alcoholic liquors containing one-half of 1 per cent or more of alcohol, why should Congress attempt to legalize what these States, by their own laws, prohibit?

Why should Congress ignore the practically uniform experience of the States and enact a law at the request of a small minority of the States opposed to the Constitution?

Is your association not resorting to a subterfuge by which the eighteenth amendment to the Constitution may be nullified because you know that you can not command more than a small fraction of the legal majority to repeal it?

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. YATES. Mr. Speaker, I would like to have one minute more.

The SPEAKER. The gentleman from Illinois asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. YATES. Inasmuch as the organized liquor forces at the height of their power were unable to obtain a favorable vote from one third of either branch of Congress—all that was required to defeat the submission of the eighteenth amendment—do you believe that you can obtain over twice your former vote now?

Since the liquor interests could obtain a favorable vote from only 237 members of the State senates to 1,310 votes cast in favor of ratification, or only 15.4 per cent of the number voting; and only 1,035 votes of members of the houses of representatives to 3,732 voting for ratification, or a wet vote of 21.5 per cent, do you believe the lawless tactics of the liquor forces have reversed this overwhelming majority against them?

Should you not have the courage to come out in the open and fight for the repeal of the eighteenth amendment or have the manhood to obey it and quit opposing the necessary legislation to enforce it until you can get the required majority to repeal this part of the Constitution?

Why do you quote extracts from President Coolidge's addresses which had no relation to prohibition and ignore his recent ringing appeal for the enforcement of the eighteenth amendment and the laws to make it operative?

I would like an answer. [Applause.]

## THE TARIFF.

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to address the House for two minutes. Is there objection?

Mr. HILL of Maryland. Mr. Speaker, I would like to ask for three minutes when the gentleman from South Dakota finishes.

Mr. BEGG. Reserving the right to object, Mr. Speaker, I would like to ask on what subject the gentleman from South Dakota desires to speak?

Mr. WILLIAMSON. On the tariff question.

Mr. GARRETT of Tennessee. Mr. Speaker, is the gentleman asking for time now?

Mr. WILLIAMSON. Yes.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota for two minutes?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I do not know what the gentlemen have in mind to talk about, but this Congress has been in session since the 3d of December and we have transacted practically no public business. We have to-day an opportunity to pass a few bills that have been reported from the committee, and I hope, although we are not responsible on this side for legislation, that the House may do a little business to-day.

The SPEAKER. Does the gentleman from Maryland [Mr. HILL] object to the request of the gentleman from South Dakota?

Mr. HILL of Maryland. No; he does not.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The SPEAKER. The gentleman from South Dakota is recognized for two minutes.

Mr. WILLIAMSON. Mr. Speaker and gentlemen of the House, on December 10, 1923, I introduced H. R. 2813, proposing to increase the duty on wheat from 30 cents to 50 cents per bushel. I have been preparing some data on this subject with a view to presenting it to the House at some convenient time. On the 20th of this month there appeared in the Sunday Omaha Bee an article covering a large part of the data which I have been gathering. This article will cover less than one page of the CONGRESSIONAL RECORD and I should like the privilege of extending my remarks by having it printed in the RECORD. I ask unanimous consent, therefore, to insert in the RECORD the article referred to. The article is written in support of the tariff bill on wheat and alfalfa which I have introduced.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to insert in the RECORD an article from the Omaha Bee. Is there objection?

Mr. UNDERHILL. Reserving the right to object, I would like to ask the gentleman whether this is an article he wrote for this paper, or whether it is one of their own?

Mr. WILLIAMSON. The article is not written by myself, but it does contain data similar to that which I have been gathering upon this subject, and it will save the time of the House to have it inserted in the RECORD.

Mr. UNDERHILL. Then I object, Mr. Speaker.

The SPEAKER. Objection is made.

Mr. WILLIAMSON. Mr. Speaker, I ask permission to revise and extend my remarks in the RECORD.

Mr. KINCHELOE. Mr. Speaker, reserving the right to object, may I ask the gentleman whether he is still in favor of an increased tariff on wheat and a 30 per cent drawback?

Mr. WILLIAMSON. The bill which I have introduced provides for the repeal of the drawback.

Mr. KINCHELOE. The gentleman wants to have something passed which will have some teeth in it?

Mr. WILLIAMSON. Yes.

The SPEAKER. Is there objection to the request made by the gentleman from South Dakota?

There was no objection.

Mr. WILLIAMSON. Mr. Speaker, the present tariff on wheat has been of very great aid to the farmer in that it has to a large degree preserved the domestic market for the American wheat grower. Millions of bushels of Canadian wheat which otherwise would have found a market here have been shut out. This holding back of foreign importations is reflected in a higher market for the same grade of wheat on this side of the line which has averaged from 13 to 15 cents per bushel since the present tariff law became effective. But large quantities of Canadian wheat still come in over the tariff

wall. To just the extent that it does so come in it tends to depress the domestic market by adding to our surplus. Experience has shown that a tariff of 30 cents per bushel is inadequate. Those who have given careful study to the question believe that the tariff should be raised to 50 cents per bushel. The bill which I have offered has the unqualified indorsement of the wheat-growing section of our country and so far as I have been able to learn has the indorsement of most of the national farm organizations.

In support of this measure I desire to quote from the Omaha Bee of January 20, 1924, in which the question is in part discussed, as follows:

## BILL NOW BEFORE CONGRESS.

Congressman WILLIAM WILLIAMSON of the Third South Dakota district has introduced a bill providing for a tariff of 50 cents a bushel. This bill should be passed at once. There are those in Congress who argue that to open the tariff bill for the benefit of the farmer will precipitate a general discussion of all tariff schedules and bring forth a flood of amendments to other sections.

Surely the Senators and Congressmen from the Middle West, the great wheat-growing section of the country, are strong enough to control the situation.

## FARMER HARDEST HIT.

The rest of the country is prosperous, only the farmer suffers from inadequate tariff protection. \* \* \*

President Coolidge, upon the advice of Secretary Wallace of the Department of Agriculture, has called upon the Tariff Commission to investigate the wheat tariff and to report to him the increase necessary to meet the situation. He will then act under the flexible section of the tariff law and direct a modification accordingly.

This will take time. The inquiry by the commission will consume weeks, and even when the report is ready, 30 days must elapse before the President's proclamation can be put into effect.

In the meantime millions of bushels of Canadian wheat are stored in the elevators at Fort William, ready to take advantage of lower water freight rates to reach the American market, and millions of bushels of American wheat must sell at depressed prices because of this competition.

## CHIEF HOPE IS CONGRESS.

It is up to Congress to act. The increase in the tariff can be put into effect in two weeks if Congress will get busy. The President will sign it.

In 1920-1921 importations of Canadian wheat amounted to 50,000,000 bushels. There was no tariff on wheat at that time and prices at Winnipeg were on a level with and sometimes above prices at Minneapolis. After the adoption of the 30-cent tariff in the emergency bill in May, 1921, Minneapolis prices were 25 to 30 cents above Winnipeg. This tariff differential in favor of the American wheat farmer fell in 1922 to around 6 cents.

While the tariff was effective to a considerable degree there were still about 20,000,000 bushels imported from Canada in 1923.

It will be of interest to read the findings of Secretary Wallace on the effects of the tariff on wheat:

"The tariff has been effective in protecting the spring-wheat farmer. In Liverpool Canadian spring wheat ordinarily sells at a small premium over American spring wheat. On the other hand, a comparison of prices for comparable grades of spring wheat in American and Canadian markets which have practically the same transportation rates to Liverpool shows a margin in favor of American prices which can only be explained as an influence of the tariff.

"The Minneapolis price of No. 1 northern spring in the period from 1909 to 1913, when a 25-cent tariff was in force, ranged in general from 5 to 10 cents above Winnipeg No. 1 northern. Under a reduced tariff of 10 cents per bushel, prices at the two markets from 1913 to 1916 were practically on a level. From 1916 to 1920, controlled prices and other conditions incident to the war destroyed normal price relationship.

## WHEN TARIFF WAS OFF.

"With the release of Government control Winnipeg prices in the latter part of 1920, when no tariff was in effect, rose to a level with, and at times somewhat above, Minneapolis. After the emergency tariff went into effect, in May, 1921, however, Winnipeg fell to around 25 to 30 cents below Minneapolis, remaining near that level for the balance of the year. The difference narrowed early in 1922, and the Canadian market since that time has fluctuated from 6 cents above to 22 cents below Minneapolis.

"Winter-wheat prices appear to be less affected by the tariff. American winter wheat at Kansas City is usually above Canadian spring wheat from October to May or June and below during the summer months, when the bulk of the American crop is moving to market. Under the 25-cent tariff existing before the war the average monthly margins in the two periods practically offset one another in amount,



but under the 10-cent duty in force from 1913 to 1917 Winnipeg prices averaged from 5 to 7 cents above Kansas City. Under our postwar tariff's Winnipeg prices from June, 1921, to September, 1923, averaged 5 cents above Kansas City, but this average in favor of Canadian wheat has been due to the high margins that obtained during the summers of 1921 and 1922. Kansas City hard winter wheat prices have averaged 2 cents above Winnipeg during the last 12 months and in the month of October averaged 14 cents above Winnipeg.

"The beneficial influence of the tariff is also illustrated by comparing prices of wheat in Liverpool with prices in producing countries plus cost of transportation to Liverpool. Prices of Canadian wheat in Liverpool averaged for the year 1922, 10 cents, and for nine months of 1923, 6½ cents above Winnipeg prices plus freight on the basis of an all-rail rate to seaboard.

#### TARIFF RAISED PRICES.

"During the month of October, 1922, they averaged as high as 30 cents per bushel above Winnipeg plus freight. Liverpool prices of American hard winter wheat, on the other hand, averaged during 1922 only 2 cents more than Kansas City plus freight, and during the early months of the year were considerably below. In January, 1923, Liverpool again dropped below Kansas City plus freight, and has averaged from 1 cent to 2 cents under during the first nine months of the year. American hard spring wheat, on the other hand, as shown by the limited data obtainable, has sold in Liverpool during the first half of 1923 at prices ranging from 3 to 15 cents below Minneapolis plus freight (all rail). The average for the first four months, in fact, was about 13 cents below. Even No. 1 Manitoba, which usually sells above No. 1 northern in Liverpool, was below No. 1 northern hard spring at Minneapolis plus freight. These figures show that, on a Liverpool basis, hard red spring wheat prices have been high throughout 1923, and indicate roughly the extent to which the tariff has raised prices of this wheat above world levels. It also appears that prices of hard winter wheat in the Kansas City market at times are favorably influenced by the tariff.

"The present tariff has not prevented the importation of Canadian wheat for domestic consumption. Our total imports of Canadian wheat from May, 1921, when the emergency tariff went into effect, to June 30, 1923, amounted to 32,567,664 bushels, of which 22,642,959 bushels were imported in 1922. Forty-seven per cent of this was milled in bond and exported as flour. Drawback was paid on only 4,638 bushels. The balance was consumed in the United States."

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to address the House for three minutes on House Resolution 153, which I introduced to-day.

Mr. BEGG. Reserving the right to object, I should like to ask the gentleman what that resolution pertains to.

Mr. HILL of Maryland. That is what I want to tell the gentleman, and therefore I ask that the Clerk read the resolution for the information of the House.

Mr. RUBEY. I do not want the resolution read, but I want to know its title.

Mr. BEGG. Mr. Speaker, unless I have some way of finding out what the resolution pertains to I will object.

Mr. RUBEY. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri objects.

Mr. HILL of Maryland. Will the gentleman withhold his objection until I answer his question?

Mr. RUBEY. Yes; but I do not want to have the resolution read. I want the gentleman to answer my question.

Mr. HILL of Maryland. It is very difficult to answer the gentleman's question without reading the resolution.

Mr. RUBEY. Then I object.

The SPEAKER. Objection is made.

#### CONSENT CALENDAR.

The SPEAKER. The order of business to-day is the Consent Calendar. The Clerk will report the first bill on the calendar.

#### BRIDGE ACROSS THE PEEDEE RIVER, SOUTH CAROLINA.

The first bill on the Consent Calendar was the bill (H. R. 3679) to authorize the building of a bridge across the Pee Dee River in South Carolina.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the counties of Horry and Georgetown, in the State of South Carolina, be, and they are hereby, authorized to construct, operate, and maintain a bridge and approaches thereto across the Pee Dee River at a point suitable to the interests of navigation and at or near a point known as Yawhannah Ferry in said State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### BRIDGE ACROSS KINGSTON LAKE AT CONWAY, S. C.

The next business on the Consent Calendar was the bill (H. R. 3680) authorizing the building of a bridge across Kingston Lake at Conway, S. C.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the county of Horry, in the State of South Carolina, be, and is hereby, authorized to construct, operate, and maintain a bridge and approaches thereto across Kingston Lake at a point suitable to the interests of navigation at a point near the end of Fourth Avenue in the city of Conway, in said State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### BRIDGE ACROSS THE WACCAMAW RIVER, S. C.

The next business on the Consent Calendar was the bill (H. R. 3681) to authorize the building of a bridge across the Waccamaw River in South Carolina.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the county of Horry, in the State of South Carolina, be, and is hereby, authorized to construct, operate, and maintain a bridge and approaches thereto across the Waccamaw River, in the State of South Carolina, at a point suitable to the interests of navigation, and at or near a point known as Star Bluff, or at or near a point known as Bellamys Landing, in said State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is expressly reserved.

The SPEAKER. Is there objection to considering a similar Senate bill in place of the House bill?

Mr. CRISP. Mr. Speaker, is that Senate bill 160?

The SPEAKER. No; Senate bill 384.

Mr. GASQUE. Mr. Speaker, you will notice that one of the bills authorizes the county to construct the bridge, while the other authorizes a private concern to construct the bridge.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

#### BRIDGE ACROSS THE RIO GRANDE.

The next business on the Consent Calendar was the bill (H. R. 5196) granting the consent of Congress to the construction of a bridge across the Rio Grande River.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the El Paso Electric Railway Co. and the El Paso & Juarez Traction Co., corporations organized and existing under and by virtue of the laws of the State of Texas, and their successors and assigns, to construct, maintain, and operate an electric street railway, vehicular, and foot bridge, and approaches thereto, across the Rio Grande at a point suitable to the interests of navigation at or near the point where South Stanton Street, in said city of El Paso, crosses the Rio Grande, in the county of El Paso, State of Texas (to replace the wooden bridge now in use at or near the aforesaid location, operated by said corporations under the authority of an act of Congress passed and approved July 28, 1882), in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, such construction to be made only with the consent and approval of the Republic of Mexico.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

The title was amended to read: "A bill granting the consent of Congress to the construction of a bridge across the Rio Grande."

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

#### BRIDGE ACROSS CHATTAHOOCHEE RIVER.

The next business on the Consent Calendar was the bill (H. R. 477) to authorize the State of Georgia through its State highway department to construct and maintain a bridge across the Chattahoochee River at or near Fort Gaines, Ga., connecting Clay County, Ga., and Henry County, Ala.

The Clerk reported the title of the bill.

Mr. CRISP. Mr. Speaker, I introduced the bill just read to authorize the construction of this bridge the first day Congress met, December 3, 1923, but since then the Senate has passed a bill (S. 160) authorizing the State of Georgia to construct a bridge across the Chattahoochee River, between the States of Georgia and Alabama, at or near Fort Gaines, Ga. That bill is now on the Speaker's table and is practically identical in terms with the House bill, and I ask unanimous consent that the Senate bill be considered in lieu of the House bill, and that the House bill, when the Senate bill passes, lie on the table.

Mr. SNYDER. Mr. Speaker, reserving the right to object, not that I have any objection, it seems to me this ought to be called bridge day rather than unanimous-consent day.

Mr. CRISP. "A rose by another name would smell as sweet."

Mr. SNYDER. I would like to ask the gentleman from Georgia if there has been a flood or something of that sort in that country that washed away all the bridges which requires so much new construction of bridges?

Mr. CRISP. I can only answer as to this particular one. For many years, at least 30 or 40 years, there has been a bridge at this particular point. The bridge has become unsafe, and it is now practically closed to traffic. This bill simply authorizes the Georgia highway department to construct a bridge at this point where there is now an unsafe bridge. I can not answer as to any of the others.

Mr. SNYDER. I have no doubt if the gentleman says it is needed that it is needed, but it seems to me that after passing five bridge bills without anybody giving any explanation about any one of them it is about time we began to have a slight explanation.

Mr. CRISP. I can say to my friend from New York, I am perfectly willing and able to give a reason why this bridge bill should pass. There has been a bridge at this particular point for at least 30 years, and it has now become unsafe, and there is no way to cross the river there. There is not even a ferry, and the highway department of the State is asking authority to construct this bridge.

Mr. SNYDER. After that statement I will not raise any objection.

Mr. BLANTON. This simply shows the activity of the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the Senate bill be substituted for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

*Be it enacted, etc., That the State of Georgia be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Chattahoochee River, at a point suitable to the interests of navigation, between the States of Georgia and Alabama, at or near Fort Gaines, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.*

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to ask the gentleman from Georgia one question. I notice that this bill authorizes the State of Georgia to construct one end of the bridge in the State of Alabama. The next bill on the calendar authorizes the States of Alabama and Georgia, through their respective highway departments, to construct a similar bridge, with an end in each State. Has the gentleman considered this proposal to authorize the State of Georgia alone to construct a bridge one end of which is to be located in the State of Alabama?

Mr. CRISP. Answering the gentleman from Wisconsin, I am familiar with the situation. The two bills to which the gentleman refers are with respect to bridges at different places. They are about 20 miles apart. The second bill to which the gentleman refers is in reference to a bridge which crosses the river

from Eufaula, Ala., to Georgetown, Ga. Georgetown is also in my district. The bill now up authorizes the construction of a bridge crossing from Fort Gaines to Henry County, Ala. As a matter of fact, the Highway Commission of Alabama and the Highway Commission of Georgia have both approved a post road, an interstate road, across this navigable stream, which is the boundary line between the States, and both the highway departments of Alabama and Georgia are interested in the passage of both of these bills, and what I said to the gentleman from New York [Mr. SNYDER] as to a bridge being at Fort Gaines now also applies to the next bridge bill. There is a bridge there now, which is just 3 miles from Eufaula, Ala., which crosses the river, and the bridge is also becoming unsafe, and that is why the Alabama Highway Commission is requesting authority to construct another bridge.

Mr. COOPER of Wisconsin. What does the gentleman think of the naked proposition to have a law of the United States authorize a State to construct, across a navigable stream, a bridge one end of which is to be located in another State?

Mr. CRISP. I see the gentleman's point, and I am not prepared to say that he is not right in being very careful. In this particular case the Alabama Highway Commission is as much interested in this bill as the Highway Commission of Georgia, and if the gentleman prefers to offer an amendment authorizing the States of Alabama and Georgia, through their highway departments, to construct this bridge, I have no objection to his offering the amendment.

Mr. COOPER of Wisconsin. Then, Mr. Speaker, I would offer an amendment that the title shall be "A bill to authorize the States of Georgia and Alabama, through their respective State highway departments, to construct a bridge," and so forth. I offer that amendment, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

*Amendment offered by Mr. COOPER of Wisconsin: Amend the title so as to read: "An act authorizing the States of Georgia and Alabama, through their respective highway departments, to construct a bridge across the Chattahoochee River"—*

*And so forth.*

Mr. COOPER of Wisconsin. And, Mr. Speaker, I would offer the same amendment wherever necessary in the body of the bill.

Mr. WINGO. Who has the floor—the gentleman from Georgia? Will the gentleman yield for a question?

Mr. CRISP. I will, if I have the floor.

Mr. WINGO. I wish to direct the attention of the gentleman from Georgia, as well as the gentleman from Wisconsin, to the possible effect of the amendment that is suggested.

As I gather from the gentleman's statement, the bill grants permission to the State that intends to really construct the bridge to construct it, but if the amendment of the gentleman from Wisconsin is adopted it would mean that the permission of the Federal Government was only granted to a joint construction by the two States, and it might be that the other State did not care to have any liability or any responsibility with reference to the erection of the bridge. I assume that the other State has done what is customary where one State seeks, through their State authorities or through some subdivision of the State like a county, to build a bridge across a State stream onto the territory of the other State, and that the permission of the other State has been properly granted.

It might be that the State which is given authority under the gentleman's amendment would not care to and, in fact, would object to taking any responsibility on itself or its political subdivisions. This bill is to grant permission of the Federal Government to the authority or State that is actually going to construct the bridge across a navigable stream.

Mr. COOPER of Wisconsin. The gentleman will note that the next bill on the calendar is one to authorize the States of Alabama and Georgia, through their respective highway departments, to construct and maintain a bridge across the Chattahoochee River at or near Eufaula, Ala.

Mr. WINGO. What point does the gentleman wish to suggest in reference to that?

Mr. COOPER of Wisconsin. That corresponds with the amendment that I am offering to the pending bill.

Mr. WINGO. The gentleman did not catch the suggestion I made. It may be that the second bill which the gentleman refers to, the bill with reference to the two States, intends jointly to construct the bridge. This bill refers to a case where one State is to construct it.

Mr. SANDERS of Indiana. Will the gentleman from Georgia yield?

Mr. CRISP. I yield.



Mr. SANDERS of Indiana. I would like to suggest to the gentleman from Georgia that this bill ought not to be amended hurriedly, and I suggest to him that it might wait until we consider some other measures during which time an amendment can be prepared satisfactory, perhaps, to both parties. If we should adopt an amendment granting authority to two States where only one State is concerned, it might interfere seriously with the plans for the construction of the bridge. I see no impropriety in granting the right to one State to build a bridge across the river where it enters into another State. That would not give the right to go into the other State against the will of that State. This bill may do just exactly what is needed. I wonder if the gentleman does not want to give more study to this matter.

Mr. CRISP. I appreciate the suggestion of the gentleman from Indiana and the suggestion of the gentleman from Arkansas, and personally I would prefer the bill as introduced, but I find sometimes that a bird in the hand is worth two in the bush, and as I now have consent of the House to consider the bill I am not willing to postpone consideration of it. The bill is up and if the House prefers to amend it, if the amendment does not seriously cripple the bill I prefer to take the amendment and see what the Senate will do with it.

Mr. COOPER of Wisconsin. If this bill were a bill providing that the United States Government itself was to build a bridge across a navigable stream between two States, that would be quite a different thing from the Federal Government authorizing the State of Georgia alone, in its discretion, to go into the State of Alabama and put the end of a bridge on Alabama's territory.

Mr. WINGO. I want to suggest this—I may be in error. If Congress grants to the State of Georgia permission to erect this bridge with one end on the soil of another State, that does not control the State of Alabama. All that this bill does is to grant permission to the State of Georgia, and then Georgia would have to get the permission of Alabama. The point I want to raise is—and I have had something to do with these matters—if you adopt this amendment the attorney for the bondholders may say, "You have authorized the two States jointly to build this bridge, and you have nothing to show that the State of Alabama has engaged in its construction."

Mr. COOPER of Wisconsin. It is immaterial how it might affect the bondholders.

Mr. WINGO. It is very material whether the bondholders will accept the bonds to furnish the money for the building.

Mr. SANDERS of Indiana. I have no objection to the gentlemen having the bill amended in any way they want it.

Mr. BURTNESS. If the gentleman will yield, I think this is a very simple matter. The objection of the gentlemen might be avoided by adding the words "or either of them." I think an amendment to the amendment is very necessary because of the point raised by the gentleman from Arkansas [Mr. WINGO].

Mr. CRISP. Will the gentleman from Wisconsin accept the amendment suggested by the gentleman from North Dakota?

Mr. COOPER of Wisconsin. No; for such an amendment would, I think, not meet the difficulty at all. The amendment of the gentleman from North Dakota simply means that Georgia alone could build the bridge with one end in Alabama, or Alabama alone could build the bridge with one end in Georgia. That does not at all meet the objection to the bill.

Mr. BEGG. I would like to ask the gentleman from Wisconsin a question. The only reason for this bill is to get the permission of the Government to build a bridge over a navigable stream?

Mr. CRISP. That is all.

Mr. BEGG. All this bill does is to permit somebody to build it. Who is going to build it? The State of Georgia. Where? Partly in Georgia and partly in Alabama. We can not grant the permission of Alabama to the State of Georgia nor can we legislate in any way that will violate the rights of Alabama by granting permission to Georgia.

Mr. CRISP. I think the gentleman states the situation accurately. I think the bill as originally drawn is sufficient, and I hope my friend from Wisconsin will withdraw his amendment and let the bill go through as passed by the Senate. If he does not, I ask that a vote be taken on the amendment, and I request the House to reject the amendment.

Mr. BEGG. The gentleman from Wisconsin said it made no difference about the feelings of the bondholders. I know a little about the bond business myself, and I know it makes all the difference between being able to market the bonds and not being able to market them how the legislation is drawn up. If the gentleman from Arkansas is correct, it makes a joint construction mandatory and you could not market the bonds at all.

Mr. COOPER of Wisconsin. Mr. Speaker, there has been a complete misapprehension of what I said or had in mind in replying to the observation of the gentleman from Arkansas [Mr. WINGO]. I did not mean to suggest that this would not affect the feelings of the bondholders, but that the feelings of bondholders are not material when a question of constitutional law is involved. Will the gentleman permit me to make one more suggestion?

Mr. CRISP. Certainly.

Mr. COOPER of Wisconsin. We have in many States navigable streams all within one State. If the stream mentioned in this bill were within the confines of the State of Georgia, Congress could authorize the State of Georgia to construct a bridge across that stream both ends of which would be in the State of Georgia; but a different question arises when it is a boundary stream between two States. I notice that the next bill on the calendar was introduced by the gentleman from Alabama [Mr. STEAGALL] and that it in express terms authorizes the States of Alabama and Georgia, through their respective highway departments, to construct and maintain a bridge across the Chattahoochee River at or near Eufaula, Ala., connecting Barbour County, Ala., and Quitman County, Ga. In the Steagall bill the United States Government authorizes the two States, through their respective highway departments, to build a bridge across the river between them.

Mr. BEGG. Mr. Speaker, will the gentleman yield there?

Mr. COOPER of Wisconsin. If the gentleman will pardon me just a moment. The other bill, as everyone knows after this discussion, authorizes the State of Georgia alone, through its highway department, to go across a navigable stream and in its discretion build one end of a bridge upon the territory of Alabama. I am a friend of State rights, but a doubt arises in my mind when it comes to a question like this of having one State go onto the territory of another State and locate a bridge. Will the friends of State rights say that they are in favor of this sort of an exercise of Federal authority?

Mr. WINGO. Mr. Speaker, will the gentleman from Georgia yield to me?

Mr. CRISP. Certainly.

Mr. WINGO. Mr. Speaker, may I suggest to the gentleman that the trouble between the gentleman from Wisconsin [Mr. COOPER] and myself is that we are thinking of two different things? I direct his attention to this: The gentleman speaks of the Federal Government authorizing the State of Georgia to build a bridge. The Federal Government does not authorize the State of Georgia to build a bridge. The State of Georgia has an inherent right to build a bridge, but she can not exercise that right across a navigable stream without getting the permission of the Congress. The object of these bridge bills is not to authorize anyone to build bridges, not to grant any such authority, but it is solely to grant the permission of the Federal Government to a railroad, to a State, to a county, to a city or whoever it is that is going to do the work to build the bridge across a navigable stream. In other words, the gentleman confuses the proposition. He confuses the power that is granted by this bill. This bill does not give any power to anybody; it grants permission to the person going to do the work. The point I raised about the bonds is this: If you grant that permission as a joint permission to the two States, when, as a matter of fact, Georgia alone is going to build the bridge, the attorney for the bondholders, in examining the record to see whether or not the State of Georgia in issuing the bonds to build the bridge has complied with all of the laws, will run through the general bridge law respecting bridges across navigable streams and will conclude that Congress for reasons best known to itself refused to grant permission to the State of Georgia, but did grant joint permission to the two States to build a bridge. Why should Congress say to two States, you shall go together and build a bridge? Is not that a thing for them to agree upon between themselves? If we grant this bill, the State of Alabama can still say to the State of Georgia the Federal Government has no power to permit you to build abutments here. The State of Georgia would still have to go to the authorities of the State of Alabama to get the right to put abutments in Alabama. Talk about State rights! I am in favor of State rights, and I would not require the State of Alabama to butt into something that she is not interested in.

Mr. CRISP. Mr. Speaker, I would like to have one or two words to say upon this proposition myself, inasmuch as it is my time. I think this is unnecessary caution upon the part of my friend from Wisconsin [Mr. COOPER]. As a practical thing, the State of Alabama and the Alabama Highway Commission are just as much interested in the authorization for this bridge as the Georgia Highway Department. The House bill was prepared by myself at the request of the Georgia Highway Com-

mission, who is initiating this. I do not think the State rights of Alabama are in any way involved. The only necessity for the permission at all is that this happens to be a navigable stream and the consent of Congress must be obtained before a State or a private concern or a quasi public concern may construct a bridge across a navigable stream. Congress could grant this authority to a railroad corporation or to any private concern to construct a bridge across this stream, although it is the boundary line between the two States.

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

Mr. CRISP. In just a moment. I think the bill as passed by the Senate is perfectly all right. It will meet the approval of the highway departments of Alabama and Georgia. It does not in any way interfere with State rights. It simply gives the State of Georgia, who is to take the initiative in the construction of this bridge and the maintenance of it, the right to construct it across this stream. I hope the House will vote down the amendment of the gentleman from Wisconsin.

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

Mr. CRISP. Mr. Speaker, the gentleman from Alabama [Mr. STEAGALL] is interested in this matter. His district and mine adjoin, and he is the author of the next bridge bill, to which the gentleman from Wisconsin [Mr. COOPER] referred. The river separates our districts. Therefore I am very glad to yield to him.

Mr. STEAGALL. Mr. Speaker, the project involved in my bill at Eufaula refers to the joint enterprise of the highway commissions of the States of Alabama and Georgia. They are working with perfect agreement and understanding. There can not be the slightest application of the suggestion made by the gentleman from Wisconsin [Mr. COOPER] in respect to a violation of State rights so far as the bill that I have introduced is concerned, permitting a bridge to be constructed at Eufaula.

The SPEAKER pro tempore. The gentleman from Georgia moves the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is upon the amendment offered by the gentleman from Wisconsin to the body of the bill, which the Clerk will report.

Mr. BURTNESS. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise? The previous question has been ordered.

Mr. BURTNESS. I was out for a moment, and I intended to propose an amendment to the amendment.

The SPEAKER pro tempore. But the previous question has been ordered.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Wisconsin to Senate bill 160: Page 1, line 3, after the word "Georgia," insert the words "and the State of Alabama through their respective highway departments," and in the same line strike out the word "is" and insert the word "are," so that as amended the bill will read:

"That the State of Georgia and the State of Alabama through their respective highway departments be and are hereby authorized to construct, maintain," etc.

The SPEAKER pro tempore. The question is on the adoption of the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The SPEAKER pro tempore. Does the gentleman from Wisconsin withdraw his amendment to the title?

Mr. COOPER of Wisconsin. Yes.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read the third time, was read the third time, and passed.

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

BRIDGE ACROSS THE CHATTAHOOCHEE RIVER AT OR NEAR EUFAULA, ALA., ETC.

The next business on the Consent Calendar was the bill (H. R. 3198) to authorize the States of Alabama and Georgia, through their respective highway departments, to construct and maintain a bridge across the Chattahoochee River at or near Eufaula, Ala., connecting Barbour County, Ala., and Quitman County, Ga.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the States of Alabama and Georgia, through their respective highway departments, be, and are hereby, authorized to construct and maintain a bridge and approaches thereto across the

Chattahoochee River, at a point suitable to the interests of navigation, at or near Eufaula, Ala., connecting Barbour County, Ala., and Quitman County, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

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

BRIDGE BETWEEN THE BOROUGH OF BROOKLYN AND QUEENS, CITY AND STATE OF NEW YORK.

The next business of the Consent Calendar was the bill (H. R. 3265) for the construction of a bridge between the Boroughs of Brooklyn and Queens, in the city and State of New York.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the city of New York be authorized to construct, maintain, and operate a bridge and approaches thereto across Maspeth Avenue between the Boroughs of Brooklyn and Queens in the city and State of New York, at point suitable to the interests of navigation, one end of said bridge being in the Borough of Brooklyn and city of New York, and the other in the Borough of Queens, city of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The committee amendments were read as follows:

Page 1, line 3, after the word "York" strike out the word "be" and insert the words "is hereby."

The question was taken, and the amendment was agreed to.

Page 1, line 5, after the word "across" insert the words, "Newtown Creek, at a point suitable to the interests of navigation, at or near."

The question was taken, and the amendment was agreed to.

Page 1, line 8, after the word "York" strike out the words "at point suitable to the interest of navigation."

The question was taken, and the amendment was agreed to.

Page 1, line 9, after the word "bridge" strike out the word "being" and insert the words "to be."

The question was taken, and the amendment was agreed to.

Page 2, line 4, insert a new paragraph, as follows:

Section 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The question was taken, and the amendment was agreed to.

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

The SPEAKER pro tempore. Without objection the title will be amended in accordance with the text.

There was no objection.

The title was amended so as to read: "A bill to authorize the construction of a bridge between the Boroughs of Brooklyn and Queens, in the city and State of New York."

BRIDGE ACROSS THE MISSOURI RIVER BETWEEN BRULE COUNTY AND LYMAN COUNTY, S. DAK.

The next business on the Consent Calendar was the bill (S. 1367) granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of South Dakota to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, between Brule County and Lyman County, S. Dak., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.



The bill was ordered to be read a third time, was read the third time, and passed.

Mr. WILLIAMSON. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

Mr. TILSON. Mr. Speaker, I wish to object to the request. We went into this matter very thoroughly during the last Congress. I refer to these motions to reconsider and to lay that motion on the table. It causes a great deal of extra bookkeeping among the clerks, it encumbers and very much prolongs the Journal, and in the case of all bills to which no objection is made or which are uncontested is entirely unnecessary.

Mr. WILLIAMSON. I withdraw the motion.

Mr. BLANTON. Will the gentleman yield?

Mr. TILSON. I will.

Mr. BLANTON. As a question of policy, the gentleman knows that unless that is done there could arise occasions when the motion to reconsider could be made.

Mr. TILSON. I understand that thoroughly—

Mr. BLANTON. And such a distinguished parliamentarian as the gentleman from Georgia [Mr. CRISP] made that motion a few moments ago.

Mr. TILSON. It has been the practice of the House to make the motion, but bills that go through the House by unanimous consent, such as private bills, unobjected to, and bills on the Consent Calendar, are not apt to be reconsidered, and the motion is not necessary. Where a great number of bills pass in a single day and the motions to reconsider and to lay that motion on the table are made in each case a great deal of unnecessary work and expense are imposed and considerable time is wasted.

Mr. BLANTON. One minute.

Mr. TILSON. It is not the time of the House that I mean, but the additional time and labor required of the clerks. The Journal work is considerable and the expense of doing the additional printing is something. Therefore it is not only the time here, but is also the work of the Journal clerk and the expense of it with which we are concerned. I hope that the practice of making this double motion in cases where no good purpose is served by it may be abandoned.

The SPEAKER pro tempore (Mr. SANDERS of Indiana). The motion has been withdrawn, and the Clerk will call the next bill.

BRIDGE ACROSS THE MISSOURI RIVER BETWEEN WALWORTH COUNTY AND CORSON COUNTY, S. DAK.

The next business on the Consent Calendar was the bill (S. 1368) granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.

The Clerk read the title of the bill.

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

The Clerk read as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the State of South Dakota to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation between Walworth County and Corson County, S. Dak., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the bill H. R. 477 will lie on the table.

There was no objection.

SITE FOR FEDERAL BUILDING AT KENOSHA, WIS.

The next business on the Consent Calendar was the resolution (H. Res. 51) authorizing the Secretary of the Treasury to negotiate with the authorities of the city of Kenosha, Wis., to ascertain terms and conditions upon which can be secured a site for a Federal building located in accordance with the plan for a civic center adopted by said city of Kenosha.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, this is probably a meritorious resolution, but I dare say there are several hundred cities of this size in the United States in identically the same situation, where the postal receipts have increased 100 or 200 or 300 per cent. I do not believe that it ought to be the policy of the House to take up one particular

measure as against all the other hundreds that are not given any relief whatever.

Now, I know that there is a disposition to be liberal with our friend from Wisconsin—

Mr. COOPER of Wisconsin. The last vote showed that.

Mr. BLANTON. I did not vote for him for Speaker, but we would like to see him pass a resolution and make his people feel good at home. But this bill is to the exclusion of three or four hundred other cities in exactly the same situation.

Mr. COOPER of Wisconsin. Will the gentleman permit me to reply to that?

Mr. BLANTON. Certainly.

Mr. COOPER of Wisconsin. The gentleman from Texas possesses an alert, keen intellect, and does much good by staying on the floor and keeping track of things. But he is in error this time and, I think, completely misunderstands the question involved in the pending resolution.

Now, if the gentleman will permit me, I will answer his statement. The gentleman from Texas, Mr. Speaker, said that there are several hundred cities in this country in exactly the same situation as Kenosha.

Mr. BLANTON. Probably. I have a number of them in my own district.

Mr. COOPER of Wisconsin. Wait a minute. We will see whether or not the gentleman's statement is correct. The gentleman from Texas said also that he has two or three post offices in his own district in the same condition as this one.

Mr. BLANTON. Oil towns. Several of them jumped from 100 population to 25,000.

Mr. COOPER of Wisconsin. Increase in population is not at all involved in the pending question. Let me get here at the desk in front, where I may more easily concentrate on the gentleman from Texas, whom I admire, and whom I wish to enlighten on the subject now before the House. [Laughter.] He is always willing to obtain information; and I have more than once seen him change his mind. In fact, I am sure that he is inclined to change it when convinced that he is wrong, and I am going to try to convince him that he is wrong now. I am confident that he read this resolution too rapidly to enable him properly to interpret it.

Now, if the gentleman please, the city of Kenosha is in my home State, but it is not my home town. That was error No. 1 on the part of the gentleman.

Mr. BLANTON. I said he would make his people feel good, for they are the people interested.

Mr. COOPER of Wisconsin. The gentleman intimated that Kenosha is my home town, but it is not.

Kenosha has a population of about 42,000 and is one of the most enterprising and important manufacturing cities of its size in the United States. The works of the internationally known Simmons Manufacturing Co., manufacturers of steel beds, brass beds, woven-wire mattresses, and so forth, the largest and perhaps the best concern of its kind in the world, is located there. So also are many other great plants, including the Chicago Brass Works, the plant of the Cooper Knitted Wire Co.—not any relative of mine. [Laughter.] I saw what the gentleman was about to ask, and therefore I anticipated him. [Laughter.]

Mr. BLANTON. This being in my own time, will the gentleman yield for me to ask him a question?

Mr. COOPER of Wisconsin. Not now, if the gentleman will permit me to occupy the time.

Mr. BLANTON. I believe that I have the floor, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas has the floor. Does the gentleman from Texas yield to the gentleman from Wisconsin?

Mr. BLANTON. Yes; I will yield the balance of my time to him, but I want to ask him one question. If the gentleman can convince me, I will withdraw my objection. I will withdraw it if the gentleman can answer this question: Does he think it fair to the other 434 Congressmen here, who are the gentleman's colleagues, when every one of them have these post-office cases in their district, to let their bills go and take up the gentleman's bill and allow it to go by at this time without objection?

Mr. COOPER of Wisconsin. If the gentleman please, if all of the 435 Members of the House had identically similar building propositions in their respective districts, it would be perfectly fair to permit all of them to have passed resolutions like the one now pending; and as Kenosha is the only place in the country where conditions are as set forth in this resolution, it is perfectly clear that the passage of the resolution would not discriminate against any other city or against any Member of the House. The situation at Kenosha is wholly unique, differing entirely from that in any other place. And therefore the gentleman in mistakenly assuming to be true a lot of things

that are not true, but wholly imaginary, in order that he may use them as a sort of premise on which to base his argumentative question, is guilty of what he well knows, and will please permit me to remind him, is called in logic "petitio principii"—begging the question.

Mr. HILL of Maryland rose.

Mr. COOPER of Wisconsin. The prohibition question not being involved here, there being no mention of liquor in connection with the post-office building, the gentleman is not interested.

Mr. HILL of Maryland. In view of that situation I object. [Laughter.]

Mr. BLANTON. I will withdraw my reservation.

Mr. HILL of Maryland. I make that objection in view of the uncalled-for remarks of the gentleman from Wisconsin. [Laughter.]

Mr. COOPER of Wisconsin. I withdraw that in deference to the gentleman from Maryland.

Mr. HILL of Maryland. Does this cost the Government any money?

Mr. COOPER of Wisconsin. Not a cent.

Mr. HILL of Maryland. Then I remove my objection. [Laughter.]

Mr. COOPER of Wisconsin. I add to my apology to the distinguished gentleman from Maryland my sincere thanks for his courtesy.

Mr. HILL of Maryland. I appreciate them.

The SPEAKER pro tempore. Is there objection to the consideration of this resolution?

There was no objection.

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

The Clerk read as follows:

#### House Resolution 51.

Whereas the city of Kenosha—42,000 population—in the State of Wisconsin, has duly adopted a comprehensive plan for a civic center, necessitating the widening of streets and the tearing down and removal of many existing structures, including the county courthouse and the United States post-office building; and

Whereas the county of Kenosha is now engaged in erecting on a site located in accordance with said plan a county courthouse at a contract price of more than \$800,000; and

Whereas since the present Federal building was constructed in said city the annual business of the post office has increased to a total of \$230,000 a year; and

Whereas this increase of approximately 300 per cent in the volume of business renders the building grossly inadequate to meet the urgent needs of the Postal Service; and

Whereas in the said plan there is a fine site, near the present building, reserved and set aside as a site for a new and absolutely necessary post-office building: Now, therefore, be it

Resolved, That the Secretary of the Treasury be, and he is hereby, authorized and requested to ascertain, through negotiations with the duly constituted authorities of the city of Kenosha, in the State of Wisconsin, the most favorable terms and conditions on which the Government of the United States can secure the title to the site set aside in the plan for a civic center adopted by said city as a site for a new Federal building, and to make report of such negotiations at as early a date as possible to the House of Representatives.

Mr. GRAHAM of Illinois. Mr. Speaker, I was going to offer an amendment. I was going to move to strike out the preamble. Has the gentleman from Wisconsin any objection to striking that out?

Mr. COOPER of Wisconsin. I will have none after the resolution has passed.

Mr. GRAHAM of Illinois. I want to offer an amendment at the proper time.

Mr. COOPER of Wisconsin. Mr. Speaker and gentlemen, I shall detain you just a moment. There is not another case parallel with the one now before you. The city of Kenosha adopted a civic-center plan which involves the widening of streets and the tearing down and removal of buildings. Among the buildings to be destroyed and removed, if that civic-center plan is to be carried out, are the county courthouse and the post-office building. Now, the post-office building is grossly inadequate at the present time, the business of the office having increased approximately 300 per cent since the structure was erected.

The county of Kenosha is showing its good faith by erecting a new courthouse at a contract price of more than \$800,000.

The post-office building will have to be removed if that civic-center plan is carried out. The Government needs a new post-office building, the old building being so crowded that it became necessary to put up a mezzanine floor, compelling some of the

clerks for a considerable portion of the time to work by artificial light.

The Government of the United States three or four years ago recognized the necessity of a very considerable addition to that building, and the House passed bills which I introduced, one for \$75,000 and the other, I believe, for \$90,000, providing for the construction of an addition to the building. Both of those bills, as I say, passed the House, but for lack of time failed to be reached in the Senate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. May I have three minutes more?

Mr. BLANTON. Mr. Speaker, I raise the point of order that the gentleman is entitled to one hour if he claims it. I hope he will not take it, but he is entitled to it if he wants to claim it.

Mr. COOPER of Wisconsin. I shall take but a minute or two.

The SPEAKER pro tempore. This bill is being considered in the House as in the Committee of the Whole.

Mr. BLANTON. There has been no such recommendation made by the House. This bill comes up under the regular rules of the House, which give the gentleman a whole hour if he desires it. I do not think he is going to take over three minutes more, because I think he wants his bill to pass.

The SPEAKER pro tempore. I am informed the bill is on the House Calendar and not on the Union Calendar, and hence—

Mr. BLANTON. It is on the new Consent Calendar.

The SPEAKER pro tempore. The bill being on the House Calendar and being considered in the House the gentleman is entitled to additional time.

Mr. COOPER of Wisconsin. I am again indebted to my distinguished friend from Texas.

Mr. Speaker and gentlemen, this resolution does not call for any appropriation nor does it discriminate in favor of Kenosha against any other city, village, or hamlet in the United States. It simply asks the Secretary of the Treasury to negotiate with the authorities of the city of Kenosha, who have adopted this civic-center plan and in it set aside a site for a new post-office building within a comparatively few feet of the old site, and ascertain the most favorable terms upon which the Government can—should it desire at some future time—purchase the new site and secure the fee simple title.

Mr. DOWELL. Will the gentleman yield?

Mr. COOPER of Wisconsin. When I have said this one word I will yield with pleasure. The Secretary of the Treasury will, through his agents, go to the city of Kenosha, look at the suggested new site, and come back and report to the House the terms upon which the Government can secure it, and the House in its discretion, when it comes to make up the omnibus public building bill, will accept the terms of the city of Kenosha or will not accept them.

The Secretary can not enter anything even resembling a contract. He will merely procure information and submit that information in his report to the House for its use in making up an omnibus public building bill.

Mr. DOWELL. Will the gentleman now yield?

The SPEAKER pro tempore. Will the gentleman from Wisconsin yield to the gentleman from Iowa?

Mr. COOPER of Wisconsin. Yes; I yield.

Mr. DOWELL. This negotiation is necessary in the purchase of any piece of ground for the purpose of the erection of a public building thereon.

Mr. COOPER of Wisconsin. Yes.

Mr. DOWELL. And any authorization which is made by Congress for the erection of a public building at a certain place carries with it, does it not, the authority to make the negotiations for the purchase of the ground upon which the building is to be placed?

Mr. COOPER of Wisconsin. Yes.

Mr. DOWELL. Now, I am asking, if this does not cover any moral reason for the Government to purchase this specific tract, why it is necessary to take this action in advance of the appropriation or the authorization of the construction of a building on that piece of ground.

Mr. COOPER of Wisconsin. I will say to my friend that that is a pertinent inquiry, but I do not think it has the point which, I believe, the gentleman thinks it has.

Mr. DOWELL. I am asking for information.

Mr. COOPER of Wisconsin. I understand, and I shall be very glad to reply to the very best of my ability. If we delay this until the House in its discretion passes an omnibus public building bill, it would not know what to appropriate nor what, if



anything, to do about a building for Kenosha, because the civic center place makes the situation there entirely different from any other. The new site is within a comparatively few feet of the old one, and the Government ought to secure it if proper terms can be secured. If private persons should put up a structure on that site, it would spoil the civic center plan and deprive the Government of a most convenient site. The securing of the information by the Secretary of the Treasury will not in the slightest degree obligate the Government.

Mr. DOWELL. I think there is much in the gentleman's position, but I am wondering if that same thing is not true to some extent in the purchase of other tracts at other places.

Mr. COOPER of Wisconsin. Oh, no; the making up of this civic center plan, which is a very beautiful thing, and the absolute necessity of a new post-office building there, those two together make a very novel and anomalous case for Kenosha. It is entirely different from any other, and they want this information right now if they can get it.

Mr. DOWELL. I think the gentleman's position is well founded.

Mr. SEARS of Florida. Mr. Speaker, I am in hearty accord with my colleague that we should have an omnibus bill, although they sometimes call me a "pork-barrel" Member, from my position. You referred to when we shall have an omnibus bill. Can my colleague tell me when that will probably be.

Mr. COOPER of Wisconsin. Nobody knows when that time will be, but I have no doubt that in due time the Congress of the United States will make an appropriation for greatly needed public buildings. The facts show that the Government of the United States is paying many millions of dollars to private property owners and in 10 years or a little more in some instances paying for their buildings. A private individual would not do that any longer than he could afford to do it, and he could not afford to a minute longer than his pocketbook would permit him to put up a building and save that expense.

Mr. SEARS of Florida. Will my colleague yield further?

Mr. COOPER of Wisconsin. Yes.

Mr. SEARS of Florida. I am in hearty accord with my colleague, but I was struck with his statement that in his district he could take care of the postal facilities in the buildings. In my district there are two or three hundred sacks of first-class mail out in the open with nothing but a tent over them, and yet we can not get a building; and that is why I wanted to know if you could tell me when we could expect to get a public building bill.

Mr. COOPER of Wisconsin. I do not know. I am not on that committee, but justice to the Government demands that at the proper time a bill be introduced and enacted into law.

Mr. GRAHAM of Illinois. Mr. Speaker, I desire to offer an amendment. I move to strike out the preamble of the resolution.

The SPEAKER pro tempore. The gentleman from Illinois moves to strike out the preamble. Does the gentleman desire recognition?

Mr. GRAHAM of Illinois. I just want to suggest to the Members of the House that this preamble ought not to be put in this resolution. I think a point of order could have been properly urged against it. This is no part of the resolution. The House does not want to find as a matter of fact and declare in a law that they have formed this civic center up there, that they have located a site and that they have planned a county courthouse to cost \$800,000, and that the business of the Post Office Department has increased to \$230,000 a year. We do not know anything about that.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. GRAHAM of Illinois. Yes.

Mr. COOPER of Wisconsin. Mr. Speaker, the gentleman says the preamble is no part of a law. This would not be a law if it passed the House. A House resolution, reported only to the House for its enlightenment and to be considered only by it, is not when it passes the House a law.

Mr. GRAHAM of Illinois. All right; let us say it is not a law, but is a House resolution.

Mr. COOPER of Wisconsin. It is a House resolution for information.

Mr. GRAHAM of Illinois. The gentleman from Wisconsin wants this House to declare a lot of things we do not know anything about and that we ought not to pass our judgment upon. The only reason for putting it in here, we know, of course, is so that somebody may have some justification for this proposition. He would have just the same authority if this resolution is passed for the inquiry and the furnishing of information, and it is poor practice to put this sort of thing on every resolution that comes along.

Mr. COOPER of Wisconsin. The preamble in this case was read by the committee which reported the resolution, and the report of the committee embodies in all of its essentials the statements in the preamble. They made that report after a hearing on the resolution.

Mr. DOWELL. Will the gentleman yield for a question? Is this a mere House resolution?

Mr. COOPER of Wisconsin. A House resolution.

Mr. DOWELL. Or a concurrent resolution?

Mr. COOPER of Wisconsin. A House resolution to secure information; that is all.

The SPEAKER pro tempore. The question is on the adoption of the amendment offered by the gentleman from Illinois.

The question was taken.

Mr. GRAHAM of Illinois. Mr. Speaker, I demand a division. The House proceeded to divide.

Mr. COOPER of Wisconsin (while the House was dividing). I withdraw the preamble, Mr. Speaker.

Mr. KING. I object, Mr. Speaker.

Mr. BLANTON. The gentleman can not withdraw it now except by unanimous consent. We have already voted on it.

Mr. GRAHAM of Illinois. Oh, yes; he can. He can withdraw it at any time.

The SPEAKER pro tempore. The gentleman from Illinois can withdraw his amendment and make it simpler.

Mr. GRAHAM of Illinois. But the gentleman from Wisconsin can withdraw his preamble.

Mr. BANKHEAD. Mr. Speaker, I make the point of order that the House is dividing on a specific proposition, and we ought to conclude the vote on that.

Mr. DOWELL. The House is voting now to determine whether the amendment shall be adopted, and that will settle the question.

The SPEAKER pro tempore. The gentleman asks to withdraw the preamble, and I think he has the right to do that during a division. The preamble and the resolution can be voted on separately, and the gentleman having withdrawn the preamble the question is on the third reading of the resolution.

Mr. BLANTON. I raise the point of order for orderly procedure. The Chair is one of the best parliamentarians in the House. He does not want to establish a bad precedent. Can a gentleman present a bill, and when there is a division on the passage of it, can he withdraw any paragraph of his bill that he desires? I think that is not within the rules of the House. The chairman does not want to set a bad precedent here that may be followed by other chairmen.

Mr. DOWELL. Mr. Speaker, I think the gentleman from Texas is correct. I do not believe that a Member may amend his resolution now. He has the right to withdraw it after it has been adopted or after it has been presented, but there is certainly nothing in the law to permit him to withdraw a part of his resolution and not all. The rule, I think, is very clear that a Member introducing a matter before the House has the right to withdraw it at any time before the vote is finally concluded. But certainly that would not permit him to withdraw part of it without unanimous consent. I think the point of order is well taken, and that we should proceed to vote on the amendment.

Mr. COOPER of Wisconsin. Mr. Speaker, rather than delay the proceedings, I ask unanimous consent to have the preamble stricken out.

Mr. BANKHEAD. Reserving the right to object, was this preamble a part of the resolution reported by the committee?

Mr. COOPER of Wisconsin. It was.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to withdraw the preamble. Is there objection?

There was no objection.

The resolution was agreed to.

#### BRIDGE ACROSS PEARL RIVER, MISS.

The next bill on the Consent Calendar was the bill (H. R. 657) granting the consent of Congress to the boards of supervisors of Rankin and Madison Counties, Miss., to construct a bridge across the Pearl River in the State of Mississippi.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the boards of supervisors of Rankin and Madison Counties, Miss., to construct, maintain, and operate a bridge and approaches thereto across the Pearl River at a point suitable to the interests of navigation at Meeks Ferry, in the State of Mississippi, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

There was no objection.

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

#### HUDSON RIVER CONNECTING RAILROAD CORPORATION.

The next business on the Consent Calendar was the bill (H. R. 4796) to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River, in the State of New York.

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

There was no objection.

The bill was read as follows:

*Be it enacted, etc.,* That the time for the completion of the bridge of the Hudson River Connecting Railroad Corporation, under the provisions of the act approved February 15, 1921, be extended to the 1st day of January, 1925.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### BRIDGE ACROSS COLUMBIA RIVER, OREG.

The next business on the Consent Calendar was the bill (H. R. 726) to extend the time for the completion of the construction of a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks, in the State of Oregon.

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

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a similar bill, the bill (S. 484) to extend the time for the completion of the construction of a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks in the State of Oregon, and consider the same in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to substitute the bill S. 484, for the bill H. R. 726. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the time for the completion of the construction of a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation at or near a point within 2 miles westerly from Cascade Locks, in the county of Hood River, State of Oregon, authorized by the act of Congress approved February 3, 1920, is hereby extended to February 15, 1926.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, and was read the third time and passed.

The bill H. R. 726 was ordered to lie on the table.

#### EXTENDING PROVISIONS OF CERTAIN LAWS TO THE TERRITORY OF HAWAII.

The next business on the Consent Calendar was the bill (H. R. 4121) to extend the provisions of certain laws to the Territory of Hawaii.

The bill was read, as follows:

*Be it enacted, etc.,* That beginning with the fiscal year ending June 30, 1925, the Territory of Hawaii shall be entitled to share in appropriations now or which may hereafter become available for apportionment under the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, or the Federal highway act, or any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States, and such Territory shall be included in the calculations to determine the basis of apportionment of such funds: *Provided*, That in approving road projects in such Territory to receive Federal aid the Secretary of Agriculture shall give preference to such projects as will expedite the completion of an adequate system of highways for the national defense or which will connect seaports with units of the national parks.

SEC. 2. Subject to the approval of the Federal Farm Loan Board, and under such conditions as it may prescribe, the provisions of the Federal farm loan act, as amended, are extended to the Territory of Hawaii. Such board shall include the Territory in a Federal land-bank district, and such Federal land bank as the board may designate is authorized to establish branch banks in the Territory.

SEC. 3. The Territory of Hawaii shall be entitled to share in the benefits of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, or any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. For the fiscal year ending June 30, 1925, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$13,000, to be available for apportionment under such act to the Territory, and annually thereafter such sum as would be apportioned to the Territory if such act had originally included the Territory.

SEC. 4. The Territory of Hawaii shall be entitled to share in the benefits of the act entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, or any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of \$30,000, to be available for allotment under such act to the Territory.

SEC. 5. The Territory of Hawaii shall be entitled to share in the benefits of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, or any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of \$5,000, to be available for allotment under such act to the Territory.

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

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman a question. Has this bill been submitted to the chairman of the Committee on Appropriations?

Mr. CURRY. The chairman of the Committee on Appropriations is in favor of the bill.

Mr. BLANTON. He raises no objection to it?

Mr. CURRY. No; he is in favor of it, and it is also approved of by the heads of each department of the Government that deal with the several questions.

Mr. BANKHEAD. I would like to ask the gentleman, is it the unanimous report of the Committee on Territories?

Mr. CURRY. It was reported out unanimously by the Committee on Territories on the motion of the ranking minority member.

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

There was no objection.

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

On motion of Mr. CURRY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. JARRETT. Mr. Speaker, under leave to extend my remarks, I would like to say a few words regarding Hawaii, her early history, and the circumstances which led up to the annexation by the United States.

The Territory of Hawaii, formerly known as the Sandwich Islands, comprises a group of eight principal islands, with a total area of 6,450 square miles, lying in latitude 21° north, about 2,100 miles from the west coast of the United States. The population at the last census was, in round figures, 250,000. The estimated population to-day, based on statistics compiled by the board of health of the Territory, is about 300,000.

The islands were discovered by Capt. James Cook, a British navigator, in the year 1778. At the time of discovery Captain Cook wrote them down as "Friendly Islands," also wrote of the inhabitants as being highly civilized, industrious, and labeled them, as few would object to being labeled, as being stalwart, upright, straightforward, fearless, candid, and open-minded.

It was true that there was a civilization of an exceptionally high standard at that early date. The boys excelled in various forms of athletics, all arranged by their chiefs to make them later proficient in the arts of war.

We read of the navigation of Columbus and men of his type, but the Hawaiian just as fearlessly sailed the broad Pacific in his canoe with only sun and stars to guide him.

They had a knowledge of the use of roots and herbs in combating disease, and the manipulations and adjustments of the present schools of osteopathy and chiropractic were highly developed among the Hawaiians.



The system of government from the king down through his chiefs and subchiefs was remarkably like the feudal system of Europe, and this continued to the time of Kamehameha I. Prior to his time each island had its own king. Through his knowledge of warfare he became after long and desperate fighting the monarch of all the islands.

During his long and vigorous reign there was manifest in everything that he did a superior intelligence and a deep reverence for a power greater than his. With such an influence governing his life, he ruled his people, even those whom he had conquered, with justice.

About this time a number of Hawaiian boys were sent to Cornwall, Conn., to attend a mission school. There they learned English and soon interested the American Board of Foreign Missions in their homeland. A missionary party was made up and landed in the Hawaiian Islands in April, 1820.

The Hawaiian boys who had been in school in Connecticut had reduced their language to writing and had translated most of the Bible, and had made considerable progress toward completing a grammar, a dictionary, and a spelling book. From this start the missionaries had already printed some books and tracts in the Hawaiian language for use upon their arrival in the islands.

When this band of missionaries landed in the islands they were surprised to find a people who were ready to receive them and embrace the religion which they brought. They found that the Hawaiians were a highly intelligent and industrious people, and had by their own hand destroyed their idols and burned their temples and abolished forever the Tabu, the ancient and terrible power of the priesthood, the king and the chiefs over the common people.

Education was undertaken immediately by the missionaries, and the desire for learning became so widespread among the natives that at the end of five years there were 20,000 pupils enrolled in the various schools, and in 10 years' time the registration had increased to 53,000, of an estimated population of 130,000. Some of the schools established at that time are still in existence, and our present school system, modeled after the best American schools, leads through all the various grades, ending with the University of Hawaii.

A large part of Hawaii's wealth has been expended for education, and the percentage of illiteracy among the Hawaiians and Anglo-Saxon population is practically nil.

In 1833, when Kamehameha III ascended the throne, he became deeply interested in the welfare of the common people. In 1839 he proclaimed his famous bill of rights. It was Hawaii's Magna Carta, not wrung from an unwilling monarch by force of arms but the free surrender of despotic power by a wise and generous ruler.

The king in 1848 caused a division of all the lands. One-third was designated to support the crown, one-third to the government, and the remaining third for the common people. A land commission had previously been established, and all those who were occupying land under the king or chief were given an opportunity to acquire title by proving such occupancy.

Thus a stable and satisfactory government, by a constitutional monarch, with a legislature composed of two branches, was established and functioned until 1893 when the monarch was overthrown. It appeared, perhaps, to the outside world that the monarchy was overthrown from within, but the passage by the United States Congress of the McKinley Tariff Act, which took from Hawaii the advantages previously enjoyed under the reciprocity treaty, which had been negotiated by King Kalakaua with the United States in 1876, in my opinion, was a contributing factor.

After the overthrow the Republic of Hawaii was established and that was the government in existence when the treaty of annexation was negotiated with the United States in 1898.

Since annexation Hawaii has contributed to the United States Treasury more than \$100,000,000 in customs and internal revenue collections alone.

The money appropriated by Congress in the past 20 years to be spent in Hawaii has been used largely for developing a naval base at Pearl Harbor and for constructing military defenses. While all of this is beneficial to Hawaii, the fact must not be overlooked that we are the first line of defense guarding the great coast line of the Western States.

In this bill, H. R. 4121, we seek the authorization from Congress to extend various Federal aid laws to include the Territory of Hawaii—namely, the Federal highway act, so called; the farm loan act; the act for the promotion of the welfare and hygiene of maternity and infancy; the vocational education act; and vocational rehabilitation.

In the matter of roads Hawaii herself has expended approximately \$26,000,000 on the construction and maintenance

of highways, with the result that to-day we have 1,479 miles of main roads within the Territory, of which 44 miles are paved in concrete, 310 miles of asphalt macadam, 54 miles of coral, 143 miles of oiled macadam, 68 miles of water-bound macadam, 250 miles subbed, and 610 miles still to be paved.

No money has ever been spent on these roads by the United States, even though the military maneuvers and constant hauling of supplies to the various Army posts by long trains of Army trucks has very greatly increased the cost of maintaining our roads.

In the concrete reconstruction of our roads we have sought to cooperate with the wishes of the military authorities and build a wider road and a road with at least 2 inches more of concrete in thickness than ordinary commercial use would demand so that the Artillery branch of the service could maneuver their heavy gun tractors over the county roads.

No money comes to Hawaii for Territorial forest reserve roads, and so far the roads to and through the national parks have been constructed and are maintained by the Territory of Hawaii.

What is true of our road situation is more or less true of our educational status. Hawaii has spent much money on education and, I have said before, enjoys a very low percentage of illiteracy. We seek the benefits to be derived from the various vocational educational appropriations to assist us in absorbing our increasing population. We are endeavoring to teach our youth a trade or vocation which will help them to be self-supporting. Our community is too small to assimilate the large and increasing number of graduates from our institutions in clerical positions.

We are melting together and molding a type of loyal citizen from our mixed population and only seek what is due in asking recognition in this matter.

In the more recent past, a number of independent agriculturists have arisen in the islands largely through the homesteading of Government lands. We believe that if Hawaii be included in one of the Federal land bank districts under the farm loan act, a direct benefit would accrue to the small farmer. Loans made to them would help develop diversified farming and an independent, rural population, that more nearly approximates the bone and sinew of our country as you gentlemen know it in your districts, would be created.

In the matter of promoting the welfare and hygiene of maternity and infancy we seek the same treatment as is accorded the various States. In Hawaii the birth rate is high, likewise the infant mortality during the first year is very high.

Now, gentlemen, Hawaii can qualify as to the terms and conditions set forth in the various Federal aid acts necessary to participation in their benefits:

Hawaii is entitled to the recognition asked for in the bill.

Hawaii is an integral part of the United States, not acquired by conquest, but annexed by treaty.

Hawaii enjoys the guiding influence and protection of the flag we love so well, her citizens loyally responding to every demand of Government and bearing the financial responsibilities of a State.

Mr. Speaker and gentlemen, I thank you.

SALE OF LANDS ALLOTTED TO INDIANS UNDER MOSES AGREEMENT.

The next business on the Consent Calendar was the bill (H. R. 2878) to authorize the sale of lands allotted to Indians under the Moses agreement of July 7, 1883.

The Clerk reported the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That any allottee to whom a trust patent has heretofore been or shall hereafter be issued by virtue of the agreement concluded on July 7, 1883, with Chief Moses and other Indians of the Columbia and Colville Reservations, ratified by Congress in the act of July 4, 1884 (23 Stat. L., pp. 79, 80), may sell and convey any or all the land covered by such patents, or if the allottee is deceased the heirs may sell or convey the land, in accordance with the provisions of the act of Congress of June 25, 1910 (36 Stat. L., p. 855).

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. CARTER. Mr. Speaker, I desire to get some information about this bill. I notice that it provides for the issuance of patents in fee in lieu of trust patents. Will the gentleman from New York tell me how much land is involved in this transaction?

Mr. SNYDER. Mr. Speaker, under the act of 1904 or 1905 certain homesteads were allotted to certain Indians, of which 80 acres were withheld from distribution under the law.

Since then many of the allottees have died. The department now has no law under which it can dispose of these 80 acres, either for the benefit of the heirs or anyone else. This simply gives authority to close out those 80-acre pieces for the benefit of the heirs.

Mr. CARTER. Were not these restrictions as to sale removed by the death of the individual?

Mr. SNYDER. They were not.

Mr. CARTER. And this applies not only to inheritance estates, but to the estates of living Indians.

Mr. SNYDER. To all estates under the Moses agreement.

Mr. CARTER. And the gentleman does not know how much land is involved?

Mr. SNYDER. No. I know that it applies to the 80 acres wherever the department has been unable to clear up the estate and the 80 acres which were withheld in the original act were not disposed of. It gives them now the right to dispose of those 80-acre pieces in the interest of the heirs of the estate.

Mr. CARTER. And the gentleman can not tell us how many of those there are?

Mr. SNYDER. No.

Mr. CARTER. Have the Indians any other land except this?

Mr. SNYDER. No other lands.

Mr. CARTER. And this leaves those Indians without any land?

Mr. SNYDER. Yes; this leaves the heirs of those men with no land.

Mr. CARTER. Are not some of these Indians still living?

Mr. SNYDER. Yes; but it does not affect them. It merely affects the estates of those who died.

Mr. CARTER. I am not so sure the gentleman is right about that. The bill provides:

That any allottee to whom a trust patent has heretofore been or shall hereafter be issued by virtue of the agreement concluded on July 7, 1883, with Chief Moses and other Indians of the Columbia and Colville Reservations \* \* \* may sell and convey any or all the land covered by such patents.

Then it provides:

Or if the allottee is deceased the heirs may sell or convey the land, in accordance with the provisions of the act of Congress of June 30, 1910.

So this seems to embrace two distinct proposals, one for the dead, it is true, but also applying to the living.

The thing I had in mind was that we might be depriving some Indians of their last land, and that they might fall back upon the Government for support in the future.

Mr. SNYDER. I do not think there is anything of that kind in the matter at all. There are further conditions. Let me read from the report of the Department of the Interior:

These conditions are further complicated by the fact that many of the original Moses agreement allotments are now included in irrigation districts, particularly in the vicinity of Lake Chelan and the town of Loomis. Under the prevailing law it is incumbent on this department to administer these estates, subdivided among nonresident heirs, and such irrigable trust lands that can not be sold or conveyed are rapidly becoming a burden to the heirs themselves as well as an administrative nuisance.

Mr. CARTER. I see that the gentleman from Washington [Mr. HILL] is on the floor, and perhaps he could tell us something about the number of Indians out there.

Mr. HILL of Washington. Mr. Speaker, this bill was not introduced by me. It was introduced by the gentleman from New York [Mr. SNYDER], chairman of the Committee on Indian Affairs, at the instigation of the Department of the Interior. I have in a general way some information as to the Moses Indians. Without having made any special investigation of this matter, because my attention was not called to it until recently, my information is that the Moses Tribe of Indians was composed of the remnants of other tribes and accretions from other tribes. The agreement referred to, having been made in 1883, was ratified by act of Congress in 1884, and allotted to them certain lands on the Columbia and Colville Reservations. The Indians have scattered. There is practically no cohesion among them. There are merely segregated individuals here and there. As reported by the Secretary of the Interior, a number of the heirs of deceased Indians have taken in their own right and in their own names allotments on the Colville Reservation, and it seems there are some adjustments to be made by reason of that fact. Some of these heirs have allotments on the Colville Reservation.

Mr. CARTER. But not all of them?

Mr. HILL of Washington. I take it not all of them.

Mr. SNYDER. I would state to the gentleman that most of these original allottees under the Moses agreement are dead. This is now simply to adjudicate this property in the interest of the heirs who do not live in that country at all.

Mr. SUMMERS of Washington. Would it not be advisable to make the bill apply to those cases where the original allottee is deceased, instead of to those who are living?

Mr. SNYDER. I think the bill in the form in which it is will deal only with those cases without amendment at all.

Mr. SUMMERS of Washington. I call the attention of the chairman to lines 8 and 9 of the bill, where it provides—

may sell and convey any or all the land covered by such patents, or if the allottee is deceased, the heirs, etc.

That very distinctly makes two separate classes.

Mr. SNYDER. Will the gentleman yield while I read from a favorable report of the department the following language:

Your attention is invited to proposed legislation in connection with certain Indian allotments in the State of Washington commonly designated on the records as the "Moses agreement allotments." The proposition has previously been under consideration with a favorable report from this department and is embodied in Senate 4365 and H. R. 13826, Sixty-seventh Congress, fourth session.

Section 2 of the act of March 8, 1906 (34 Stat. L. 55-56), which authorizes the issuing of the trust patents, contains a provision withholding from sale or conveyance at least 80 acres of each allotment. It is reported that most of the allottees are now deceased, that their heirs are widely scattered, and legislation is desired that will authorize the sale of the whole or any portion of the allotments under the existing laws and regulations governing the sale of Indian trust lands.

You see these sales are covered by the act, the law. They can only go to certain limits under the restriction of the act of 1906.

The superintendent of the Colville Reservation, who has jurisdiction over the Moses agreement allotments, has recently reported that a large per cent of the heirs of the deceased allottees have received allotments in their own names on the Colville Reservation and are now residing there, making it practically impossible to effect a satisfactory adjustment of the Moses agreement estates. The allotments if partitioned among the heirs entitled thereto would leave them with small holdings of land many miles from their place of residence, said small holdings being withheld from sale or conveyance by the law. If such partitioned estates could be sold, the proceeds of the sales could then be used very advantageously by the heirs under the supervision of this department in improving and developing their own allotments or for such other purposes as may be deemed advisable.

These conditions are further complicated by the fact that many of the original Moses agreement allotments are now included in irrigation districts, particularly in the vicinity of Lake Chelan and the town of Loomis. Under the prevailing law it is incumbent on this department to administer these estates, subdivided among nonresident heirs, and such irrigable trust lands that can not be sold or conveyed are rapidly becoming a burden to the heirs themselves as well as an administrative nuisance.

A draft of a proposed bill has accordingly been prepared, outlining what is believed to be the necessary legislation for this purpose, and a copy is submitted herewith. I respectfully recommend the favorable consideration of the matter to your committee.

Mr. CARTER. If the gentleman will permit, it would seem from the face of the bill that this would act as a removal of a restriction from these Indians to sell their lands without any supervision by the department, and I have some acquaintance with the Colville Reservation and know they are not all competent to do that, but I notice the bill does say, "In accordance with the provisions of the act of June 25, 1910." Does that act provide for the sale of lands under the supervision of the department?

Mr. SNYDER. It certainly does; there is no question about it.

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

BRIDGE ACROSS THE MISSISSIPPI RIVER BETWEEN HENNEPIN AND RAMSEY COUNTIES, MINN.

The next business on the Consent Calendar was the bill (S. 801) granting the consent of Congress to the construction, maintenance, and operation by the Valley Transfer Railway Co., its successors and assigns, of a bridge across the Mississippi River between Hennepin and Ramsey Counties, Minn.

The Clerk read the title of the bill.

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



The Clerk read as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Valley Transfer Railway Co., a corporation organized and existing under the laws of Minnesota, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River between Hennepin and Ramsey Counties, Minn., at a point suitable to the interests of navigation and near where the line between the city of Minneapolis and the Fort Snelling Military Reservation, extended, would cross said river, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

#### BRONZE TABLET ON THE FRANCIS SCOTT KEY BRIDGE.

The next business on the Consent Calendar was the bill (S. 627) to authorize the National Society United States Daughters of 1812 to place a bronze tablet on the Francis Scott Key Bridge.

The Clerk read the title of the bill.

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

The clerk read as follows:

*Be it enacted, etc.,* That the National Society United States Daughters of 1812 is authorized to place, on the Francis Scott Key Bridge across Potomac River, a bronze tablet, inscribed with the insignia of such society and with the last verse of the Star-Spangled Banner, after the plans and specifications for such tablet have been submitted to, and approved by, the Commission of Fine Arts on such plans and specifications, the installation of said tablet to be under the direction of the Commissioners of the District of Columbia.

SEC. 2. Such tablet shall be erected without expense to the Government of the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

#### GRANTING THE FRANKING PRIVILEGE TO FLORENCE KLING HARDING.

Mr. GRIEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2) granting the franking privilege to Florence Kling Harding and proceed to its consideration, and upon that request I ask unanimous consent to make a very brief statement to the House.

The SPEAKER. Is there objection to the gentleman making a statement? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. What became of the last bill on page 16?

The SPEAKER. That was not filed in time to be in order to-day.

Mr. BLANTON. Unanimous consent was not asked to take up the bill?

The SPEAKER. The unanimous consent is for the gentleman to make a statement. Is there objection? [After a pause.] The Chair hears none.

Mr. GRIEST. Mr. Speaker, this bill is identical in language and purport with the bill introduced in the House by the gentleman from Ohio who represents the Marion congressional district and has been unanimously reported out of the Committee on the Post Office and Post Roads. The franking privilege has been invariably extended by the Congress to the widows of Presidents. For the information of the House I will say that the first extension of this privilege was made to Martha Washington. This precedent was followed thereafter for Dolly Madison, Louise Catherine Adams, widow of John Quincy Adams, Margaret S. Taylor, Mary Todd Lincoln, Julia Dent Grant, Lucretia R. Garfield, Mary Scott Harrison, widow of Benjamin Harrison, Ida A. McKinley, Frances F. Cleveland, and the last action of this kind was taken in the Sixty-sixth Congress in behalf of Mrs. Roosevelt. The precedents are complete in cases of this kind, and in line with the pending bill. As an additional courtesy to the lady who holds the sympathy and affection of the entire country I ask that the enactment of this measure be expedited by its passage at this time.

Mr. BLANTON. Mr. Speaker, this bill is not embrative of the grant of any amount annually?

Mr. GRIEST. No.

Mr. BLANTON. It affects only the franking privilege?

Mr. GRIEST. That is all.

Mr. BLANTON. There is no objection to it.

The SPEAKER. The Chair hears no objection and the clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That all mail matter sent by the post by Florence Kling Harding, widow of the late Warren Gamaliel Harding, under her written autograph signature, be conveyed free of postage during her natural life.

Mr. BLANTON. Mr. Speaker, I ask recognition for a few minutes.

The SPEAKER. The gentleman from Texas.

Mr. BLANTON. Mr. Speaker and gentlemen, so far as the granting of this franking privilege is concerned it meets with my hearty approval. I think that is a courtesy that should be shown. It costs the Government of the United States just a nominal amount, but there is in connection with this precedent a new precedent that is sought to be established, and I want to serve notice now that I have as much sentiment as any man in this House, I guess. I got out of bed at 2 o'clock in the morning when this calamity came upon us and went down to send my message of condolence to our President's widow, but there is a disposition to grant a pension to the widows of our deceased Presidents that I do not think ought to be carried on any longer.

There is a bill that has already passed the other body to grant \$5,000 a year as long as she may live to this good woman. If she needed it financially, I would be the first man to support that measure, but where a woman is well off, been left a tremendously large estate, I do not think Congress ought to do it. I do not think we ought to be carried away with sentiment on those questions. It is not a question of politics. I would vote to stop it just as quickly concerning one as another, and I want to say that that measure can not have the support of my vote. Where under the Constitution the good women of this land are on an equality, they have equal privilege and equal rights under the Constitution, why should we pick out one, not because of some act she has done, and confer upon her the right and the privilege that no other woman in the land has? I am not in favor of it, and while I regret to have to do it, I feel impelled from a sense of duty to voice my protest to it.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection a similar House bill will lie upon the table.

There was no objection.

#### BRIDGE BETWEEN THE BOROUGHES OF BROOKLYN AND QUEENS.

Mr. STENGLE. Mr. Speaker, I ask unanimous consent to go back to No. 7 on the Consent Calendar for the purpose of making an inquiry.

The SPEAKER. The gentleman can make the inquiry without going back, without objection.

Mr. STENGLE. Then I make the inquiry without going back, if I am in order. I notice this is unlike the preceding bills in that it authorizes the construction of a bridge, while the others simply authorize somebody to do it. I wonder whether the Government of the United States is going to construct the bridge or whether it is to be constructed by the city of New York.

The SPEAKER. The language of the bill will determine that.

Mr. STENGLE. Then I will consult the bill.

#### MUSCLE SHOALS.

Mr. HULL of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD the offer of some power companies for Muscle Shoals, with short remarks of my own.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD by publishing an offer of some power companies for Muscle Shoals. Is there objection?

Mr. BANKHEAD. Whom are these offers by?

Mr. HULL of Iowa. Three have signed the offer. Nine others are to sign it, so I understand. The Alabama Power Co. and the Tennessee Electric Power Co. and Columbus Electric & Power Co. have signed it.

Mr. BANKHEAD. Have these offers been officially presented to the Secretary of War?

Mr. HULL of Iowa. Yes; and they are submitted to the Congress.

The SPEAKER. Is there objection?

There was no objection.

Mr. HULL of Iowa. Mr. Speaker, under the leave granted me to extend my remarks in the RECORD, I include the following:

THE TENNESSEE ELECTRIC POWER CO.,  
Chattanooga, Tenn., January 15, 1924.

The honorable the SECRETARY OF WAR:

The undersigned submit the following proposal in connection with the Muscle Shoals projects of the Government:

1. For the purpose of carrying out this proposal, the undersigned, together with other companies engaged in serving the public with lighting and power in the Southeastern States, will form a corporation, herein called the "power company," which will make all contracts necessary to carry out this proposal, and will provide \$10,000,000 of capital therefor, or such portion of that amount as upon the acceptance of this proposal may be determined to be necessary.

2. Upon the completion of Dam No. 2 and its power house the power company will lease the same for a term of 50 years, under the terms of the Federal water power act, and will lease the Government steam plant at Sheffield, Ala., for a term of 20 years, and will agree to pay an annual rental therefor to the United States of \$2,000,000. This is interest at 4 per cent on \$50,000,000, which includes the \$45,500,000 of estimated expenditures on the hydroelectric project to the time of its completion with eight generating units of 240,000 horsepower total capacity, and \$4,500,000 representing the value of the Government's steam plant at Muscle Shoals. Said sum of \$50,000,000 also includes the \$17,000,000 expended on the project during and just after the war. After the expiration of the lease on the steam plant, or if the steam plant should be sold to the power company as hereinafter provided, such annual rental shall be reduced by 4 per cent on \$4,500,000.

The lease with respect to the project at Dam No. 2 will include the hydroelectric and operating equipment and spillway gates, together with such lands and buildings owned or to be acquired by the United States in connection with the power project as may be desired by the power company, but will exclude the locks and other navigation facilities. The lease will begin from the date when hydroelectric structures and equipment (including the necessary high-tension substations) of the capacity of 100,000 horsepower are installed and made ready for service, additional equipment of approximately 140,000 horsepower to be installed by the United States and made ready for service by January 1, 1926. Work on the high-tension substation shall be commenced by the power company at its own expense as soon as this offer is accepted.

Such annual rental will be payable at the end of each calendar year, except that for the first years of the lease period the rental shall be as follows: Three hundred thousand dollars at the end of the calendar year during which 100,000 hydroelectric horsepower is installed and made ready for service, or the proportionate part thereof if such 100,000 horsepower is not made ready for service the whole of the first calendar year; and thereafter \$300,000 annually at the end of each year for six years; for the next four years \$4,500,000 annually, increasing in the following year to the maximum rental.

The power company will, if desired by the United States, install at its own expense additional units beyond the eight units now provided for to meet the market demands for power. If not installed by the power company, such additional units will be installed by the United States to meet market demands for power, and the annual rental will then be increased by 4 per cent on the cost of such additional units.

3. The power company will at its own expense throughout the lease period operate and make all necessary renewals and repairs incident to efficient maintenance of the spillway gates, the power house and substructures, superstructures, machinery, and appliances appurtenant to the power house, and will maintain the same in efficient operating condition, all in accordance with the Federal water power act, it being understood that all necessary repairs and maintenance of Dam No. 2 and the locks shall be under the direction, care, and responsibility of the United States and at its expense during the said 50-year lease period.

4. At all times during the period of the lease the power company will furnish to the United States, free of charge, the necessary power to operate the locks and other navigation facilities of Dam No. 2.

5. The lease of the steam plant shall provide for successive renewals at the same rent at the option of the power company, each for 10 years, but to expire in any event upon the expiration of the lease of No. 2 project, and it shall require the power company to make all renewals and replacements necessary to maintain the plant in good operating condition and for the insurance of the plant up to its full insurable value. The power company shall have the right to install additional units and other equipment therein, which the United States may recapture in accordance with the provisions of the Federal water power act.

6. The power company will begin the construction of Dam No. 3, its locks, and power house, whenever requested by the United States after the completion of Dam No. 2, and will construct same at the expense of the United States and without profit to the power company in the shortest possible time consistent with good workmanship and economy, in accordance with plans and specifications prepared by the power company and approved as provided by the Federal water power act. The power company will for this purpose be permitted to make use of

the construction plant at Dam No. 2. The power house will have a total installation of 250,000 horsepower, with equipment which includes the high-tension substation.

7. In case the United States so proceeds with such construction, the power company will lease from the United States under the terms of the Federal water power act for a period of 50 years the power house at Dam No. 3 and all of its hydroelectric and operating appurtenances, spillway gates, and high-tension substation, together with such lands and buildings owned or to be acquired by the United States in connection with the project as may be desired by the power company, but excluding the locks and other navigation facilities. Such lease shall begin from the date when structures and equipment of a capacity of 80,000 horsepower are installed and made ready for delivery of power to the power company, and the power company will pay to the United States as annual rental therefor 4 per cent of the actual cost up to a rental of \$1,200,000 per annum, payable annually at the end of each lease year, except that for the first years of the lease period the rentals shall be as follows: \$200,000 at the end of the calendar year during which 80,000 horsepower is installed and made ready for service or the proportion thereof if such 80,000 horsepower is not made ready for service the whole of the first calendar year; and \$200,000 annually at the end of each year for three years, increasing with the following year to the maximum rental. The Alabama Power Co., being the owner of the site of Dam No. 3 and of certain flowage lands acquired in connection with the project, agrees to donate the same to the United States in the event the project is constructed for and at the expense of the United States. The power company will, if desired by the United States, install at its own expense all generating units when required to meet market demands for power.

8. If the United States so proceeds with such construction, the power company will, at its own expense, throughout the lease period, operate and make all necessary renewals and repairs incident to efficient maintenance of the spillway gates, high-tension substation, the power house and substructures, superstructures, machinery, and appliances appurtenant to the power house and will maintain the same in efficient operating condition, all in accordance with the Federal water power act, it being understood that all necessary repairs, maintenance, and operation of Dam No. 3 and the locks shall be under the direction, care, and responsibility of the United States and at its expense during the said 50-year lease period. If Dam No. 3 is constructed and operated under license from the Federal Power Commission, as hereinafter provided, the provision of said act relating to repairs and maintenance and operation shall apply.

9. If the United States does not proceed with such construction on the plan proposed, then the power company may at any time build and operate said dam under the terms of the Federal water power act, and shall be granted a license therefor on application, one-third of the cost of the project to be borne by the United States as the value of the navigation improvement in the Muscle Shoals section of the river.

10. At all times during the period of the lease the power company will furnish to the United States free of charge the necessary power to operate the locks and other navigation facilities at Dam No. 3.

11. The power company also agrees to purchase from the United States, at the option of the United States, to be exercised upon the execution of the contract to carry out this offer, the 60,000-kilowatt steam plant owned by it at Muscle Shoals in connection with nitrate plant No. 2, together with the necessary rights of way, lands, and housing facilities, and to pay therefor \$4,500,000 on terms satisfactory to the Government.

12. The projects covered by the licenses, including generating units and other additions made by the power company, shall be subject to recapture by the Government at any time during the license period or at the end of the period of 50 years under the terms of the Federal water power act.

13. Whenever the power company is directly benefited by the construction by a licensee of the United States or by the United States itself of a storage reservoir or other headwater improvement, the power company shall, in accordance with the Federal water power act, reimburse the owner of such reservoir or other improvement for such part of the annual charges for interest, maintenance, and depreciation thereon as the Federal Power Commission shall determine to be equitable; and whenever such reservoir or other improvement is constructed by the United States, the power company shall pay to the United States similar charges similarly determined.

14. The license shall provide that whenever the safety of the United States demands, the United States shall have the right, in accordance with the Federal water power act, to take over and operate the projects covered by the licenses for the purpose of manufacturing nitrate, explosives, or munitions of war, or for any other purpose involving the safety of the United States, for such length of time as should appear to the President necessary for such purposes; and the United States shall also have the right to take over and operate said Sheffield steam plant in the same manner whenever the safety of the United States demands.



15. Upon the completion of No. 2 project the power company will furnish and deliver for 50 years at any point within 5 miles of Dam No. 2 at such voltage as may be desired, and at actual cost to the power company up to 60,000 horsepower, to be used solely in the manufacture of fertilizers.

Upon the completion of No. 3 project, the power company will furnish and deliver for 50 years at any point within 5 miles of Dam No. 2, at such voltage as may be desired and at actual cost to power company, 40,000 additional horsepower for use solely in fertilizer manufacture.

To the extent that the fertilizer company does not use power for such purpose, the power may be used by the power companies in public-utility service.

16. The power company also agrees to create and cause to be paid to the directors described below a fund of \$1,000,000, which, with the accretions mentioned below, shall be used in electrochemical research in the interest of agriculture and the national defense. The expenditure and administration of such fund, both principal and interest, shall be under the control of five directors, one of whom may be from time to time designated and removed by the Secretary of Agriculture, one by the Secretary of War, one by the Secretary of Commerce, one by any corporation engaged in the manufacture of fertilizers at Muscle Shoals under contract with the Government, and all not so designated may be from time to time designated and removed by the power company. The directors may increase their number from time to time to any multiple of five, the additional directors to be appointed and to be removed in like manner as the original directors. Action of the directors shall be by majority vote.

The compensation of the respective directors shall be fixed from time to time by the joint action of the Secretary of Agriculture, the Secretary of War, and the Secretary of Commerce. The directors may employ such technical and other services as they shall deem desirable, and the course of investigations made with the use of said fund (which may include investigations made elsewhere than in the laboratories of said fund), the persons, bodies, and institutions to make such investigations (which may include any bureau or agency of the Government or of any State or any college, corporation, or scientific body), the disposition of any results obtained, in whole or in part, from the use of such fund, and the terms of such disposal, shall be subject to the direction of said board of directors, and any royalties or other proceeds shall be added to and become a part of such fund.

Said directors shall make and publish annually reports of their proceedings and of the research and investigation made with the use of the fund and shall account annually to the agencies which appointed the directors for the receipts, disbursements, and financial commitments from said funds. Said directors may at any time vest said fund in a corporation, which shall hold the same subject to the provisions hereof, and the Congress of the United States may at any time direct that such fund, or any portion thereof then remaining, shall thereafter be devoted to any use not herein provided for.

The \$1,000,000 mentioned above shall be paid to such fund in 10 annual installments, except that any subscriber thereto may at any time anticipate his subscription in whole or in part.

17. In addition to any other remedies that may be possessed by the United States, the power company agrees that the Attorney General may, on request of the Federal Power Commission or of the Secretary of War, institute proceedings as provided in the Federal water power act for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of any of the terms of the contract or of any provisions of the Federal water power act applicable hereto, or of any lawful regulation or order promulgated thereunder, and in case of the failure of the power company to comply with any final decree entered in any such proceeding, the Attorney General may, on request of the Federal Power Commission or of the Secretary of War, institute proceedings as provided in said Federal water power act for the purpose of revoking any license issued thereunder.

Respectfully,

THE TENNESSEE ELECTRIC POWER COMPANY,  
By C. M. CLARK, *Chairman*,  
COLUMBUS ELECTRIC & POWER COMPANY,  
By E. W. HILL, *Vice President*,  
ALABAMA POWER COMPANY,  
By THOS. W. MARTIN, *President*.

Representative HARRY E. HULL of Iowa, member of the House Military Affairs Committee, who initiated the correspondence with the Federal Power Commission which has resulted in a bid being made by a number of the power companies of the South to operate Muscle Shoals under a 50-year lease for a rental of \$100,000,000, to-day made public the following statement:

"I am naturally much gratified that this offer has now been made to the Secretary of War in a formal manner, and I hope he will immediately transmit it to Congress. The people of the South are to

be congratulated upon the offer, because if Congress accepts it, the hydroelectric energy from the South's greatest natural resource—Muscle Shoals—will be equitably distributed all over the South, where it belongs, through a great network of interconnected transmission lines, thus assuring to southern industry in every field of endeavor a constant and large supply of cheap power for the further development of the whole South upon sound economic lines.

"Not only that, but by the reservation in the offer of 100,000 horsepower at actual cost for fertilizer manufacture the way is cleared for production of a constant and large supply of cheap fertilizers for the benefit of the farmers of the country, exactly in accordance with the policy of Congress. Furthermore, the new bid contains the admirable provision that there will be created by the power companies a public fund of \$1,000,000 to be used in electrochemical research in the interest of agriculture and in the interest of the national defense, thus assuring the use of not only the cheapest possible processes in fertilizer manufacture but also the use of the best processes in producing nitrates as a stand-by in case of war.

"I regard this offer as far and away the best offer the Government has ever received for the Muscle Shoals projects. Under it we are not asked to sell or otherwise part with the nitrate plants, which officials of the War Department regard as our greatest national asset as a stand-by in time of war. We are not asked to sell or otherwise part with the Sheffield steam plant, also a stand-by to the nitrate plants, although it now appears that if we did want to sell it under the new offer we could obtain \$4,500,000 in cash for that one unit alone.

"No other offer that has ever been made will stand comparison for a moment with this offer. There has been brought out for the first time in this offer some actual facts as to the large money value to the people of the United States of the water-power rights and privileges at Muscle Shoals, instanced by a willingness, as shown in the offer, to pay \$100,000,000 for these water-power rights, under a 50-year lease from the Federal Power Commission, surrounded by the safeguards in the interest of the people devised by the conservationists of the country when we first began to protect our water-power natural resources, all of these properties to remain the property of the people rather than be handed over for a song, as has been otherwise proposed.

"Under this new offer, as shown in the Federal Power Commission correspondence, the entire Muscle Shoals power can be absorbed in the South within a period of not exceeding 10 years from the completion of the project. This would involve its transmission to power-consuming centers, including the adjacent and intermediate territory of Memphis, Chattanooga, Knoxville, and Nashville, in the State of Tennessee; various communities in Georgia and in the Carolinas, extending as far eastward as Wilmington; Birmingham and Montgomery and other sections of Alabama; and with a further extension of the superpower system can be made available in the Mobile and New Orleans districts and in the State of Mississippi and portions of Florida, including the port city of Pensacola.

"The large quantities of cheap power eventually to be made available at Muscle Shoals should go to all of those communities, to turn the wheels of the textile mills and the lumber mills, to take the workers to their tasks on the street railways and to take the children to school, to dig the ores in the mines and to pump molasses and oil into and out of the ocean-going tankers at the ports; to light the streets and the homes of more and more communities, and in every other way bring to industry and the people the benefit of electricity, which should be in almost as common use as water.

"In making this statement I want it distinctly understood that my mind is open as to the best disposition of the Government's vast interests at Muscle Shoals. Any proposition to receive consideration, in my opinion, must first protect for all time the Government's interest in national preparedness, and the farmer's interest in the conservation of soils, from the production of nitrates in peace time at Muscle Shoals. It must also provide for the completion of Dam No. 3 within a reasonable time, so that river transportation on the Tennessee River can be inaugurated. When the Government has secured these three essentials it should then accept the best financial offer it receives."

TABLET TO BE PLACED ON FRANCIS SCOTT KEY BRIDGE.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning Senate bill No. 627, which has just passed.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks concerning the bill indicated. Is there objection?

There was no objection.

Mr. ABERNETHY. Mr. Speaker and gentlemen of the House, the bill under consideration (S. 627) provides that the National Society United Daughters of 1812 is authorized to place on the Francis Scott Key Bridge across the Potomac a bronze tablet, inscribed with the insignia of the society and with the last verse of the Star-Spangled Banner.

It is well that in this era of our country, when there is such a mad rush for the sordid and material things of life, that there still remain patriotic women who desire to perpetuate the high ideals of our people in tablets of bronze and monuments of marble and stone to inspire the present and future generations to grander and nobler things.

The National Society United Daughters of 1812 is a national organization of patriotic women who are descendants of the men who served in the War of 1812. The general society was founded January 8, 1892, by the late Mrs. Flora Adams Darling, and by act of Congress, approved by President McKinley on February 25, 1901, was incorporated under its present name. This society now numbers many thousands of members from the various States of the Union.

These patriotic women have marked the graves of hundreds of men who served in the War of 1812. They have placed innumerable tablets of brass, bronze, and marble, monuments, boulders, and memorial windows recounting the brave deeds and valor of the heroes of the War of 1812.

One of the most beautiful memorials of this patriotic society is a six-panel window placed in St. Michael's Church, Princetown, Dartmoor, England, on June 4, 1910, with the inscription on it:

To the glory of God, and in memory of the American prisoners of war who were detained in the Dartmoor war prison between the years 1813 and 1816, and who helped to build the church; especially of the 218 brave men who died here on behalf of their country. This window is presented by the National Society of United States Daughters of 1812.

The bill under consideration, inspired by Mrs. Charles Fisher Taylor, honorary State president of North Carolina, of the society, and sponsored by the president national of the society, Mrs. Samuel Preston Davis, of Little Rock, Ark., was introduced in the Senate by Senator CARAWAY and in the House by Representative OLDFIELD.

The story of the birth of our national anthem and the circumstances under which it was written by Francis Scott Key is emblazoned in glory upon the pages of American history. The details of the burning of our Capitol and White House by the British in 1814, their attack upon Baltimore, the witnessing of which furnished Francis Scott Key, a prisoner aboard the ship *Minden* under guard of British marines, the sublime inspiration for the immortal song, the Star Spangled Banner, are so well known that I will not here again recount them.

The passage of this bill will be unanimous; the tablet will be placed upon the Francis Scott Key Bridge, and upon the tablet will be inscribed these inspiring words:

Oh! thus be it ever when freemen shall stand  
Between their loved homes and war's desolation;  
Blest with vict'ry and peace, may the heav'n rescued land  
Praise the pow'r that hath made and preserved us a Nation.  
Then conquer we must, when our cause it is just,  
And this be our motto, "In God is our trust";  
And the star spangled banner in triumph shall wave  
O'er the land of the free and the home of the brave.

#### BRIDGE BETWEEN BOROUGH OF BROOKLYN AND QUEENS.

Mr. PARKER. Mr. Speaker, I did not catch what the gentleman from New York [Mr. STENGLE] said in regard to bill No. 7 on the calendar. What was it?

Mr. STENGLE. It referred to the title.

#### LEAVE TO ADDRESS THE HOUSE.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that after the disposition of papers on the Speaker's table on Thursday the gentleman from New York [Mr. MILLS] may address the House for 45 minutes on tax reduction.

The SPEAKER. The gentleman from Ohio asks unanimous consent that on Thursday, after the disposal of business on the Speaker's table, the gentleman from New York [Mr. MILLS] may address the House for 45 minutes on tax reduction. Is there objection?

There was no objection.

#### PRESIDENT'S MESSAGE—NICARAGUAN CLAIMS (S. DOC. NO. 24).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I transmit herewith a report respecting claims against the United States on account of several Nicaraguans killed or injured in encounters with American marines in December, 1921, and January, 1922, with a request that the recommendations of the Secretary of the Navy as indicated therein be

adopted, and that the Congress authorize the appropriation of the sum necessary to pay the indemnities suggested by the Secretary of the Navy.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$11,700.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 21, 1924.

#### INTERIOR DEPARTMENT APPROPRIATION BILL.

Mr. CRAMTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5078, the Interior Department appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5078, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

The CHAIRMAN. When the House rose on Saturday an amendment was pending, offered by the gentleman from New York [Mr. STENGLE].

Mr. CRAMTON. Mr. Chairman, I ask to have that amendment reported.

The CHAIRMAN. Without objection, the amendment will be reported again.

The Clerk read as follows:

Amendment offered by Mr. STENGLE: Page 1, line 11, after the word "Columbia," strike out "in accordance with the classification act of 1923."

Mr. CRAMTON. Does the gentleman from New York desire to discuss his amendment under the rule?

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment that it is a change of existing law.

The CHAIRMAN. Does the gentleman mean that—that it changes existing law?

Mr. CRAMTON. Mr. Chairman, I am inclined to make a further point of order. It is too late now for the gentleman to make a point of order, there having been debate under the amendment.

Mr. BLANTON. I think the RECORD will show that at the time it was first made I reserved a point of order. I made it on Saturday, as I think you will find. I think it was to be pending.

Mr. CRAMTON. I am familiar with the RECORD. I think neither he nor I made the point of order. First I regretted it, and then on reconsideration I concluded that the point of order would not be good anyway.

The CHAIRMAN. The gentleman from Texas can not be serious when he claims that by striking out a few words in this bill it changes existing law.

Mr. BLANTON. An act that is passed by Congress, that is to take effect at some future date, is just as much the law of the land until it is changed as any other law on the statute books. The mere fact that it does not operate does not count. It is still the law.

Mr. CARTER. It seems unnecessary to say much about this amendment, because if the existing law is operating it is self-operating.

The CHAIRMAN. The mere fact of striking out a reference to a law does not change the law in any respect. The Chair overrules the point of order.

Mr. CRAMTON. Mr. Chairman, will the gentleman from New York yield?

Mr. STENGLE. Yes.

Mr. CRAMTON. I want to ask unanimous consent that the debate on this particular amendment be limited to 10 minutes—5 minutes for the gentleman from New York and 5 for the committee.

Mr. STENGLE. Well, I had hoped that I might get time enough to begin and finish.

Mr. CRAMTON. Then I will withhold my request.



The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. STENGLE. Mr. Speaker, we are at present laboring under a condition and not a theory. It might be well, therefore, for us to pause for a few moments and review the situation calmly and sincerely and with no regard whatever to the political effect any action we may take may have upon ourselves or our country.

For weeks past the Members of this House have been bombarded with petitions imploring us to reduce taxes. Some advocated one plan while others preferred something else. They were unanimous, however, in their desire for tax reduction, and all of us are in most hearty accord with their desires. Today we are face to face with a request by our Committee on Appropriations that we vote moneys to the various Government departments in lump sums and trust to the honor of the Classification Board to so divide the appropriations as to secure to every public servant of the District of Columbia at least a just and fair rating and compensation. I am not prepared to accept the plan. The reclassification act was passed last March, and for almost a whole year the Classification Board has had an opportunity to allocate employees and fix their grades. Surely some decision has been reached in the matter, else it would have been utterly impossible to discover a basis upon which to build a Budget request. I am told that such a plan has been in existence and shown to some of our Members; but why is it not here so that every Member may read and digest its contents before being called upon to vote money out of the Public Treasury? I know we were told on Saturday last that it was impossible to lay the complete plan before us, but where are the schedules which were laid before some subcommittee? Let us have them, so that we may get a slight idea, at least, as to how many chiefs and subchiefs are being raised and how many subordinates are being demoted or their places being declared vacant. It is true, I suppose, that we do not fix salaries, but it is likewise true that we are called upon to provide the funds with which to pay those salaries, and, in my opinion, we have a perfect right to know where every penny goes that we are asked to appropriate. Economy in government can begin at no better point than right here, and it is here that I propose to exercise it, even if I am the only Member recorded in that direction. Here is a sample of where some of it is going.

I hold in my hand a copy of the proposed allocations and figures compiled in the office of the Librarian of Congress as a fair illustration of how the moneys we are asked to vote will be applied in the grades and classes fixed. I read:

	Now.	Then.
Assistant Librarian.....	\$4,500	\$6,000
Superintendent of reading room.....	3,000	3,800
Bibliography.....	3,000	3,800
Card division.....	3,000	3,800
Catalogue division.....	3,000	3,800
Documents division.....	3,000	3,800
Legislative division.....	4,000	5,200
Manuscripts division.....	3,000	3,800
Music.....	2,000	3,800
Order.....	2,500	3,800
Periodical.....	2,000	3,000
Law.....	3,000	5,200
Copyright.....	4,000	5,200

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed for 5 minutes additional.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STENGLE. I want to say for the information of the members of this committee that when I received that information I likewise received the further information that an employee in that library who now receives \$90 a month is not recommended for any increase whatever, although he is a custodian—I do not know whether that is the right title or not, but he is a man in uniform and in charge of those invaluable books and documents for this Government. I only refer to these in order to give you a slight idea of how the money is going to be allocated, the employees allocated, and their fixations made after we have given the permission.

We know that the reclassification act goes into effect on July 1, but we do not know, and no one seems anxious to show us, whether the allocations and fixations of its provisions are in absolute accord with the intent of the law or not. The subject of reclassifications has been before Congress for at least five years. Thus far there has been no mad rush to provide for them or prepare the way to put them in honest operation.

Then, why are we to be rushed off our feet now to provide money rather than wait until the plans of the Classification Board have been made public?

I impugn the motives of no man or set of men and am willing to accord to the committee in charge of this bill and its distinguished chairman all the honors which accrue to faithful public service, but, gentlemen, even they are not infallible and even they may be misled by smooth-tongued so-called experts.

In my opinion, we can go ahead and make these appropriations in accordance with existing law and cross over the bridge of reclassification when we get to it. If the department schedules were prepared to meet the new plan and they do not to any appreciable extent exceed the totals of the existing formula, then they will not be upset very much by such action on our part.

Let me read you a few extracts from letters I have received—letters that portray despair and mental anguish.

Here is one from a staff nurse in the marine hospital. For obvious reasons, I shall not at this time mention any names but am prepared to prove their authenticity. Let us read:

The Personnel Reclassification Board has classified some of the nurses in Government service in subprofessional, some in the clerical, and the large majority in the nonprofessional service. Recommendation from important civilian health organizations and from the heads of the various medical departments of the Government that nurses be placed in the professional grade have been disregarded by the Personnel Board. May I request that you do whatever is possible to protect the nurses in a matter which so gravely affects them.

Here is one from an old employee with a clean record:

The whole scheme is terrible in its unfairness. It is simply a plan to help the pets and sycophants. I am a Government worker, but see nothing ahead but favoritism for some and hell for others.

Listen to this one:

"Cry aloud and spare not; lift up thy voice like a trumpet and show my people their transgression and the House of Jacob their sins." This reclassification, as it is about to be effected, is a crime before God and intelligent humanity. Oh, that Congress would awake to see the condition that exists in this department of the country's business. (Signed: A Texan whose life has been wasted working for his Government.)

And this one:

Promotions are most certainly controlled by small groups or cliques, and one outside of the clique is literally pushed to the wall, no matter what excellent record he may have made. Clerks who entered the service the same year that I did were promoted some 10 years ago to salaries 50 per cent higher than mine, although their records are no better, and even some clerks who came into my department during the war have also been raised in the same manner.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. STENGLE. I will.

Mr. BLANTON. The excuse which our committee gives us for doing this is that they have a little amendment which they say will control it, an amendment which requires the department chief to maintain a general average. I want to ask my colleague from New York whether that very amendment does not contemplate raising the salaries of some and lowering the salaries of others in a corresponding amount.

Mr. STENGLE. If they expect to stick to the average it will do both.

Mr. BLANTON. And that is the very thing the gentleman is condemning in his speech.

Mr. STENGLE. It is. What I want to know is, Must I be compelled to vote on this bill before there is a scintilla of evidence before us to show that the classification act is being carried out according to its honest and clear-cut provisions? If justice and fair play are the keystone to the performances of the Classification Board, why do they withhold their plans from this House? Ah, gentlemen, I fear that you and I will be greatly disappointed when we read the last page of this classification history. Then it will be too late to correct the wrongs which we discover have been perpetrated upon loyal and faithful Government servants. Then those who have unjustly profited by the proposed plan will be securely fastened into the high places arranged for them, and those who have been unjustly dealt with will have no recourse but to suffer in silence. I know not what your attitude will be in this hour; but as for me, I will never vote for a lump-sum appropriation to be juggled around by a committee or board of three men for the benefit of the few at the expense of the many. [Applause.] If I be wrong in my conclusions, if I have misrepresented facts, let us adjourn the consideration of this bill long enough for the Personnel Board to appear and submit a summary of their work

for our edification, so that we may be prepared to vote intelligently and not asked to accept a "pig in the bag."

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from New York may be allowed to proceed for three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STENGLE. I submit for your consideration the report of an expert on the work of the Classification Board. Read it and digest it and see for yourselves why I have taken up your time in warning you to go slowly in accepting something which so far as this House is concerned is only a dream which gives strong signs of turning into a dreadful nightmare. Let me say in presenting this report that its contents were transmitted to the Classification Board more than a month ago and its receipt not even given the dignity of an acknowledgment. Last week it was submitted to the President for his consideration, and he now has it before him and is engaged in reviewing its merits. Surely, if it is worthy of his consideration we can well afford to suspend judgment until we have read and digested its contents. The report follows:

I have charged that the action of the Personnel Classification Board is not in accordance with the classification act of 1923. You have asked me to give my grounds for this charge. I shall attempt to comply with your request, although to do so will necessitate my going into considerable detail and my quoting at length from the act.

Note at the outset that the title of the act is "An act to provide for the classification of civilian positions within the District of Columbia and in the field services."

"Classification" means, of course, division into classes. To understand the exact meaning of the title one needs only to know into what kind of classes Congress intended to have the civilian positions placed.

Section 2 of the act removed any possible ambiguity on that score. It defines the term "class." It says: "The term 'class' means a group of positions to be established under this act sufficiently similar in respect to the duties and responsibilities thereof that the same requirements as to education, experience, knowledge, and ability are demanded of incumbents, the same tests of fitness are used to choose qualified appointees, and the same schedule of compensation is made to apply with equity."

This language in itself is so clear that a court would doubtless find it entirely unnecessary to go back to consider the origin and the history of the act. If it should, it would find that this definition of class is substantially that used by the Congressional Joint Commission on Reclassification of Salaries, that members of the Committees on Civil Service of both the House and Senate which had the bill in charge repeatedly stated that the legislation adopted the same fundamental principles followed by that commission, and that the fundamental concept of these principles was the recognition of the class as here defined. It would find, too, that in the field of public personnel management such a concept has been clearly recognized for many years and that many jurisdictions have adopted and are now using classifications on just such a basis.

Such an interpretation is further made necessary by the paragraph of section 3 which gives the board power to make the necessary rules and regulations and to subdivide grades. This paragraph reads as follows:

"The board shall make all necessary rules and regulations not inconsistent with the provisions of this act and provide such subdivisions of the grades contained in section 13 hereof and such titles and definitions as it may deem necessary according to the kind and difficulty of the work. Its regulations shall provide for ascertaining and recording the duties of positions and the qualifications required of incumbents, and it shall prepare and publish an adequate statement giving (1) the duties and responsibilities involved in the classes to be established within the several grades, illustrated where necessary by examples of typical tasks; (2) the minimum qualifications required for the satisfactory performance of such duties and tasks; and (3) the titles given to said classes. In performing the foregoing duties the board shall follow as nearly as practicable the classification made pursuant to the Executive order of October 24, 1921. The board may from time to time designate additional classes within the several grades and may combine, divide, alter, or abolish existing classes. Department heads shall promptly report the duties and responsibilities of new positions to the board. The board shall make necessary adjustments in compensation for positions carrying maintenance and for positions requiring only part-time service."

The first sentence gives the board general powers to make rules and regulations not inconsistent with the act and to provide subdivisions of grades. It is a general permissive sentence. By itself it would leave the board with wide discretion, but it is followed at once by a

mandatory sentence requiring two courses of action. The first is that its regulations shall provide for ascertaining and recording the duties of positions and the qualifications required of incumbents, and the second is that it shall prepare and publish an adequate statement, giving (1) the duties and responsibilities involved in the classes to be established within the several grades, illustrated where necessary by examples of typical tasks; (2) the minimum qualifications for the satisfactory performance of such duties and tasks; and (3) the titles given to said classes. Here again it should be noted that these two mandatory provisions limiting the degree of discretion that may be used by the board in exercising its general power of making regulations require it to adopt the same general form of job specifications which were used by the Congressional Joint Commission on Reclassification of Salaries. They contained just such a statement of duties and responsibilities, examples of typical tasks, statement of minimum qualifications, and titles as are absolutely required under the act.

Consider the precise wording of the next sentence which is the board's authority for using any of the work of the Bureau of Efficiency. It says "In performing the foregoing duties the board shall follow as nearly as practicable the classification made pursuant to the Executive order of October 24, 1921." What are the foregoing duties? Clearly the two duties made mandatory upon the board by the preceding sentence. Under the Executive order named the Bureau of Efficiency had ascertained and recorded the duties of positions. In so far as practicable the board was directed to use them. The Bureau of Efficiency schedule had under its salary grades some typical examples. In some instances they approached rudimentary class descriptions; in some instances they coincided almost word for word with parts of the class specifications in the report of the Congressional Joint Commission on Reclassification of Salaries. Much money had been spent on the work. What was more natural than that Congress in adopting the other principle of classification should provide for the maximum salvage from the job which had been pressed under an Executive order without specific authorization by Congress?

Not without legal significance in arriving at this interpretation is the fact that the House rejected the Bureau of Efficiency schedule when it was offered as an amendment on the floor and that the conferees rejected such parts of that schedule as were rearranged and incorporated under the several grades as the bill passed the Senate. This sentence regarding the use of the Bureau of Efficiency schedules was written into the bill at the conference, and, therefore, is presumed to represent the maximum distance which the House was willing to go in accepting the work of the Bureau of Efficiency. It was to be used in so far as practicable in doing the work according to the methods recommended by the Congressional Joint Commission on Reclassification of Salaries.

Section 4 of the act provides that "after consultation with the board, and in accordance with a uniform procedure prescribed by it, the head of each department shall allocate all positions in his department in the District of Columbia to their appropriate grades in the compensation schedule." The act says "the term 'compensation schedules' means the schedules of positions, grades, and salaries, as contained in section 13 of this act."

The act thus requires that the heads of departments shall allocate positions to the schedules of grades and salaries as contained in section 13 of the act.

The board is clearly expected to prescribe a uniform procedure to govern department heads in making allocations. Its general powers for making rules and regulations contain the mandatory provision for the preparation and publication of class descriptions of the type used by the Congressional Joint Commission on Reclassification of Salaries. The intent is clear beyond any reasonable doubt but if for guidance recourse is had to the documents in the line of development of the bill the same conclusion will inevitably be reached.

This conclusion is further supported by the fact that in the salary schedules the standard phraseology for defining a service begins: "The \* \* \* service shall include all classes of positions the duties of which are," etc. Similarly the standard phraseology for defining the grades within the services begins: "Grade \* \* \* in this service shall include all classes of positions the duties of which are," etc. These standard sentences clearly demonstrate that the intention of Congress was to have the positions grouped into classes according to duties, responsibilities, and qualifications, and to have the classes allocated to grades to determine the salaries to be paid. The basis for allocations was clearly to be the relationship between the duties of the class and the general description of duties in the congressional definitions of the grades. The word "class," as has been stated, is defined in the act. The term "class" is therefore legally presumed to be used with the exact meaning given in the act, provided that meaning makes the act clear, intelligible, and consistent. It does. All other interpretations of the term "class" are, therefore, legally barred, and those responsible for the administration of the act must use the congressional definition of the word. The grades deal not with each independent position, but with the classes required and defined under the act.



With respect to the field services the act provides:

"The board shall make a survey of the field services and shall report to Congress at its first regular session following the passage of this act schedules of positions, grades, and salaries of such services which shall follow the principles and rules of the compensation schedules herein contained in so far as these are applicable to the field services. This report shall include a list prepared by the head of each department after consultation with the board and in accordance with a uniform procedure prescribed by it, allocating all field positions in his department to their appropriate grades in said schedules and fixing the proposed rate of compensation of each employee thereunder in accordance with the rules prescribed in section 6 herein."

The board is required in making its report to Congress to submit schedules of positions, grades, and salaries which shall follow the principles and rules for the District of Columbia in so far as they are applicable. The board is not given power to determine upon the relative merits of one scheme of classification as opposed to another. It is specifically directed to adopt the scheme approved in the act for the District of Columbia. It is authorized to depart from it only where it is clearly inapplicable, and the burden of proof is on the board to demonstrate its inapplicability. The language requiring it to follow the plan for the District is mandatory.

We charge the board with violations of the letter and spirit of the act, because—

(1) It required department heads in the District of Columbia to allocate positions to the rejected Bureau of Efficiency schedule including those parts which were rejected in both Senate and House, whereas the law specifically directed that allocations were to be made to the grades in the compensation schedules as contained in section 13 of the act.

(2) The uniform procedure outlined by the board to govern department heads did not include the class specifications required to be prepared and published.

(3) The board has not yet prepared a classification for the District of Columbia that distributes the positions by classes, according to the definition of class as set forth in the act.

(4) The board has disbanded its field division which was proceeding in full accordance with the act and has called upon department heads to make allocations for the field to the Bureau of Efficiency schedule despite the fact that this schedule is not in accordance with the requirements of the act and was rejected by Congress.

I want to read two letters which I have received in connection with this statement. I read first a letter from Mr. E. O. Griffenhagen, of the firm of Griffenhagen & Associates (Ltd.), management engineers and accountants, who has heretofore been doing work for the Government, and is a recognized expert.

The setting aside of the clear mandate of the Federal statute providing for a classification of employments on the basis of their actual duties and requirements is an exceedingly serious matter. If this was done knowingly and maliciously, those who brought it about will undoubtedly find that they have overreached themselves.

I would like to read this from the letter of the Personnel Classification Board. But before I read I want to say that efforts have been made to get truthful information. Do not get the idea, my colleagues, that I would come here and take up your time had I not exhausted every other means at my command or disposal to secure desired information.

Request was made more than two months ago upon the Classification Board for permission to review the minutes of their board in order to see whether or not they were doing things according to law or not. Now, listen to this reply:

I regret to advise you that the board's minutes can not be made available for public inspection. The policies and procedure of the board are evident from the circulars and forms which the board has issued. Copies of these are available for public distribution, and will be made available upon request.

By direction of the board:

Very truly yours,

F. J. BAILEY, *Chairman*.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that the gentleman have one more minute in which to reply to a question which I desire to ask him. I would like to ask the gentleman the date of that last letter.

The CHAIRMAN. Without objection, the gentleman from New York will have permission to proceed for one more minute. There was no objection.

Mr. STENGLE. December 3, 1923.

Mr. CRAMTON. And since that time the minutes have been brought to Congress.

Mr. STENGLE. I can only say, in reply to my good friend, the chairman of this committee, that it has become almost impossible since Congress has been in session for any man,

himself included, to read the thousands of pages contained in the minutes of that Classification Board, or even of the committees which have been considering it.

Mr. ARNOLD. Will the gentleman yield for a question?

Mr. STENGLE. Yes.

Mr. ARNOLD. In the event that the amendment of the gentleman is adopted, how will that help the situation as to the lump-sum appropriations?

Mr. BLANTON. Not at all.

Mr. STENGLE. Not at all, as the gentleman from Texas says.

The CHAIRMAN. The time of the gentleman from New York has again expired.

The gentleman from Michigan.

Mr. CRAMTON. Mr. Chairman, I am entirely in accord with the concluding suggestion of the gentleman from New York. The pending amendment will not have any effect that I can see other than to manifest the desire of this Committee of the Whole to either accept or to nullify the work of the Classification Board under the classification act. It has been the theory of the Committee on Appropriations that we are not a legislative committee; that the classification act was the will of Congress, properly expressed, and that the board created under that act proceeded in accordance with it, and that its findings are final as far as Congress is concerned. It is true that there is a certain method of appeal permitted in that law, and appeals in individual cases are under way to-day and will be under way until the 1st of July. Manifestly, it is impossible for Congress to defer action upon appropriations for the next fiscal year until those appeals shall have been concluded and the time for the filing of them shall have expired.

Mr. STENGLE. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. STENGLE. Is it not a fact that the board of appeals that will hear these appeals is made up of identically the same persons who originated the plan?

Mr. CRAMTON. It depends on what the gentleman means. It is the Classification Board.

Mr. STENGLE. I mean it is the Classification Board that makes the allocations and fixations.

Mr. CRAMTON. To a certain extent the heads of the various bureaus make the original allocations.

Mr. STENGLE. But the persons who hear the appeals to which you are referring are identically the same persons who have originated the allocations.

Mr. CRAMTON. No; that is not quite correct. I do not want to take too much time in the discussion of details, but the gentleman is not quite accurate. According to my understanding, the heads of bureaus make the original decision as to the allocation of individuals to classes, and then there is an appeal to the Classification Board. But what I have said suffices, I think, to demonstrate that this committee could not have waited until all were finally fixed on appeal.

Now, the work of the board that is under attack involves 54,000 employees. I dare say that if one would spend the time he could find among those 54,000 decisions of the board something with which fault ought to be found. I would not claim perfection for the work of the board. My own judgment is—and it is not entitled to any great weight, because I have not reviewed the work of that board at length—that in those 54,000 decisions there would not be any greater percentage of wrong than would have been the case if the gentleman from New York and I had been on the board, because even in that event other gentlemen here would have been dissatisfied with our work. I am satisfied that no board could work under that act to the entire satisfaction of everyone concerned. But the law provided a board to do that work and they have acted, and, I think, have done reasonably well, and the law says their action shall be final. So I can only say to the gentleman that, in my judgment, for this House now to try to set that aside and to argue that a few cases are wrong, and that therefore we must not act on anything until we know about everything, means no improvement of the situation, but simply a general disruption of orderly business.

Just one word more. The gentleman himself has said that with the pressure of business we have not the time to examine those minutes and determine whether they are right or not. Those minutes are all now in the possession of the committee of this House that has legislative jurisdiction of the subject, the committee that framed this law, the committee that is best fitted to understand and review those minutes, and, so far as the Committee on Appropriations is concerned, it is willing to wait action by the legislative committee. Until there is something before this House in tangible form to re-

peal or amend in an orderly way the existing law, it is my own feeling that we ought to observe the law as it is and not try to override it.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BLANTON. I ask that the gentleman's time be extended two minutes.

The CHAIRMAN. The gentleman from Texas asks that the gentleman from Michigan may proceed for two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. If there should be any inefficient, unmeritorious employees on the rolls, would not the gentleman expect the loudest howls to come from them?

Mr. CRAMTON. Well, I have seen that happen sometimes. There are some who are thinking much more about what pay they are going to get than how well they can do their work, but that is not always true.

Mr. BLANTON. Not always true; no.

Mr. CRAMTON. I am going to ask this committee to pass on this question and meet the issue that the gentleman from New York has raised, and once more decide that we are going to observe that law as it is written and not here, in a fragmentary, impulsive way, attempt to override it.

The gentleman said we have not time to study those minutes and go ahead with our other work of legislation. Then, let us not make a move in the dark and upset something we do not fully understand and probably can not improve upon. I hope the amendment will be voted down.

Mr. MOREHEAD. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The question was taken; and on a division (demanded by Mr. STENGLE) there were—yeas 20, nays 38.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Hereafter one clerk of grade 1—clerical, administrative, and fiscal service—shall be designated by the President to sign land patents.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph because it is a change of existing law not authorized on an appropriation bill. I call the Chair's attention to the language beginning with the first word "hereafter."

Mr. CRAMTON. If the gentleman from Texas will yield, I will admit that in its present form it is legislation and subject to a point of order. I would ask the gentleman, however, to withhold his point of order for a moment.

The CHAIRMAN. Does the gentleman from Texas withhold his point of order?

Mr. BLANTON. It is pending, of course. I will not withdraw it.

Mr. CRAMTON. Just withhold it.

The CHAIRMAN. So the gentleman from Michigan may make an explanation.

Mr. BLANTON. I reserve it.

Mr. CRAMTON. The current appropriation carried this law:

Female clerk, to be designated by the President, to sign land patents, \$1,200—

And it was, of course, necessary to make a change in the language to conform to the classification act, and that is the purpose of the new language. It makes no particular change in salary. In 536 of the Revised Statutes, Barnes's Federal Code—

The President is authorized to appoint, from time to time, by and with the advice and consent of the Senate, a secretary, at a salary of \$1,500 a year, whose duty it shall be, under the direction of the President, to sign in his name, and for him, all patents for land sold or granted under the authority of the United States.

Very possibly under that provision—I had not given it consideration until the Clerk just called it to my attention—the gentleman's point of order might not be valid, anyway; but I think, in view of the explanation I have made, the gentleman will have no objection to the provision in the bill.

Mr. BLANTON. The gentleman will remember in the hearings it was testified that there was a plan in contemplation of transferring certain employees from one office to another.

Mr. CRAMTON. Yes.

Mr. BLANTON. And a raise in their salaries. There is nothing under this provision that would keep the Secretary from raising the salary of this particular employee. The gentleman knows that his Committee on Appropriations of 35 Members of this House has been given all the power of appropriating heretofore held by the Congress.

Mr. CRAMTON. May I explain to the gentleman?

Mr. BLANTON. These 35 men ought to confine their efforts to appropriating and they ought to leave the matter of legislation to the legislative committees, and if the gentleman wants us to back him up and to stand behind his committee and not be continually attacking the committee he ought to make an effort to keep the committee within the law and not have legislative provisions on appropriation bills.

Mr. CRAMTON. We are glad to have the assistance of the gentleman from Texas, but let me call his attention to the fact—

Mr. BLANTON. I think every time the committee puts a piece of legislation on one of these bills we ought to knock it out by a point of order.

Mr. CRAMTON. This was in the bill before I had anything to do with the bill, and apparently is within the law which permitted a salary of \$1,500 for this work. Heretofore that clerk has been drawing \$1,200 with a \$240 bonus, which is \$1,440. The provision the committee now has in the bill puts that clerk at \$1,440, which is \$60 less than the authorization of the permanent law.

Mr. BLANTON. But the gentleman knows that it was testified that the Secretary intends to raise the salary of four employees, at least, from \$2,500 to \$4,000.

Mr. CRAMTON. No, nothing of the kind; and, of course, that is a different matter, but even that is not correct.

Mr. BLANTON. That was testified to substantially.

Mr. CRAMTON. No; it was not.

Mr. BLANTON. Then what raises are to be made that were testified to in the hearings?

Mr. CRAMTON. It was testified that eight inspectors, who have been of such limited capacity that the head of the department felt he had to go to the Post Office Department to get inspectors to do the work he wanted done, were getting \$2,500; that by having a larger salary, different personnel would be secured at a higher salary, and instead of having eight at \$2,500, or a total of \$20,000, if they could have four at \$4,000, or a total of \$16,000, they would have a new personnel, and it is expressly understood it is not to be a case of salary raising.

Mr. BLANTON. That is substantially what the gentleman from Texas said, four with salaries of \$4,000 each.

Mr. CRAMTON. Also, it was the expectation of the committee that the department would not be borrowing inspectors from the Post Office Department.

Mr. BLANTON. Then the gentleman admits that what the gentleman from Texas said was true, that with respect to four employees who could now draw only \$2,500 under the law the Secretary intends under this bill to pay four of them \$4,000.

Mr. CRAMTON. No; I assert the opposite is true—that the \$4,000 is not to be paid to anyone now holding those positions.

Mr. BLANTON. But it is to be paid to four employees who are to draw \$4,000 each.

Mr. CRAMTON. But it is to be paid to more efficient men.

Mr. BLANTON. Under the present law they can draw only \$2,500.

Mr. CRAMTON. Under the appropriation bill.

Mr. BLANTON. Oh, the gentleman does not want to make any difference between tweedle-dum and tweedle-dee. The Secretary intends to pay four men on the pay roll \$4,000, when under the present law they can not draw but \$2,500.

Mr. CARTER. Let me say to the gentleman from Texas that under the existing law eight men draw \$2,500 apiece, and under this bill four men would draw \$4,000 apiece. It is the difference between \$20,000 and \$16,000. The present bill carries \$16,000, and therefore the Government would save the difference between \$16,000 and \$20,000.

Mr. BLANTON. I expected the gentleman from Oklahoma would back up the chairman. If they have eight men now, they do not need but four, because half of the personnel can be dismissed without injury in any department. They are going to do with four men, and the four men that are left are going to get \$4,000 each when the law only allows them \$2,500 each.

Mr. CARTER. Here is the situation: The Secretary of the Interior says that these eight men drawing \$2,500 are unsatisfactory; that he is not getting efficient service. They cost \$20,000; but if you will give him four men and \$4,000 salary, he can save the Government \$4,000 and get better inspection, better service, so that you will have more efficiency and still a reduction in the appropriation made.

Mr. BLANTON. Mr. Chairman, I insist on my point of order against the paragraph.

The CHAIRMAN. The point of order is sustained.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.



The Clerk read as follows:

Page 2, after line 17, insert: "One clerk of grade 1, clerical, administrative, and fiscal service, who shall be designated by the President to sign land patents."

Mr. CRAMTON. Mr. Chairman, in connection with that I will say that that is in accordance with the law already read, and the law perpetuates the same iniquities—

Mr. BLANTON. For one year only.

Mr. CRAMTON. That is the only difference—it has been perpetuated from year to year in the same way. I do not know how much it costs the Government to print this item year after year, but it costs something, and the provisions in the bill would obviate it, but under the circumstances we are prevented.

The amendment was agreed to.

The Clerk read as follows:

Hereafter one clerk of grade 2, clerical, administrative, and fiscal service, shall be a clerk to sign, under the direction of the Secretary, in his name and for him his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in Oklahoma.

Mr. BLANTON. Mr. Chairman, I make the point of order to the paragraph because it is legislation on an appropriation bill and unauthorized by law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CRAMTON. Mr. Chairman, I offer an amendment to the same paragraph, omitting the word "Hereafter."

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 2, after line 20, insert "One clerk of grade 2, clerical, administrative, and fiscal service, shall be a clerk to sign, under the direction of the Secretary, in his name and for him his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in Oklahoma."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is legislation on an appropriation bill unauthorized by law. The only authority for the amendment is a rider carried upon an appropriation bill that was effective for only one year, and there is no permanent law authorizing this provision.

Mr. CRAMTON. Mr. Chairman, there is absolutely no distinction, as the Chair well knows, as far as the legal and binding effect is concerned between a rider on an appropriation bill or any other piece of legislation provided you get by with it and it once becomes a law. It can be just as binding law on an appropriation bill as elsewhere. We have eliminated the word "hereafter," making it permanent law, and the authorization only pertains to one of the clerks carried in the bill.

The CHAIRMAN. The Chair thinks it is clearly legislation, and in the opinion of the Chair clearly subject to a point of order as legislation. The Chair therefore sustains the point of order.

Mr. CRAMTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 3, after line 2, insert a new paragraph as follows:

"The Chief Clerk of the Department of the Interior shall be the chief executive officer of the Department, and may be designated by the Secretary to sign official papers and documents, including the authorization of expenditures for the contingent and other appropriations for the department, its bureaus, and offices, section 3683 of the Revised Statutes to the contrary notwithstanding."

Mr. BLANTON. That is already the law, Mr. Chairman.

Mr. CRAMTON. It is simply carrying forward current provisions. It has been necessary to change the form a little because of the adoption of different forms for the appropriation bills. The other item that has just been ruled out is of similar character.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BLANTON. Mr. Chairman, I want to be heard upon the amendment. I submit to the chairman that it is improper to reenact existing law. This amendment is already law.

Mr. CRAMTON. The trouble is that it is not. That is the reason we are putting it in.

Mr. BLANTON. It is already the law.

Mr. CRAMTON. It is the practice.

Mr. BLANTON. It is the law. It is the enabling act. Of course, if the gentleman wants to reenact it, there is no objection to it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

#### CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR.

For contingent expenses of the office of the Secretary and the bureaus, offices, and buildings of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, street car fares not exceeding \$250, and expressage; examination of estimates for appropriations in the field for any bureau, office, or service of the department; not exceeding \$500 shall be available for the payment of damages caused to private property by department motor vehicles exclusive of those operated by the Government fuel yards; purchase and exchange of motor trucks, motor cycles, and bicycles, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks, motor cycles, and bicycles, to be used only for official purposes; diagrams, awnings, filing and labor-saving devices; constructing model and other cases and furniture; postage stamps to prepay postage on matter addressed to Postal Union countries and for special-delivery stamps for use in the United States; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus, and offices; and other absolutely necessary expenses not hereinbefore provided for, including traveling expenses, fuel and lights, typewriting and labor-saving machines, \$77,000.

Mr. CRAMTON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 4, line 2, after the word "machine" and before the comma, insert a semicolon and "also including not to exceed \$450 for purchase of newspapers; and section 192 of the Revised Statutes shall not apply to the Department of the Interior."

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment that it is a change of existing law not authorized on an appropriation bill. The present law does require such restriction.

Mr. CRAMTON. Will the gentleman withhold that point of order while I make a statement?

Mr. BLANTON. I think we will get along faster if I do not withhold it.

Mr. CRAMTON. I think the gentleman should extend the courtesy of letting me make a half-minute statement.

Mr. BLANTON. If the gentleman is not going to chastise the gentleman from Texas, I shall reserve the point of order.

Mr. CRAMTON. Mr. Chairman, I thank the gentleman. My understanding of this item is that it is subject to a point of order if the gentleman insists upon it. At the present time they are spending \$1,200 a year on a clipping bureau service. We are told that it is very important that some of these bureaus should keep up with matters affecting their work, particularly in respect to mines and in the oil fields, etc. They said that if we would give them \$450 for newspapers they would do away with the clipping bureau item.

Mr. BLANTON. Why did not the gentleman stop the \$1,200 clipping bureau item?

Mr. CRAMTON. We have their assurance that it will be stopped if we grant them this \$450.

Mr. BLANTON. The gentleman could stop it in another way.

Mr. CRAMTON. We do not want to hamstring the service. They need the information.

Mr. BLANTON. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BLANTON. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 3, line 6, strike out the word "furniture."

Mr. BLANTON. Mr. Chairman, of all the departments in this Government the Department of the Interior is the last one that should be asking for an appropriation for new furniture. I understand that the distinguished gentleman who occupied this important Cabinet office just before the present one did away with some of the fine furniture in that department—magnificent furniture it was—and replaced it with new furniture, equally magnificent. He condemned his main office furniture and replaced it with new. I have been reliably informed, and I understand that publicly the newspapers have so charged—and I have not seen a denial of the fact—that when this dis-

placed furniture was sold the distinguished gentleman who presided over this Department of the Interior bought some of it in at a very nominal figure and shipped it out to the Southwest, where he lives. Is that true or not? You gentlemen of the majority have seen it so reported in the newspapers. It is not a political question. I believe there are men on the Republican side of the aisle who are just as much opposed to such monkey business as that as we are on the Democratic side of the aisle, but, unfortunately, your tongues are tied just now.

Why do we keep on putting such items as furniture in all appropriation bills? All departments are elegantly furnished. First you have lump sums for salaries in one paragraph and then we find specified items of furniture and various other items, with no restrictions upon them as to limit of expenditures. There ought to be a check up of these matters.

I am not taking up the time of the House idly in asking for these five minutes or in offering this pro forma amendment. I did it to call your attention to the fact that we had 9 standing committees on expenditures in the various departments when the Congress met and the Committee on Rules has increased that number to 11. We have now 11 standing committees in this House to pass on the expenditures for every department of the Government, and not a single one of them so far as I know has met in the last two or three years. Show me one that has met, name me one of these committees that has met and what investigation of expenditures of the millions of dollars that we turn over to departments has been made. I pause for answer.

Mr. HOWARD of Oklahoma. Does the gentleman know how many of these have secretaries and janitors?

Mr. BLANTON. They probably all have clerks at least, I understand. That likely is the main reason they are standing committees, inasmuch as they never meet, and the employees likely continued to hold office all during the nine months' vacation of Congress, drawing their salaries from the people of the Nation.

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

Mr. BLANTON. Yes.

Mr. BEGG. I think the gentleman wants to be fair.

Mr. BLANTON. If I am mistaken I want to be informed of it.

Mr. BEGG. I am not on any of these expenditure committees. I was during my first term in Congress. I think none of them has a secretary.

Mr. ALMON. I understand that the Representative who is chairman of the committee has a secretary, but there is no clerk to the committee. I was on one of these committees last session and we did not have a clerk, and we did not have a single meeting.

Mr. BEGG. I think an investigation will show that unless they are making a specific investigation there is no committee clerk.

Mr. BLANTON. I know the gentleman from Ohio is fair and square on this sort of a proposition. Is it not a fact that every single one of these committees during the last recess had a committee employee?

Mr. BEGG. If that is the fact, the gentleman from Ohio does not know it, and I think the contrary is true.

Mr. BLANTON. If that is not true, I will later state in the RECORD just what are the facts as soon as I can ascertain same. I am going to find out.

Mr. DOWELL. The gentleman, I think, is mistaken that this carries any committee clerks at all, and that always heretofore they would bring in a provision whereby a certain committee would be given a clerk when the committee actually needed it.

Mr. BLANTON. Why, then, did they increase these idle committees from 9 to 11 when they do not ever meet?

Mr. HOWARD of Oklahoma. I want to say now as a member of the Committee on Expenditures—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask for three additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD of Oklahoma. I want to state I was a member of the Committee on Expenditures in the Interior Department in the Sixty-sixth Congress, and about six months after the organization of Congress the Committee on Accounts reported a salary for the clerk or secretary to that committee, and that committee never had a meeting from the day it organized in 1919.

Mr. BLANTON. But it did have a committee clerk on the pay roll.

Mr. HOWARD of Oklahoma. Yes, sir.

Mr. ABERNETHY. I am on the Committee on Expenditures in the Navy Department, and our committee has not met in eight years.

Mr. BLANTON. I am on the Committee on Expenditures in the Labor Department, and if there is any way on God's earth of getting our chairman to call it together I am going to insist on it this year. I shall insist that its expenditures shall be investigated. Why do we have these 11 standing committees on expenditures when they do not ever investigate as to where all this money goes and into whose pockets and what benefits the people receive from it?

Mr. BEGG. Does that committee have a clerk?

Mr. BLANTON. I have been informed it did, but we have not yet had a meeting. We have not been called together by the chairman the whole time I have been in Congress.

Mr. BEGG. I was a member of the Committee on Expenditures in the Treasury Department in the Sixty-sixth Congress, and we had not only one meeting but we met three or four months three or four times a week.

Mr. BLANTON. Social meetings? [Laughter.]

Mr. BEGG. They were not social.

Mr. BLANTON. Did the committee investigate the expenditures?

Mr. BEGG. We did, and by our investigation we were successful in saving the Government a good many million dollars.

Mr. REECE. In reply to the statement of the gentleman from Ohio, the Committee on Expenditures in the Treasury Department had several meetings last year.

Mr. BLANTON. Did you make an investigation of expenditures?

Mr. REECE. Yes.

Mr. BLANTON. Do you have a clerk for that committee?

Mr. REECE. I am not sure about it. [Laughter.]

Mr. BLANTON. I want to say I am hopeful that we have not provided clerks for all these idle committees. If it is a fact that they have no clerks, I shall be very glad indeed to know it.

Mr. PARKS of Arkansas. The gentleman is not talking about the Gold and Silver Investigating Committee, not about the committee that went to Alaska and California?

Mr. BLANTON. No. It did not get to go. Its bill failed to become a law and left them without necessary passports.

Mr. PARKS of Arkansas. I knew the gentleman would not be so unkind.

Mr. BLANTON. Mr. Chairman, we probably have these 11 idle standing committees because they need their clerks and messengers and other perquisites that go with the office of committee chairman.

Mr. CRAMTON. Mr. Chairman, I simply want to say in response to the gentleman from Texas that the gentleman did make some rather serious charges as to the former conduct of the Interior Department. The gentleman did not seem to feel sure he was correct in his statement; it seemed to be a matter of rumor which he has not investigated. I have no reason to believe the gentleman is correct in his charges as to these sacrifices of furniture by that department. My contact with the department rather leads me to believe he is absolutely in error. As to the particular item of furniture, the expenditure under this item of the Interior Department for the fiscal year 1923 was \$11,791. For the current year \$12,000 is allocated to the item before you, and the pending bill includes the maximum of \$11,800, which is not only for furniture but also for furnishings, file cases, and fixtures for the Interior Department. Of course I hope the amendment of the gentleman will not prevail. It would of course be crippling the service so that they could not even purchase so much as a typewriter stand.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

Mr. BLANTON. That was a pro forma amendment, and I will not insist on it.

The CHAIRMAN. Without objection, the gentleman from Texas withdraws his amendment.

There was no objection.

The Clerk read as follows:

For the purchase or exchange of professional and scientific books, law books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department by the several offices and bureaus of the Interior Department herein named there is hereby made available from any appropriations made for such bureau or office not to exceed the following respective sums: Office of the Secretary, \$600; Indian Service, \$200; Bureau of Education, \$1,250; Bureau of Reclamation, \$1,500; Geological Survey, \$1,250; Bureau of Mines, \$800; National Park Service, \$200; General Land Office, \$350.



Mr. CRAMTON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.  
The Clerk read as follows:

Page 5, line 7, after the word "Mines," strike out "\$800" and insert in lieu thereof "\$2,500."

Mr. CRAMTON. Mr. Chairman, in explanation of that and also in explanation of the particular paragraph before us, which is an innovation in this bill, I would like to say it developed in the hearings that two bureaus in the department have consolidated their libraries. That impressed the members of the committee so favorably we took up the matter somewhat with Judge Finney, Assistant Secretary, and Colonel Sherrill, who has care of the building and the assignment of quarters in the building, with a view to the possible consolidation of the libraries of all the bureaus in the department which are in that one building, it being the thought of the committee that those bureaus, the Geological Survey, the Bureau of Mines, Reclamation Service, National Park Service, Bureau of Indian Affairs, and so forth, are interested in work that is so similar that oftentimes they make duplicate purchases of books, which would be eliminated if in one library, and also the care and custody of the several libraries might be reduced. It developed that the department was giving some thought to that, so the committee have not made any requirement here for the consolidation but we have brought together all the items so far as that building was concerned, and I hope the department will find it feasible to work such a consolidation as will insure better service and that economy will be accomplished.

The particular item to which I have offered the amendment in the bill was \$800 for the Bureau of Mines. My amendment is \$2,500. It is not an increase in the appropriations in the bill, because you will notice that this paragraph simply makes appropriations in the bill for various bureaus available to the extent stated here, for purchase of books, and so forth. Now it develops that the Bureau of Mines has heretofore had available for the purchase of books \$3,500; \$1,000 for the bureau out of a specific item and \$2,500 out of items for the field, and that \$1,000 item was cut to \$800, and that is the item that the committee put in here. But we cut off the \$2,500 that they have heretofore had. The total, \$2,500, is \$1,000 less than the Bureau of Mines has heretofore had available for that purpose.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there?

Mr. CRAMTON. Yes.

Mr. BLANTON. Does not the gentleman believe that he is setting a bad precedent here in the committee by increasing these items?

Mr. CRAMTON. The item, as I have just stated, is not an increase in the appropriations in the bill.

Mr. BLANTON. But it is an increase.

Mr. CRAMTON. It makes a larger amount available for the purchase of books, but it is \$1,000 less than is available for that purpose for the current year.

Mr. BLANTON. Is not the gentleman afraid that his colleagues here on the floor will try to make their own allocations?

Mr. CRAMTON. I know the Committee of the Whole will make its will felt whenever it desires, and the Appropriations Committee expects it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will continue to read.

The Clerk read as follows:

For rent of quarters for department trucks, and for the storage of Patent Office models and exposition exhibits, including the cost of the removal of the models, if necessary, \$3,600.

Mr. TILLMAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. TILLMAN. Mr. Chairman, the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Oklahoma [Mr. CARTER] assured the House that when we got into Committee of the Whole they would be liberal in extending time. I assume that they will keep faith with those of us who did not insist on time under general debate on this bill. I ask unanimous consent that I may proceed for a reasonable time.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to proceed for a reasonable time. Is there objection?

There was no objection.

Mr. TILLMAN. Mr. Chairman, the country demands a reduction of Federal taxes, and this will be done by Congress, but many do not understand the difference between the Mellon plan and the Garner plan.

For the benefit of my constituents I will discuss briefly the two plans. Mr. Mellon, Secretary of the Treasury, a very wealthy man, proposes to reduce normal taxes to three-quarters present rates and to cut high surtaxes in two, but makes no provision for the repeal of nuisance taxes. GARNER of Texas, ranking Democrat on the House Ways and Means Committee, presents a substitute which cuts normal taxes one-half, but does not disturb present surtax rates.

The taxes sought to be reduced by us are income taxes, Federal taxes, and are not local, district, school, road, city, county, or State taxes. I would like to see the State legislature at Little Rock, in my State, reduce some of the enormous taxes now levied on the people of Arkansas, but that is another story. Congress has no authority to deal in any way with these last-named taxes, and when we speak of the Mellon plan and the Garner plan to reduce taxes we mean that these plans propose to reduce the taxes that the average man does not pay at all, taxes that are collected by the agents of the United States Government and paid into the United States Treasury and not into local, city, county, or State treasuries.

I will compare the Mellon plan and the Garner plan. Exemptions under the Garner plan are \$2,000 for single persons and \$3,000 for married persons, while exemptions under the Mellon plan are \$1,000 for single persons and \$2,500 for married persons.

Fixed normal rates under the Garner plan are 2 per cent on amounts of \$5,000 and under, 4 per cent from \$5,000 to \$10,000, and 6 per cent in excess of \$10,000, while under the Mellon plan 3 per cent on amounts under \$4,000, and 6 per cent above \$4,000, and 8 per cent on all amounts above \$10,000.

Under the Garner plan farmers, merchants, and tradesmen who invest in their business and personally conduct the same, and thus derive their income, will be entitled to a reduction of 33½ per cent below normal and surtax rates, while under the Mellon plan they would get only 25 per cent reduction.

The Democratic plan, sponsored by Mr. GARNER, would cut taxes more on low incomes and less on large ones than would Secretary Mellon's plan. Out of the 33,830 United States revenue taxpayers in the State of Arkansas in 1921, 33,820 will be benefited by a greater reduction of their taxes under Mr. GARNER's plan, while only 10 persons in our State will be benefited by a greater reduction under the Mellon plan. Both these plans will reduce United States revenue taxes, but I shall certainly vote for the Garner plan, which benefits 33,820 of the people of my State more than the Mellon plan benefits them, while the Mellon plan benefits only 10 people in Arkansas more than they would be benefited under the Garner plan.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there?

Mr. TILLMAN. I shall be glad to yield to my friend from Texas.

Mr. BLANTON. Because the plan of my colleague from Texas [Mr. GARNER] will benefit the great mass of people all over the United States, while the Secretary's plan will benefit only a favored class, Mr. Mellon has seen fit to denounce the Garner plan as political.

Mr. TILLMAN. The Mellon plan certainly is not so popular with people with small incomes as is the Garner plan, but is quite popular with citizens blest with very large incomes.

JOHN GARNER, of Texas, has served his great State with distinction for 20 years and by reason of his long service has been gradually promoted to minority head of the great Ways and Means Committee of the House. The belief is general that the next House will be Democratic, and if so Mr. GARNER will be chairman of this committee. [Applause.] His speeches in the CONGRESSIONAL RECORD analyzing the tax reduction bill pending before the committee are masterful efforts. I read them carefully and wrote him a letter congratulating him on the same, and received from him a reply which I shall keep and which I print as a part of my speech:

COMMITTEE ON WAYS AND MEANS,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., January 17, 1924.

HON. JOHN N. TILLMAN,  
House of Representatives, Washington, D. C.

DEAR JUDGE: I thank you for your letter favorably commenting on my analysis of the Mellon tax bill.

As ranking Democratic member of the Ways and Means Committee, I thought a statement of my views on this important measure would interest my colleagues and the country.

I hope you are pleased with your committee assignment. It is an important one. I take occasion to say, here and now, that during my more than 20 years of service in the House I have never associated with a more agreeable gentleman, and I feel sure that your constituents are well pleased with your services, as they have good cause to be.

Please accept assurances of my sincere friendship and esteem.  
Very cordially and sincerely yours,

JNO. N. GARNER.

While United States revenue tax reduction is demanded and is important, I invite attention to the fact that there is another matter calling for legislation that is of still greater importance, and I shall discuss that matter at some length.

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

Mr. TILLMAN. I yield to the gentleman from Oklahoma.

Mr. HASTINGS. Does the Mellon plan make any provision for the payment of the soldiers' bonus or for the repeal of the so-called nuisance taxes?

Mr. TILLMAN. In answer to the gentleman's inquiry I will say that one of the strongest Members of this House, the gentleman from Wisconsin [Mr. FREAR], a member of the Ways and Means Committee, has analyzed the Mellon plan and asserts in a prepared statement that the Mellon bill makes no provision for the payment of the soldiers' bonus or for the repeal of the nuisance taxes. He also stated in the same letter that the Garner plan, while it makes no provision for a soldiers' bonus, will leave in the Treasury a surplus for existing revenues of over \$100,000,000, which might be used, if desired, to help finance a soldier's bonus and to help repeal nuisance taxes. [Applause.]

I will pass now to the discussion of another vital issue.

Mr. WINGO. Mr. Chairman, will the gentleman yield for a question before he leaves the tax proposition?

Mr. TILLMAN. Yes.

Mr. WINGO. It is contended by proponents of the Mellon plan that it is superior and economically sound and beneficial, because it reduces taxes to a certain extent, and that the Garner plan is political because it will make a greater reduction.

Mr. TILLMAN. Yes.

#### NECESSITY FOR IMMEDIATE RELIEF OF FARMER AND CONSUMER.

Things are going badly "down on the farm" where most of us began our existence. It is imperative that prompt relief be granted. Ben F. Greer, once a citizen of my home county, now agricultural agent for Carroll County, writes me as follows:

The situation is pretty serious for the farmer. There are 20 foreclosure cases set for the next term of the chancery court in the eastern district of this county and as many or more in the western district. I am not like many farmers, however, I do not think there is much in a legislative way that will help us, certainly not by the tariff. The greatest need is for better cooperation among farmers and among farmers and business men. Rail rates are hurting in spite of the fact that the railroads try to belittle the hurt from that source.

I have known this man all his life. He is a level-headed, intelligent, conservative farmer, not given to radicalism or extravagant statements. His analysis of the situation in that section of the country is accurate. Whether or not we can find a remedy, no one can tell, but it is the duty of statesmanship to attempt to find one.

I do know that in times of stress, in times of war, through emergency legislation, that Government corporations are created and utilized to stabilize prices and conditions, and they have served their purpose well. The farmers of the country now face a crisis, an emergency, and, attempting to find a remedy, I have introduced, as have others friendly to the agricultural interests, including Senator CAPPER, a conspicuous friend of the farmer, two measures which are now being considered by the proper legislative committees. One of my bills is to reduce freight rates, a pressing necessity; the other is to create "The farmers and consumers' financing corporation," to buy and sell farm products, stabilize the price of same, so that producers can get the cost of their products and a fair profit on same, and not be forced to sell them for less than the cost of production, as they are now compelled to do. These two bills have the indorsement of farmers and farm unions throughout the country. We hope to pass these bills, or bills containing these provisions, before the end of the session. Some say the last-named bill is paternalistic. Not so much so, certainly, as tariff legislation.

The Government has singled out the manufacturer for special favors, until they have grown rich at the cost of the consumer. A friend of mine while in Europe priced a reaper made

in America and exported to Europe, and says that he could have bought that reaper there, paid for it in American money, crated it up, shipped it by boat to America, then transported it by rail to his farm in Nebraska and it would have cost him, including freight and all expenses, exactly \$17 less than he could have bought it for from a local dealer in Nebraska. What do you think of that, men and women who love a square deal for everybody? It is an undisputed fact that because of paternalistic Government favors to a few manufacturers, in the way of a so-called protective tariff, that our people here at home must pay far more for farm machinery and other necessities than our late enemies, the Germans, have to pay for the same articles made in the United States and shipped to Germany. Something must be done to give farmers living prices, or calamity will overtake the whole country. The farmer feeds the world; when he prospers, all prosper; when he suffers, all suffer.

Now as to freight rates. John Hulse, a Republican, living near Prairie Grove in my county, told me last summer that he bought 6 bushels of rye in Kansas, not the kind prohibited by Volstead, but the kind you sow in the fertile fields in that garden spot known as the Prairie Grove Valley. He said he paid 60 cents a bushel for the rye in Kansas, a short distance away, and the transportation charges were \$1 on each bushel. Write John and ask him what he thinks of the Republican legislation that made this outrage possible.

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

Mr. TILLMAN. I will.

Mr. BLANTON. The distinguished gentleman from Arkansas is one of the leading legislators of this House.

Mr. TILLMAN. I plead not guilty. [Laughter.]

Mr. BLANTON. And he stays on this floor constantly, fighting for the interests of the farmers of the United States. He witnessed the other day a member of the steering committee presenting to the Congress a petition, signed by nearly 350,000 farmers under this Government, demanding three things: That we cut the cost of governmental expenditures; that we eliminate waste and extravagance; and that we stop the continual increasing of executive salaries. Now does the distinguished legislator from Arkansas expect to get this Congress to do that when our majority brethren will not listen to amendments to cut out lump-sum appropriations?

Mr. TILLMAN. We recently changed the rules, which will help some. There are a number of progressives here, joining hands with the Democrats, that helps, and a better day is coming. [Applause.]

#### REDUCE FREIGHT RATES.

I am friendly to the railroads. They are a public necessity. The farmer does not hate railroads; he likes them but he does not want them to absorb the value of his shipments, and then call on him for a balance besides, as they sometimes actually do. I have no desire to destroy or to cripple them, but why should they worry? Freight costs are from 50 per cent to 80 per cent above what they were in 1913. During 1923 there were more than 21 weeks in which more than 1,000,000 railway cars each week were loaded with revenue freight, the best record ever made by the carriers. They had a most prosperous year. Now if they are unusually prosperous and the farming interests unusually depressed, an evening-up process should be inaugurated so that the producers may enjoy their share of the prosperity made possible by them for the carriers. The shipper is the carrier's meal ticket.

Here are some facts that we should study:

If a census were taken this month it would probably show that more than 1,500,000 farmers have quit their farms and gone into other industries since the last national census. Not more than 30,000,000 persons are now living on farms in this country. The last national census showed the rural population to be 31,614,269.

#### DEPRESSION BLAMED.

Farm leaders attribute the exodus to the depressed agricultural conditions which have prevailed throughout the South, West, and Middle West during the past few years.

According to the last census the number of farmers in the United States was 6,448,343. The last three years have served to diminish this number.

An unofficial estimate of the wealth owned by actual farmers as of January, 1920, is \$74,000,000,000. This leaves out of account \$21,000,000,000 of farm assets belonging to farm landlords not engaged in farming. Of the \$74,000,000,000 owned by actual farmers about 13 per cent, or nearly \$10,000,000,000 consists of wealth other than farm assets. This leaves \$64,000,000,000 of farm assets owned by actual farmers.



## FARM ASSETS CITED.

Adding the farm assets owned by actual farmers and the assets belonging to farm landlords not engaged in farming, the total value of property used in farming at the date indicated was \$85,000,000,000.

The estimate for cash and deposits belonging to actual farmers is about \$3,600,000,000 as of 1920.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILLMAN. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. The gentleman asks to proceed for one additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. TILLMAN. An estimate of the amount owed by actual farmers, as of January, 1920, is \$11,235,000,000. This leaves out of account the debts of landlords not engaged in farming whose farm mortgage indebtedness is estimated to have been \$1,685,000,000, or 21.4 per cent of the total mortgage debt. Of the \$11,235,000,000 owed by actual farmers, 55 per cent is estimated to have been secured by farm mortgages. Of the balance of the debt of actual farmers, \$3,455,000,000 is estimated to have been bank credit, the remainder estimated to have been owed to merchants and other individuals.

I repeat, things are not going well "down on the farm." The farmer's dollar, measured by what he gets for his products in the high-priced stuff he is compelled to buy, is like the negro's catfish; it is all "swunk up." [Applause.]

Mr. McKEOWN. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. McKEOWN. I want to ask the gentleman if he noticed the report made by the Agricultural Department to the effect that 230,000 farmers had lost their homes by reason of the foreclosure of mortgages?

Mr. TILLMAN. Yes; and that is in keeping with the statement I made earlier in this address, and is in keeping with the letter written me by Mr. Greer, from which I have already quoted. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

The purchase of supplies and equipment or the procurement of services for the Department of the Interior, the bureaus and offices thereof, including Howard University and the Columbia Institution for the Deaf, at the seat of government, as well as those located in the field outside the District of Columbia, may be made in open market without compliance with sections 3709 and 3744 of the Revised Statutes of the United States, in the manner common among business men, when the aggregate amount of the purchases or the services does not exceed \$100 in any month.

Mr. ROACH. Mr. Chairman, I move to strike out the last word.

Mr. CRAMTON. Will the gentleman from Missouri withhold his motion, as I desire to offer a substitute for the paragraph.

The CHAIRMAN. The gentleman from Michigan [Mr. CRAMTON] offers the following amendment, which the Clerk will report.

Mr. CRAMTON. Mr. Chairman, I offer that as a substitute for the paragraph.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 5, lines 13 to 22, inclusive, strike out the paragraph and insert in lieu thereof the following:

"Every contract obligating the United States shall be reduced to writing and signed by the contracting parties with their names at the end thereof: *Provided*, That less formal agreements may be made when a public emergency requires immediate delivery or performance; or when the amount does not exceed \$100, conditioned upon immediate performance; or when the amount does not exceed \$500, if it is shown that competition is impossible; or when the amount is less than \$5,000, conditioned upon competitive bids and delivery or performance within 60 days from the date of acceptance of the bid for the same: *Provided further*, That the original of such less formal agreements shall be forwarded to the General Accounting Office with the voucher covering payment thereunder, together with the original bids and surety bond, if any, and copy of invitation for bids, and further return thereon may be waived by the Comptroller General."

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph in the bill and I also reserve a point of order on the amendment.

Mr. CRAMTON. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late.

The CHAIRMAN. The gentleman is quite tardy in his point of order against the original paragraph.

Mr. BLANTON. There has been no debate.

The CHAIRMAN. The gentleman had taken the floor, and in his own time had offered an amendment.

Mr. BLANTON. But there has been no debate.

The CHAIRMAN. The amendment had been read and we had proceeded to the consideration of it.

Mr. CRAMTON. The gentleman from Missouri [Mr. ROACH] started to debate it but withheld his statement in response to my request.

Mr. ROACH. I moved to strike out the last word.

The CHAIRMAN. The rule does not apply to debate alone.

Mr. BLANTON. It does not restrict the reservation which I have made to the gentleman's amendment.

The CHAIRMAN. Not at all.

Mr. BLANTON. And when my point of order to the gentleman's amendment is decided by the Chair I think he will probably be glad that I could make a point of order as to the bill.

Mr. CRAMTON. Will the gentleman reserve his point of order for a moment?

Mr. BLANTON. I will; but I have made the point of order because the gentleman is inaugurating a new policy and one which is a bad policy.

The CHAIRMAN. The gentleman from Texas reserves his point of order to the amendment.

Mr. CRAMTON. All of these departments have been more or less hampered by the requirement of making formal contracts after advertising and bids, and so forth, especially in connection with small purchases. This is particularly true in the field and in the park service, especially where the parks are in the mountains and where there may be but one man who can furnish alfalfa or furnish fresh meats. In such cases they refuse to make these formal contracts, and it costs the Government more by reason of these formalities. Different exemptions have been granted to different departments, so that in one department they can do one thing and in another department something else. Heretofore there has been an exemption in this bill, and this year we tried to broaden it a little in order to meet the situation in the parks. The paragraph in the bill was the result of that desire, but it has developed that that is not really satisfactory and it is not strictly workable.

I have discussed the matter with the Comptroller General in a desire to serve the real and efficient purposes of the bureaus, and yet not open up the thing too wide. The Comptroller General is a man who comes in contact with all of this and knows more about it, and the language I have proposed has his approval.

Mr. McKEOWN. Will the gentleman yield?

Mr. CRAMTON. If my friend will pardon me, I want to say to the committee that I am preparing a general bill to be introduced in the House which includes this language as well as a number of other important provisions affecting this general subject of contracts. But this particular language has been passed upon and has the approval of the Comptroller General.

I will now yield to the gentleman from Oklahoma.

Mr. McKEOWN. I want to ask the chairman this question: What is the largest amount that they can purchase without having to resort to contracts?

Mr. CRAMTON. I think in some departments they have had legislation which put the amount at \$50, some of them \$300, and some of them \$500.

Mr. McKEOWN. What is the largest amount under your amendment?

Mr. CRAMTON. Under my amendment, it depends. There are certain classes where they can go up to a certain amount; I have not the exact figures right at hand, but I think it goes up to several thousand dollars in one class; that is, as to the signing of a formal contract, but not as to the requirement of advertising, and so forth.

Mr. McKEOWN. It is customary in the several departments of State governments to limit the amount of purchases to \$500 without competitive bidding or advertising, and I was wondering whether the gentleman exceeded that amount in his amendment.

Mr. CRAMTON. In some respects, yes; but only with the indorsement of the Comptroller General, who is thoroughly conversant with the situation.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. JOHNSON of Washington. I want to ask the distinguished chairman whether, by any stretch of the imagination, this could be considered legislation on an appropriation bill?

Mr. CRAMTON. The paragraph, which has been carried for many years, is legislation and would have been subject to a point of order, and the item before us is likewise legislation.

Mr. JOHNSON of Washington. In other words, having been given an inch the subcommittee wants to take an ell, and we must all sit around here and say nothing, because we are not supposed to interfere with, break down, or hamper the Budget.

Mr. CRAMTON. I will say this to the gentleman from Washington and the gentleman from Texas: This is a matter closely bound up with the expenditure of money, and we are endeavoring to secure the most economical and efficient expenditure of the money. In my judgment, inasmuch as the paragraph in the bill was subject to a point of order, and the point was not made, the amendment I am offering is not subject to a point of order now.

Mr. JOHNSON of Washington. In other words, because one got through inadvertently, the other has to go through now.

Mr. CRAMTON. No; that is not the situation. I am stating what I think to be the situation, and I think my friend from Texas will agree with me.

Mr. BLANTON. No; the rule does not go that far.

Mr. CRAMTON. The original paragraph being subject to a point of order and the point not being made, I doubt if the point can be made against the amendment; but I will say this: I have no desire to proceed in this matter except by unanimous consent, and if the gentleman from Washington or if the gentleman from Texas wants to object to the amendment I have offered, I withdraw it, because I know it is in the direction of efficient administration, but I will not proceed except by unanimous consent.

Mr. JOHNSON of Washington. I do not want to use the gentleman's time, but I am one of the victims that stood around here and agreed there should not be legislation on an appropriation bill, and I have not objected and shall not object, but I am not going to be threatened and told that I must not object.

Mr. CRAMTON. No; there is no thought of any threat. I have just agreed to withdraw it if the gentleman objects; in other words, if he makes a point of order.

Mr. JOHNSON of Washington. I am just wondering how long the Members of the House can sit here complacently and have these things "inched" over them, a few inches on each appropriation bill.

Mr. CRAMTON. I know in my travels this summer, I want to say to my friend from Washington, that among the activities of the Interior Department, they stressed as much up in Mount Ranier Park as anywhere else the inconveniences caused by the existing law.

Mr. JOHNSON of Washington. I do not doubt that at all, and personally I do not object to minor legislation on appropriation bills, provided we do it with our eyes open and the House itself is a party to it; but we were assured here in the most solemn way at the beginning of the session by the Committee on Appropriations of 35 that would be—that there would not be legislation on appropriation bills and that other committees would have something to do, and I can not find many of them with anything to do. I am sorry to take the time of the gentleman.

Mr. CRAMTON. I am agreeable to withdrawing it, if the gentleman desires it.

Mr. BLANTON. Mr. Chairman, I ask recognition under my reservation.

The CHAIRMAN. The gentleman from Texas asks for five minutes under his reservation.

Mr. CRAMTON. Mr. Chairman, may I yield to the gentleman from Missouri [Mr. ROACH]?

Mr. ROACH. Mr. Chairman, I ask unanimous consent to proceed for two minutes in order to ask a question or two.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ROACH. The paragraph which the gentleman seeks to strike out by his amendment contains this line, "When the aggregate amount of the 'purchases' or the 'services' does not exceed \$100 in any month." I call the gentleman's attention to the fact that the appropriation act of 1924 for that same item limited the amount of "purchases" and "services" that could be contracted or paid for in any one month to \$50 per month. Now, I was just going to inquire whether the gentleman's proposed amendment increased it still further from \$100 a month for such "purchases" and "services" that can be paid for in any one given month?

Mr. CRAMTON. I beg the gentleman's pardon. I was listening to some one else and did not hear that.

Mr. ROACH. In other words, in 1924—

Mr. CRAMTON. I heard that, but I did not catch the gentleman's question.

Mr. ROACH. In the first place, this section in the bill increases the amount from \$50 to \$100 and I have no objection to the purchasing power being increased to \$100, but I want to ask now whether your amendment further increases it over that amount of \$100.

Mr. CRAMTON. It does; yes.

Mr. ROACH. Let me ask this further question and then I think I will be through: Is it contemplated under your amendment that any additional employees or services as to the "personnel" of the department will be contracted for under the provisions of your proposed amendment?

Mr. CRAMTON. No; it has nothing to do with personnel whatever; in fact, the amendment I have sent to the desk would probably have the effect of perhaps reducing the personnel because it would do away with a good deal of red tape, and that always involves personnel.

Mr. ROACH. In that connection I merely want to remark that while I agree with the gentleman that we should do everything we can to make these departments efficient, I do not agree we should give them too wide a latitude in their purchasing power with the people's money. If the purchases were to be made by the Secretary of the Interior or under his direct supervision, it might be a different thing, but if he delegates that power down the line to some subordinate clerk, I doubt the wisdom of allowing them too much latitude in making purchases, which might be wholly unnecessary.

Mr. CRAMTON. I will say to the gentleman that the provision I have referred to aims to reach that very thing and centers the responsibility in the "high officials," where it does give a little more laxity in the execution of it.

Mr. BLANTON. Mr. Chairman, I ask recognition under the reservation which I made.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman and gentlemen, the committee saw fit in this bill to undo a law, and so far as it applies to a \$100 matter I have no objection to that. So far as a little \$100 purchase is concerned, that is all right; but our friend, the chairman, is not satisfied with that. He has gotten his camel's nose under the tent, and now he comes in here with an amendment to increase the amount to \$5,000, withdrawing the safeguards of the law respecting matters involving that amount. The law says that when the department makes a contract with respect to the money of the people in the Treasury it shall be safeguarded in a certain way; that there shall be certain formalities about it which protect the people.

Mr. McKEOWN. Will the gentleman yield?

Mr. BLANTON. Yes; I yield.

Mr. McKEOWN. I just wanted to ask if the gentleman does not think the amount of \$100 was entirely too small and that the officials should have some discretion, under certain circumstances, to expend a little larger amount, and would \$500 be too large?

Mr. BLANTON. It probably ought to have been put at \$500, but the chairman wants to fix the limit at \$5,000 in his amendment. Now, I want to tell you something. You say, "Oh, he is the big Secretary of the Interior, and we can trust him with \$5,000, and trust this, that, and the other thing." I have absolute confidence in the present Secretary of the Interior. He is a splendid gentleman. I believe that men are just as careful about their own affairs, their own money matters, as they are of public finances. I wish they were as careful about public funds as they are their own private affairs; but it is a well-known fact that recently we have had a man in this particular office seated in this particular Secretary's chair, who, when a committee of Congress asked him about a contract involving the question of where he procured \$100,000 spent by himself, first he said that he got it from a certain individual and that he got it in cash, and he took it out to El Paso in cash and paid a fellow \$5,000 of it and used the other in a certain way, and then when he is plinned down, he says he did not get it at all from that man. [Laughter.] He can not remember where he got it, and he virtually tells Congress it is none of their business.

Mr. WEFALD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WEFALD. I would like to have the gentleman tell us what he thinks ought to be done to such a man.

Mr. BLANTON. I think he ought to be brought here and made to talk. I think he ought to be brought here by Congress. I have no patience with the idea that because a man takes an oath as a Congressman or a Senator or a high executive that that closes his mouth and gives him a right to tell his colleagues, "You go to; you can not make me testify." If he was



sick enough to have to stay at home out in the State of New Mexico, precluding him from coming here, he was sick enough to stay there and not go to Florida to see a witness who is to testify in his case.

I think we ought to be careful about contracts the Government makes that takes the people's money out of the Treasury—money that must be made good through taxation. As the distinguished gentleman from Illinois, Uncle Joe Cannon, told us once, "this Government has not got a dollar of its own; every time we spend a million dollars we must take it out of the pockets of the tax-burdened people." For that reason I can not let this matter go by without making a point of order against it. It is clearly legislation, and I make the point of order that it is legislation and has no place on an appropriation bill.

Mr. CRAMTON. It is unnecessary to make the point of order. I stated that if anyone objected I would withdraw the amendment.

The CHAIRMAN. Without objection, the gentleman from Michigan withdraws the amendment.

There was no objection.

The Clerk read as follows:

For the Bureau of Mines, including printing, engraving of illustrations, and binding bulletins, technical papers, miners' circulars, and other publications to carry out the purposes of the act of February 25, 1913, not to exceed \$40,000; for miscellaneous printing and binding, not to exceed \$10,000; not to exceed in all, \$45,000.

Mr. CRAMTON. Mr. Chairman, I move to amend in line 8, page 7, by striking out the semicolon and the balance of the line, and inserting a period after "\$10,000."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 7, line 8, after figures "\$10,000," strike out the semicolon and insert a period and strike out the remainder of the line.

Mr. BLANTON. May I ask the gentleman from Michigan a question? What is the purpose of that?

Mr. CRAMTON. The paragraph carries two items.

Mr. BLANTON. But why did not the gentleman strike out \$45,000 and insert \$50,000.

Mr. CRAMTON. I would not object to that.

Mr. BLANTON. Then, Mr. Chairman, I move to strike out \$45,000 and insert \$50,000.

Mr. CRAMTON. I accept that.

The CHAIRMAN. The Clerk will report the amendment.

Amendment by Mr. BLANTON; Page 7, line 8, strike out the figures "\$45,000," and insert in lieu thereof \$50,000.

The amendment was agreed to.

The Clerk read as follows:

For the Patent Office: For printing the weekly issue of patents, designs, trade-marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, \$730,000; for miscellaneous printing and binding, \$70,000; in all, \$800,000.

Mr. McCLINTIC. Mr. Chairman, I would like to address an inquiry to the gentleman from Michigan, chairman of the subcommittee. It has come to my attention, and I suppose to many other Members of the House, that these patent publications are being used by individuals in many large cities for the purpose of securing names for the so-called "sucker lists." In other words, the Government through its Patent Office publications is giving the names and addresses of those who receive patents, thereby enabling certain individuals to exploit those to whom certain patents have been issued by sending them literature and calling attention to investments which in many cases are not profitable. I want to ask the gentleman if it would not be wise to amend the laws so that when people receive patents, their addresses shall not be published?

Mr. CRAMTON. I will say to the gentleman from Oklahoma that I am not well enough informed to know whether his amendment would be feasible in all respects or not. I do know that patents are published in a weekly issue, and these lists I suppose are made up from weekly publications. I think a change in the law as to the publication in that respect would be legislation, and we ought not to enact it without some investigation.

Mr. McCLINTIC. It has occurred to me that inasmuch as other departments of the Government refuse in some cases to give the addresses of individuals coming under their jurisdiction, it might be applied here. I refer you to the Osage Indians. The superintendent would not under any circumstances give the address of any ward under his jurisdiction.

Mr. CRAMTON. The gentleman knows that when a man gets a patent, what he wants is to market that patent. There is a certain amount of advertising in the publication of the patent in the weekly issue, bringing it to the attention of those interested, and I am not sure whether in the long run it would be beneficial or the opposite to restrict the publication of the addresses.

Mr. McCLINTIC. I would not care to offer an amendment. I only wanted to bring it to the attention of the chairman, feeling that he is interested in that class of people. In a great many cases a man who gets a patent does not get any monetary reward. When the Government prints his name and address, it is immediately copied by these people who make up these so-called sucker lists, and often they are sold to people who are issuing propaganda in behalf of some fake stock or enterprise.

Mr. MERRITT. Mr. Chairman, I am somewhat of the same mind as the gentleman from Michigan. I think all manufacturers who deal in a certain class of goods make a point of studying the Patent Gazette with a view to ascertaining whether any patents of value to them have been issued. So I think if the suggestion of the gentleman from Oklahoma should prevail, it would in the end do as much, if not more damage, than he claims is done now.

Mr. McCLINTIC. It was my thought if such an amendment was adopted that it would be possible for any manufacturer who might be interested in a patent to obtain from the Patent Bureau the address of the party who received the patent.

Mr. MERRITT. But an evil-designed person could get it just as well as a well-designed person.

Mr. KNUTSON. Mr. Chairman, let me ask the gentleman, would not it obviate the objection raised if the issue of the patent should be published with a key number rather than the name and address, and then any person interested who wanted to get the address of a patentee could write to the bureau and get the address of this key number?

Mr. MERRITT. But the Patent Office would not know whether the person applying wanted it for a good motive or a bad motive.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 7, beginning with line 9, strike out the paragraph ending in line 14.

Mr. BLANTON. Mr. Chairman, I am against the Government of the United States engaging in any kind of private business, I do not care whether it is the printing business, the printing of the Patent Gazette for the benefit of certain of the public, or whether it is running a railroad or engaging in the mining business. I am against Government ownership. I am in favor of private business enterprise. Here we are proposing to expend \$800,000 for printing in this Patent Office a Patent Gazette that will benefit only two classes of people. It benefits a few people who procure patents and it benefits the manufacturers who want to find out what patents have been issued. It does not benefit the great mass of the people in the United States, except possibly indirectly. A private concern could carry on the printing of this Gazette just the same as the Government. It should be done by a private concern. It should be a private enterprise that gets out this Patent Gazette for the benefit of the patentees and the manufacturers of the country; and I do not think the people of the United States want their Government to continue to engage in private enterprise.

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

Mr. BLANTON. Yes; I yield to the chairman in charge of the bill.

Mr. CRAMTON. I do not want to take up any time to argue the point with the gentleman, though I entirely disagree with him, but the Patent Office in its operations, including the printing and everything referred to, does not entail a penny of expense to the Treasury of the United States. There is a surplus of \$8,000,000 now of receipts over expenditures from the Patent Office.

Mr. BLANTON. And if the Government should go into the railroad business, the gentleman, I suppose, would be in favor of the Government's doing it, simply because the Government might make \$100,000,000 profit, and if the Government could go into the mining business, my friend from Michigan, simply because it might make a profit of a hundred or two hundred million dollars a year, would want it to engage in that business. It is the principle of the thing that I am against and to which I am directing my protest.

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

Mr. BLANTON. Yes.

Mr. SCHAFFER. I assume then that the gentleman is opposed to the Government's operation of the Printing Office and the mail service.

Mr. BLANTON. I want to tell my friend from Wisconsin that he is a splendid new adjunct to the Congress, in that he has brought some new blood here, with fire and vim in it. I am backing him up in some things, though I do not agree with him in all. I am fundamentally opposed to some of the things that he is fathering and he is going to find me fighting him frequently along those lines; but I will say to my friend that if he would put the Government Printing Office in the hands of private enterprise, instead of having 4,000 disgruntled, dissatisfied Government employees down there, controlled by a nonexpert, you could do the business with 2,000, and do it better. You could cut the employees half in two and you could do better work with private enterprise than the Printing Office can, and you would have a bunch of men satisfied with their work and satisfied with their employer, something that does not exist in the Government Printing Office to-day.

Mr. SCHAFFER. Does the same line of argument apply to the Postal Service?

Mr. BLANTON. No; because there is one good reason why the Government should control the Postal Service.

Mr. SCHAFFER. I thought the gentleman was opposed to Government operation of any kind of business.

Mr. BLANTON. I am of every kind of business on earth except the Postal Service. If I had more than a minute of time, I might tell the gentleman why we must engage in the Postal Service. There is a very good reason. I am not in favor, as the gentleman is, of this socialistic idea of having our Government go into the mining business and the railroad business. It would be held up every year just as it was held up during the World War, when the employees went to the Director General of Railroads and said to him, "Give us so much," and he had to hand it out.

Mr. SCHAFFER. Was not that under a Democratic administration?

Mr. BLANTON. It was under, first, a Democratic administration and then a Republican administration. Both administrations are responsible. There was just as much handed out under the Republican administration as there was under the Democratic administration.

Mr. SCHAFFER. Could I ask the gentleman a question? That was not Government ownership under the Democratic administration.

Mr. BLANTON. It was near enough to it to condemn it forever.

Mr. SCHAFFER. It was Government control of privately owned business.

Mr. BLANTON. I know how our friend stands. I know how his people at home stand and I do not blame him because he is here to represent them, but they are wild. They are as wild as the gentleman looked the other day when he so eloquently pleaded their cause here on the floor.

Mr. SCHAFFER. Perhaps as a new Member, from coming in contact with some of the gentleman's wildness I might have assimilated some of it, and, therefore, I am not responsible for it.

Mr. BLANTON. If the gentleman will just assimilate from me a little more, he will get as far away from socialism as the North Pole is from the South Pole.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was rejected:

The Clerk read as follows:

For per diem in lieu of subsistence, at not exceeding \$4, of examiners and of clerks detailed to inspect offices of United States surveyors general and other offices in public land service, to investigate fraudulent land entries, trespasses on the public lands, and cases of official misconduct, actual necessary expenses of transportation, including necessary sleeping-car fares, and for employment of stenographers and other assistants when necessary to the efficient conduct of examinations, and when authorized by the Commissioner of the General Land Office, \$5,000.

Mr. SEARS of Florida. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. SEARS of Florida: Page 8, line 8, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$20,000."

Mr. SEARS of Florida. Mr. Chairman, I first intended striking out \$889,920 and making it \$985,999. I am moving to increase this appropriation, with no hope or expectation of it carrying. In fact, it ought not to be carried, for I believe the department already has enough or more than enough to carry on the work; but I want to call the attention of my colleagues to some facts as they exist, especially the attention of my young friend from Wisconsin [Mr. SCHAFFER], because he has been here not so very long—and that is no reflection—but I hope he will keep up some of his fire and enthusiasm. I am moving to increase the appropriation because I feel the department must be hampered, and certainly do not want to tie down any department.

Let me call attention to the fact that on May 17, 1921, I asked the Land Office to send a surveyor down to my district and survey out a small piece of unsurveyed land in order that the title might be determined. A friend of mine, and later a fraternal friend of mine, had moved on this land, which I contend is Government land, because the doctors had told him unless he moved out into the country he would die. This, as I recall, was about 12 or 15 years ago. In 1921 he came to me and said, "Joe, I have not very much longer to live. My wife has stayed by me, and while I am living I want this matter settled, because after I die perhaps some of the proof the Government will require she may not be able to produce." So in 1921 I took it up for him. I have written letter after letter urging the Land Office to settle that question and find out whether this land was Government land or not and whether he was entitled to it, and since his death whether she was entitled to same. As I recall, some time in 1922 he passed to the great beyond; the case is still unsettled. His good wife is still living on this land, in the house that he had built. He grubbed some of the land and made other improvements. Now, every time she goes to visit her relatives back North she is forced to write to the land office at Gainesville, Fla., and secure permission to leave the tract of land in order that she may not lose any of her rights. On June 8, 1923, I was again promised or told that a surveyor had been sent down and had made an examination of this land, had surveyed same, and had his notes, and was now on his way to Denver, Colo., and after he got back to Denver he would figure out who owned the land and whether she is entitled to it or not. It is now January, 1924, nearly three years after I first took it up and many years after the deceased party first took it up, and they as yet, so far as I know, have reached no decision. So far as I know the field notes are still securely held out in the beautiful State of Colorado. Therefore I think they ought to have more money in order that more men may come to Florida during the winter season, where to-day I predict the thermometer is about 76 instead of like it is up here.

In all seriousness I wish the department would make its employees get down to work and decide cases like this and let this good woman know whether the property her husband improved and upon which he spent his money belongs to her or not, and if it does not, go back to her relatives and begin work in life. She does not want to lose the ten or twelve thousand dollars that will come to her if the Government finally decides that this land belongs to her. And by the way this land was practically valueless when her husband went on same. I submit to you that since I took it up in May, 1921—and if my recollection is correct, prior to that time over the phone—the Government has had plenty of time clearly to thrash this case out. I have another case here that the department has been working on for a considerable time, and has promised me, as my files show, that the case is now in the hands of a special agent for examination, and that when the report from the chief of the field division has been received prompt action will be taken.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SEARS of Florida. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. SEARS of Florida. Now, Mr. Chairman, briefly summarizing my remarks, let me call your attention to the fact that the United States surveyor, according to my files of the case, was in Florida during May, 1921, and the department wrote me that in a few weeks he would make an examination of said land. On June 30, 1921, I was notified by the department that work in Florida had to be discontinued because of the lack of funds but would be resumed early in the fall.

I therefore again submit to you that the many years this matter has been before the General Land Office has given them



sufficient time to thoroughly thrash out the question and decide who owns the land. I also again state I am satisfied the widow is entitled to the land, and I understand there are parties now trying to defeat her claim. Let me further submit to you that the traveling expenses to and from Florida by surveyors during all these years would have been more than sufficient to survey this small tract of land many times over.

I dislike very much to make these remarks because it is the first time during the nine years I have been in Congress that I have criticized any department, but in this case I feel I am justified, and I am sure you would agree with me if you could see my files. If the department has not sufficient funds to carry on their work, then they should ask us for appropriations to meet all their needs, for we must depend upon them and the committee for the amount necessary to properly, promptly, and efficiently perform all duties required by law.

Let me say in this connection all of the departments in Washington have been more than courteous to me and I have no desire to reflect on any department, but now while the people are staggering under the load of taxation which they can not much longer stand we must have efficiency, must have prompt action and full services for salaries paid, and must cut down appropriations to what is actually necessary for carrying on the work.

I sincerely trust in the near future the department will close this case and that they will find, as I have repeatedly stated, this good lady is entitled to the land.

Mr. SEARS of Florida. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Registers and receivers: For salaries and commissions of registers of district land offices and receivers of public moneys at district land offices, at not exceeding \$3,000 per annum each, \$232,000: *Provided*, That the offices of registers and receivers at the following land offices are hereby consolidated, and the applicable provisions of the act approved October 28, 1921, shall be followed in effecting such consolidations: Little Rock, Ark.; Eureka and Sacramento, Calif.; Denver, Colo.; Hailey and Blackfoot, Idaho; Bozeman, Mont.; Las Cruces, Roswell, and Fort Sumner, N. Mex.; Burns, La Grande, and Vale, Oreg.; and Rapid City, S. Dak.: *Provided further*, That the following land offices and the offices of register and receiver thereat are hereby abolished, effective not later than July 1, 1924: Montgomery, Ala.; Harrison, Ark.; Lamar and Sterling, Colo.; Gainesville, Fla.; Lewiston, Idaho; Topeka, Kans.; Baton Rouge, La.; Marquette, Mich.; Cass Lake, Minn.; Jackson, Miss.; Great Falls and Kalispell, Mont.; Alliance and Lincoln, Nebr.; Elko, Nev.; Clayton, N. Mex.; Dickinson, N. Dak.; Vancouver and Yakima, Wash.; and Wausau, Wis.

Mr. CRAMTON. Mr. Chairman, we have made a little more rapid progress of late than had been anticipated, and I have led some gentlemen to believe that this item will not be acted upon to-night, and accordingly I move that the committee do now—

Mr. SINNOTT. The gentleman would not have any objection to my offering an amendment?

Mr. CRAMTON. I have no objection.

Mr. KNUTSON. It is only 25 minutes to 5, and I think it is a little early to adjourn.

The CHAIRMAN. The gentleman from Oregon offers an amendment.

Mr. TILLMAN. Will the gentleman yield for a moment?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. SINNOTT offers the following amendment: Page 12, strike out all of said page after the word "provided," in line 6, and insert the following:

That the offices of registers and receivers at the following land offices shall be consolidated on June 1, 1925, and the applicable provisions of the act approved October 28, 1921, shall be followed in effecting such consolidations: Little Rock, Ark.; Eureka and Sacramento, Calif.; Denver, Colo.; Hailey and Blackfoot, Idaho; Bozeman, Mont.; Las Cruces, Roswell, and Fort Sumner, N. Mex.; Burns, La Grande, and Vale, Oreg.; and Rapid City, S. Dak.: *Provided further*, That where a vacancy shall occur in the office of a register or receiver in said land offices prior to June 1, 1925, consolidation shall be effected as of the date of such vacancy: *Provided further*, That the following land offices and the offices of register and receiver thereat shall be abolished on June 1, 1925: Montgomery, Ala.; Harrison, Ark.; Lamar and Sterling, Colo.; Gainesville, Fla.; Lewiston, Idaho; Topeka, Kans.; Baton Rouge, La.; Marquette, Mich.; Cass Lake, Minn.;

Jackson, Miss.; Great Falls and Kalispell, Mont.; Alliance and Lincoln, Nebr.; Elko, Nev.; Clayton, N. Mex.; Dickinson, N. Dak.; Vancouver and Yakima, Wash.; and Wausau, Wis.

The CHAIRMAN. The gentleman from Michigan [Mr. CRAMTON] is recognized.

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

Mr. CRAMTON. Mr. Chairman, as I understand, the gentleman from Oregon [Mr. SINNOTT] has offered his amendment as a substitute.

Mr. SINNOTT. I have made a motion to strike out and substitute certain language.

Mr. KNUTSON. My understanding was that the gentleman from Oregon had offered this simply for information, so that it could be printed, and he was going to call it up some time to-morrow.

The CHAIRMAN. The gentleman from Oregon wanted to offer it for the information of the House, so that it might be printed in the Record.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the debate on this amendment and all amendments thereto be limited to two minutes, one minute to be controlled by the gentleman from Michigan [Mr. CRAMTON] and the other by myself. [Laughter.]

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the debate on this amendment and all amendments thereto be limited to one minute. Is there objection?

Mr. CRAMTON. I object.

The CHAIRMAN. Objection is heard.

Mr. CRAMTON. I understand the gentleman from Oregon has offered his amendment and it is now pending. I want to yield to the gentleman from Michigan [Mr. JAMES].

Mr. SINNOTT. I would like to be recognized when the debate proceeds.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a moment?

The CHAIRMAN. Does the gentleman from Michigan [Mr. CRAMTON] yield?

Mr. CRAMTON. Yes.

Mr. JOHNSON of Washington. I would like to ask the Chair if some considerable time can not be allotted to the discussion of a proposition involving the abolition of these offices?

Mr. CRAMTON. I will say to the gentleman that the disposition of the committee is not to unduly limit debate. It has not done so up to this time, and it will not do so on this item. I would prefer to move that the committee rise now, because I promised gentlemen who are interested in these items that we would not take them up and dispose of them this afternoon. But they can get recognition now if they desire, and we can proceed with the debate, and then we can debate further to-morrow. I yield to my colleague from Michigan [Mr. JAMES].

Mr. JAMES. I wish to say that we are going to have a meeting of the Committee on Military Affairs to-morrow and have a hearing on the Muscle Shoals proposition, and I presume it will run until the end of the afternoon, and I do not expect to be here then. I would like to ask the chairman of the committee a question.

I notice one of the offices to be abolished is that at Marquette, Mich., which is in my district. I have no objection to that office being abolished on the same basis as every other land office. I notice that the percentage there is 58 per cent. I would like to ask the chairman as to the policy of abolishing these land offices.

Mr. CRAMTON. I do not want to get into a general discussion of the problem now, but I will say to my colleague from Michigan that the general policy of the committee has been to cut out as many of these offices as is possible. Very largely that has been the case of our trying to cut out as many as we thought we could cut out and get by with, and in doing that the committee has tried to be impartial and to know neither friend nor foe, and there has not been any question as to what district or whose district it is in. I will say to my friend that, being from Michigan, I think that was something of a handicap to the Marquette office. I did not want the House to feel that I was protecting it because it was from my State. My colleague from Idaho [Mr. FRENCH] has given a great deal of study to this subject, and there are at least two offices affected in his district. That should be proof positive of the lack of personal interest on the part of members of the committee. We have simply been trying to bring about economy. Unfortunately it happened to come into my colleague's district.

Mr. JAMES. Do I understand that it was the policy of the gentleman's committee to abolish all the land offices where the expense was 50 per cent and over?

Mr. CRAMTON. No; that was not quite the policy. There are different considerations that sometimes come in. In one or two cases there are imminent large revenues to come from oil operations. That is the case in Oklahoma and in some other States. It might be that of two offices or three offices, each of which contains an unduly large per cent of cost as compared with receipts one might remain after the abolition of some of these offices, and there would be brought about a consolidation of those offices. There are certain other ones, but I can not recall them now.

Mr. JAMES. I see Marquette has 58 per cent and Leadville, Colo., has 71 per cent. I was wondering what particular reason there was in that case for retaining the Leadville, Colo., office?

Mr. CRAMTON. I would not want to take the time now to explain the details as to the situation in Colorado. We have general information affecting the Denver and other Colorado offices. I know there are other considerations appealing to the committee; one is the amount of land unentered. Michigan has in all only an amount equal to four or five townships unentered. Michigan has, as I recall, 97,000 acres unentered.

Mr. JAMES. Leadville, Colo., has 177,000 acres, I think.

Mr. CRAMTON. And Michigan has four or five townships. I am frank to say that Michigan, on that basis, was just about at the border line, and might have survived if I had not felt I would be subject to a charge of favoritism. In States with only 20,000, 30,000, or 50,000 acres, only two or three townships, it seemed to the committee that the possible business was so limited as not to justify their continuance.

Mr. JAMES. I wish you would put in the RECORD, if you do not have the information now, the particular reason why you provide for the continuance of Leadville, Colo., and Missoula, Mont., with an expense of 71 and 72 per cent, and in the bill provide for the discontinuance of Marquette, Mich., with an expense of only 58 per cent?

Mr. CRAMTON. That will probably come out in the discussion of the bill. I would like to inquire whether any gentleman desires to proceed with the debate on this paragraph?

Mr. JOHNSON of Washington. I would like five minutes.

Mr. BLANTON. I think we should get off on a new tack, and I make the point of no quorum.

Mr. JOHNSON of Washington. Will the gentleman from Texas withdraw that motion for five minutes?

Mr. BLANTON. Yes; I will withdraw it.

The CHAIRMAN. The gentleman from Oregon is entitled to preference.

Mr. SINNOTT. But, as I understand, if I do not proceed now I shall not lose my time.

The CHAIRMAN. The gentleman will undoubtedly have his time, but he would have preferential recognition now if he claimed it.

Mr. SINNOTT. I am not claiming it now.

The CHAIRMAN. The gentleman from Texas withdraws his point of no quorum and the gentleman from Washington is recognized for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen of the House, all the States which had public lands had public land offices. From time to time as the land became patented the offices, by the very nature of things, have disappeared. However, in a number of the older States where there is still some public land there are one or more public land offices, and rightfully so. In the newer States the land offices are even more necessary. The giving of public land and the perfecting of patents has been one of the functions of the Federal Government in aiding settlement. It is right and proper, unless the Government is about to immediately abandon the entire public land business, to maintain these offices.

The expense is not as heavy as some would have you think. This bill proposes to abolish one in the great district which I have the honor to represent, where the loss to the Government is about \$700 a year, and where the land of the Federal Government—your land and mine and all the people's land—is worth many millions of dollars. This land office which it is proposed to abolish is adjacent to a gigantic forest reserve, with untold resources, which belongs to the people of the United States—not alone to the people of one district or to the people of the State of Washington. The time will come when the forest reserve policy will have to be changed. It is only a question of time until some of the lands of these forest reserves which are more or less agricultural will be opened, and then, under a mistaken policy of economy, by which in this year of our Lord 1924 we propose to save \$700 or \$800 in one district, we shall lose thousands of dollars per month through the mis-

management of the public land which we are now conserving and saving for posterity.

Mr. TILLMAN. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes; with pleasure.

Mr. TILLMAN. As a matter of fact, is it not true that at the present time agricultural land in forest reserves can be homesteaded?

Mr. JOHNSON of Washington. Well, under certain conditions. But it is held out of use in the great reserves out in my State, and if such lands are to be held out by the Federal Government they should be properly held. As a part of your agricultural bill you spend millions of dollars annually in the name of forest conservation, and yet you turn around and step into another department—the Interior Department—and propose to economize by nickels and dimes. You are proposing to abolish this office at Vancouver, in my State, and its abolishment will require all business in connection with the patenting of lands to be transacted with the office at Seattle, nearly 200 miles away.

I admit we do a declining business there now. The reason is that the public lands are reserved and taken away from settlement. They are not for the people to homestead now. You try to save a few hundred dollars a year when you are not prepared to destroy the whole public land policy. If the Committee on Appropriations had power, its proper policy, following out this idea of destroying a dozen minor land offices that are not really paying money, would be to abolish the whole public land business from the offices here in Washington down to the poorest one, because, taken all together, they are not paying money to the Federal Government in the sense of getting in any cash profit. It was never intended that they should. They are assisting in the policy the Congress of the United States in its wisdom many years ago established of placing public lands at the disposal of the people.

We are now getting down to the ragged end of it, with most of the good land in reserve. Indeed, it is a doubtful proposition whether the people should be invited by Uncle Sam to go and attempt to win a patent after five years of struggle and of slavery on some of our so-called public lands. But you do not propose to abandon the policy, and therefore these little offices should stay out somewhere near where the lands are that you are going to invite the people to go on. There can not be any doubt about that. [Applause.] I shall not take further time.

Mr. BLANTON. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. BLANTON. Why is the gentleman so uneasy? There are 24 of these land offices taken away from the States, and all the Representatives of those 24 States are here, and our friend, the chairman, had one of them taken out of his State, and another member of the committee, Mr. FRENCH, has some taken out of his State, so I do not think there will be much of a fight against putting them back.

Mr. JOHNSON of Washington. That is very kind of the gentleman.

Mr. BLANTON. Although I am going to fight it.

Mr. JOHNSON of Washington. I expected that from the gentleman, too, because I have discovered the less people know about public lands and public-land States and forestry and conservation the more certain they are that they can run the whole business for the people out there who are the pioneers and the sufferers. [Applause.]

Mr. CRAMTON. In the absence of some one claiming recognition at this time, I move, Mr. Chairman, the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5078, the Department of the Interior appropriation bill, and had come to no resolution thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to—

Mr. WELLES, for eight days, on account of important business.

Mr. AYRES, indefinitely, on account of illness, at the request of Mr. TINCER.

Mr. KOPP, for the balance of the week, on account of illness, at the request of Mr. DOWELL.

#### FARMERS' WAREHOUSE BILL.

Mr. SWANK. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a statement made by me before the Committee on Agriculture on January 17 on H. R. 4149.



The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none.

Mr. SWANK. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

Mr. Chairman, I am glad to have this opportunity extended me by my fellow members of the great Committee on Agriculture in the House of Representatives of the American Congress. In the last Congress I appeared before the committee and spoke on the floor of the House in behalf of this bill. I have some argument and figures that I desire to present to the committee for its careful consideration on H. R. 4149, a farmers' warehouse bill, and then will be glad to have the members of the committee ask me any question they wish concerning the bill.

The CHAIRMAN. Proceed.

Mr. SWANK. Mr. Chairman and gentlemen of the committee, I am not here trying to present a cure for all our economic ills, but believe I have a plan that, if enacted into law, would be of great benefit to agriculture and therefore a great assistance to the country in general. I am aware of the fact that prosperity can not be brought about by legislation altogether, and that laws can not check the "hot winds" and prevent drouths, but laws can be enacted which will materially assist the producers of the country. I know that the members of this committee are interested in such proposals. Permit me to say here that in my judgment the Committee on Agriculture in the House of Representatives is the most important of all for the reason that agriculture is our greatest industry, and the one upon which all others depend. There are many modern improvements that we could live without, although it would inconvenience us in many instances, but we can not live without something to eat and wear, and that all comes from the farm. Let the farmers refuse to raise a crop for one season and famine would stalk abroad in the land—starvation and death would be the result.

I do not come before this committee with a "wild eyed" proposal that I know is impossible, but with a plain, common-sense plan that has already appealed to many leading citizens of this country and many organizations interested in agriculture. It is easy to submit propositions, but we must have something workable, easily understood, and reasonable. I am talking about a subject with which I am familiar, that is agriculture—its ups and downs, its adversities and rewards. Like other members of this committee, I was reared on the farm and worked there until after the age of majority, have always been interested in this enterprise, and studied the problems of the farmers. Many plans to help him have been suggested; many bills for his relief have been introduced in Congress. The farmers are not asking the Government to give them anything, nor do they want to take anything from the Government; all that they ask and have been asking all the time is a square deal. On account of the importance of the business of farming and the conditions of the farmers of my country, I feel that I should call the attention of Congress to something that, in my judgment, will be a great help to the people of our common land.

This committee shows a desire to gather all the information possible bearing on agriculture, and this is the only method of arriving at a solution of our present problems and finding a remedy for the present depression of this great industry. As Members of Congress, we are giving our best attention to the problems confronting us, and while everything can not be done by legislation, we can, by careful and patient study, do much to remedy the condition. The World War left us with many perplexing problems and a solution must be found. The farmers are receiving less than cost of production, and have been for the past four years. This condition, with the exorbitant railroad rates, confronts us with a problem big enough to compel the attention of the best minds in the country. Railroad rates should and must be reduced to a reasonable extent that the producers may have an outlet for their surplus. What is the best thing to do at this time and the proper course to pursue?

What is wrong with our markets and why is the farmer's price of his own products so low and less than the cost of production? The high cost of living has not decreased with the depreciation of agricultural products. Something is radically wrong and we are here seeking the remedy. What can the American Congress do to stabilize prices? In the course of this argument I shall endeavor to show a remedy that will greatly assist present conditions, relieve the situation to a great extent, promote the agricultural interests, and thereby benefit all business. It is not the fault of the farmer, and he has not even contributed thereto. It is a condition over which he had no control, but which he can remedy with legislation of this sort and by organizing as other industries are organized. The farmer has worked just as hard as ever, toiled early and late, eaten about the same kind of food, worn about the same grade of clothing; his wife and children have assisted him as before, and he has been to more expense in making his crops the past five or six years than ever before. We hear a great deal about the farmer's surplus, and at the same time read and know

of great poverty in many places in our country. We see charitable institutions organized to relieve this distress and contribute thereto gladly, yet at the same time we read and hear about our great surplus of farm products. There is not a real surplus in this country so long as there is a person with insufficient food and clothing.

When we have a real surplus it is then necessary to have foreign markets, and I presume every citizen wishes to see the channels of commerce kept open with the nations of the world and trade relations friendly. While our foreign relations have no doubt had much to do with the price of farm products since the World War, and our unreasonable freight rates have almost prohibited the shipment of farm products, I am convinced, after careful study, that a lack of storage facilities available to the farmers and cooperative selling agencies among themselves are the greatest causes of the present prices of products of the farm. The great wealth of the country comes from the farm, and the producers of this wealth share least in the same.

The total wealth production of the farms in the United States in 1918 was approximately \$22,479,000,000; in 1919, \$24,982,000,000; in 1920, \$16,500,000,000; in 1921, \$11,000,000,000; and in 1922, \$13,000,000,000.

From a statement of the Bureau of Agricultural Economics of the Department of Agriculture the estimates of production and value of cotton, wheat, and corn are as follows:

	Production.	Value.
Cotton (bales):		
1923.....	10,081,000	\$1,563,347,000
1922.....	9,994,000	1,151,846,000
1921.....	8,340,000	674,877,000
1920.....	13,439,603	933,658,000
1919.....	11,420,763	2,034,658,000
Wheat (bushels):		
1923.....	782,000,000	725,501,000
1922.....	856,211,000	864,139,000
1921.....	794,893,000	737,068,000
1920.....	833,027,000	1,197,263,000
1919.....	965,279,000	2,080,686,000
Corn (bushels):		
1923.....	3,029,000,000	2,222,013,000
1922.....	2,890,712,000	1,900,287,000
1921.....	3,081,251,000	1,305,624,000
1920.....	2,230,532,000	2,168,768,000
1919.....	2,816,318,000	3,786,516,000

The report of the Secretary of Agriculture for 1923 says: "Our investigations lead us to estimate the property taxes and interest combined paid by agriculture in 1920 at about \$1,457,000,000, in 1921 at \$1,684,000,000, and in 1922 at \$1,749,000,000. In 1920 practically the entire value of the wheat and tobacco crops, or about two-thirds of the wheat and cotton crops, were required to pay property taxes and interest charges. In 1921 property taxes and interest were equal to the entire value of the wheat, oats, potato, and tobacco crops. The wheat and cotton crops combined would pay but five-sixths of the taxes and interest." The report further says: "The result of the conditions which have prevailed during these years of agricultural deflation is reflected in the steady drift from the farms to the towns. Our estimates indicate that the net change in population from the farm to the town in 1922 was around 1,200,000."

Mr. Chairman, the situation has indeed been tense since this great slump in the price of farm products. More people have been out of employment than ever before. Business has been stagnant, wages reduced, home building delayed, and distress noticeable on every hand and everywhere we turn. It has been argued that the farmers should produce more and thereby reduce the high cost of living. All this asked of the farmer, and now it is time to try to do something for his benefit. The farmer did not cause the increase in the high cost of living and did not profit thereby as did many other lines of business. He was asked to produce more during these times and suffered an unreasonable loss—greater than any other business. Many of our best farmers have been ruined financially through this depreciation in the price of farm products. The past few years the farmer has been compelled to pay more for everything he bought to use on the farm. With all these difficulties confronting him, the farmer has, according to the Department of Agriculture, produced crops to the value of more than \$16,000,000,000 in 1919 and \$13,000,000,000 in 1920. By this statement the crop of 1920, produced at an unusually high cost, was worth \$3,000,000,000 less than the crop of 1919 and \$1,000,000,000 less than the crop of 1918. It has been difficult to obtain help on the farm, and for this reason and to hold down the cost of production the farmer has in most instances been compelled to do the work himself, with the assistance of his wife and children. Like people engaged in other industries and in other lines of business, the people who farm are entitled to some rest, a holiday occasionally, and to enjoy life to the fullest extent.

I believe that these low prices have been caused mostly by a lack of storage warehouses and the unnecessary contraction of credits just as the crops were being gathered.

The measure under consideration provides for a new expansion of credits by the Federal Farm Loan Bureau through the intermediate credit banks, and if a system of Government warehouses were established, as provided by this bill, the farmer would be enabled to receive a fair price for the products of his toil, and his prices could not be fixed by the gamblers in farm products. This bill would put these sleek, well-fed, and elegantly clothed gentry out of the pernicious business of controlling the necessities of life. They should not be permitted to sit in their elegantly furnished offices, many miles from the farms, and tell the producers of this country the price for which they must sell their products. The farmer is not situated like the manufacturer, who can pass the increased cost of production to the consumer by adding the increased cost to the prices of the manufactured articles. The manufacturer can fix his prices to insure him a fair profit, regardless of the cost, but not so with the farmer. He can not pass his increased cost to the consumer, and has but little to say about the price he receives for his work. While the farmer is the only producer of the necessities of life, he is the only business man who has nothing to say about the price for which he sells. The prices are fixed for him when he delivers the goods, and he is tired and worried under the present system. While he sells for the prices offered, when he buys food and clothing for his family he must pay the price asked. A system or condition which permits any man, set of men, or combination of men to arrange the price of the farmer's products is wrong, unjust, and should be remedied.

Mr. Chairman and gentlemen of this committee, my purpose in appearing before you to-day and presenting this bill for your consideration and calling these conditions to your attention is that something may be done for agriculture. I have outlined a plan in this bill and will try to show you the remedy, and at least a plan that will be of great assistance for the correction of farm prices that have prevailed the last few years, out of all proportion to the cost of production.

During the World War the farmers were asked to plant more crops to supply our gallant soldiers and our allies. They responded nobly to that call without a question and did much to help win the war. The farmer did not profit as did many manufacturers and others who furnished supplies for the war, yet he furnished the most necessary supplies, for our armies must first be fed and clothed. We were able to furnish these supplies through the hard work and patriotic services of our farmers.

When the farmer receives a reasonable price for what he sells and prospers, everybody shares in that prosperity, and plenty and happiness are everywhere. His prosperity causes the merchant to sell more goods, the banks to make more collections; the lawyer, the physician, the teacher, every business and profession enjoy the prosperity of the farmer and feel the good effects of reasonable prices. Wages for people who work are better when there is prosperity on the farm, and those who work for wages are enabled thereby to live in a more comfortable manner. Other businesses and industries have been fostered and protected by the Government, and I hope to see this great Committee on Agriculture recommend something beneficial for the farmer at this session of Congress. The farmer, like other business men, should receive a fair return for his work and investment. The great cry raised in defense of the railroads of the country is that they should be given a fair return on their investment, and all reasonable people agree that such return should be permitted. The same is true of the business of farming. Business establishments, in computing their net incomes, among other allowances, deduct the salaries paid as part of the cost of management. If the farmer should deduct a reasonable sum for his labor and the labor of his good wife and children he would not have any "net income" left. We have seen many methods proposed and much speculation as to the proper course to adopt. During these few years the farmers have suffered more than any other business. We now see young men and women leaving the farms for the towns and cities, and this is not a good omen for our country. If the farmers must continue to sell their crops at less than cost of production, the farms will be depopulated, and much suffering will prevail, for the farmer can not continue to produce the necessities of life at a loss. They love their families, as does any other business or professional person, and desire to give their children an education and are entitled to do so.

In the district which I have the honor to represent in the American Congress we have the capital and largest city, the State university, the Agricultural and Mechanical College, the Central State Teachers' College, and great oil fields. While the chief industry is agriculture, as in other sections of the country, there are other great industries. Oklahoma ranked sixteenth in 1920 and seventh in 1919 among the States in the production of all crops. In 1920 she was fourth in the production of cotton and seventh in 1921 and 1922. In 1921 she was fourteenth in the production of corn and fifteenth in 1922. She was fourth in the production of wheat in 1921 and eighth in 1922. In 1920 she produced 106,206,000 barrels of oil, 114,634,000 barrels in 1921, and 149,571,000 barrels in 1922, or more than any other State in the Union. In 1922 she produced one-fifth of the oil of the United States and about one-eighth of the output of the whole world. From 1907 to 1922, inclusive, she has produced 1,308,642,000 barrels of oil.

In 1922 there was a total of 296,430 tons of zinc mined in the United States. Of this amount 209,682 tons were mined in Oklahoma. During the same year she was second among the States in the production of lead. The United States Geological Survey has estimated the total coal supply of Oklahoma at 79,000,000,000 tons, and the Oklahoma Geological Survey estimated the present available supply under present mining conditions at 8,000,000,000 tons. She also has millions of tons of salt, asphalt, limestone, and granite. Cotton is the leading crop in the State in money value, and in 1920 she was eleventh in the production of all grains, and produces more broom corn than all the other States combined. She produces millions of dollars worth of milk and cream annually, and in 1922 produced more than \$30,000,000 worth of poultry and eggs. The value of her farm crops and fruit for 1923 amounted to \$233,511,000, and her crop value for 1922 was \$211,832,000.

Below is a statement on Oklahoma livestock by the State board of agriculture. The table below gives detailed information for the past three years:

Statement of Oklahoma livestock for the past three years.

Livestock on farms on January 1.	Oklahoma.			United States.		
	Total number.	Price per head January 1.	Total value.	Total number.	Price per head January 1.	Total value.
Horses:						
1923.....	715,000	\$40.00	\$28,680,000	18,853,000	\$69.75	\$1,314,997,000
1922.....	708,000	45.00	31,860,000	19,055,000	70.45	1,343,067,000
1921.....	694,000	63.00	43,722,000	19,308,000	84.31	1,619,426,000
Mules:						
1923.....	337,000	58.00	19,546,000	5,506,000	55.86	472,745,000
1922.....	337,000	65.00	21,905,000	5,467,000	88.26	482,517,000
1921.....	334,000	89.00	29,726,000	4,455,000	116.69	636,544,000
Milk:						
1923.....	566,000	34.00	19,244,000	24,429,000	50.83	1,241,726,000
Cows:						
1923.....	560,000	39.00	21,840,000	24,082,000	50.97	1,227,463,000
1922.....	549,000	52.00	28,548,000	23,594,000	64.22	1,515,207,000
Other:						
1923.....	1,364,000	16.88	22,915,000	41,923,000	25.67	1,076,163,000
Cattle:						
1923.....	1,421,000	17.50	24,868,000	41,550,000	23.78	998,059,000
1922.....	1,393,000	24.40	33,989,000	41,993,000	31.36	1,316,900,000
Sheep:						
1923.....	87,000	5.80	505,000	37,209,000	7.59	279,068,000
1922.....	91,000	4.33	391,000	36,327,000	4.80	174,370,000
1921.....	91,000	6.20	564,000	37,452,000	6.30	235,948,000
Swine:						
1923.....	1,401,000	8.80	12,329,000	63,424,000	11.46	726,839,000
1922.....	1,334,000	8.50	11,339,000	57,834,000	10.05	581,810,000
1921.....	1,213,000	10.30	12,494,000	56,097,000	12.97	727,578,000
Totals:						
1923.....	4,470,000	23.09	103,219,000	191,344,000	26.71	5,111,538,000
1922.....	4,451,000	25.21	112,203,000	184,316,000	26.08	4,807,283,000
1921.....	4,274,000	34.87	149,043,000	183,799,000	32.92	6,051,693,000

CARL H. ROBINSON, Federal Statistician.  
C. D. CARTER, State Statistician.

This shows some of Oklahoma's greatness and that all the people there are not engaged in agriculture. This bill will stimulate business and help all classes. It will benefit the wheat grower of the North as well as the cotton farmer of the South.

You have heard it said that the farmer was growing rich when he was receiving 40 cents per pound for cotton (as was received part of 1919), \$1 per bushel for corn, \$2 per bushel for wheat, etc., but at this price even he was losing money. He is entitled to enjoy some of the comforts of life, for he works longer hours than any other business man; he is our chief wealth producer and should share in its prosperity. For his products the farmer should receive a price that will pay reasonable wages for his wife and children who assist him with the crops; reasonable pay for his teams and farming implements; reasonable allowances for the depreciation of his farm tools, teams, and lands; pay for upkeep of his land, taxes, etc.; and in addition to these allowances he should have a fair margin of profit as other business receives.

I quote a statement from the Memphis Commercial Club a few years ago, as that great organization recognizes the need of successful farming and good prices: "Memphis only prospers through agricultural prosperity. The farm bureau is the recognition of that fact by the Memphis merchants' interests. Help maintain the gift of Memphis to its trade territory, that 'united we stand, for divided we fall.' The South's cotton crop averages annually 12,000,000 bales, produced by 2,000,000 families. Average family is man and wife and three children, equals three hands. Three bales of cotton goes to pay land rent, feed bills, fertilizers, etc. Three bales left, or one bale for each hand, at 40 cents per pound, or \$200 per bale. This will allow each farm hand \$16 per month. The average appropriation for a pauper at the county farm is \$25 per month. Think it over."

Suppose an average family produces 10 bales of cotton, which is an extraordinary production, at 40 cents per pound—we will take the highest price received during or since the war—that would bring \$2,000.



If he is a renter, he must pay the landlord \$500, and has \$1,500 for himself and family. Figuring the work of himself and one team at \$75 per month, which could not be done during a part of this time, we would have \$900 more in his cost of production. Then allow his wife the same salary as a hired girl to do the housework—many wives help in the field in addition—and this would amount to \$600 more per year, which, added to \$900, would make \$1,500. The work of his children is not counted, nor is food and clothing for his family and feed for his stock estimated in this statement, nor taxes, nor depreciation of his working capital. Where is his profit even during high prices?

What is true with cotton is true in the same ratio with all other crops.

Below is a further statement from the Department of Agriculture on the cost of producing cotton, wheat, and corn:

*Cotton production costs, South Carolina, Georgia, Alabama, and Texas.*  
[Computed on average State yields.]

Years.	Average yield per acre (pounds of lint).	Average cost—	
		Per acre.	Per pound of lint.
1919.....	162	\$40.76	\$0.25
1920.....	178	49.39	.28
1921.....	110	30.76	.28
1922.....	131	28.09	.21

Unpublished figures computed to show relative cost per acre and per pound of producing cotton for 1919 to 1922, inclusive. Figures have been weighted according to total acreage and average yield per acre in each of the four States:

*Wheat production costs, 1919 to 1922, inclusive.*

[Comparative costs for the State of North Dakota. From North Dakota Agricultural Experiment Station Bulletin No. 165.]

Year.	Average yield per acre (bushels).	Average cost—	
		Per acre.	Per bushel.
1919.....	7.5	\$18.48	\$2.47
1920.....	11.2	20.37	1.83
1921.....	9.9	14.09	1.43
1922.....	13.5	13.84	1.03

*Corn production costs, 1922 and 1923.*

[Computed on average State yields for Kansas, Nebraska, Iowa, Illinois, and Indiana.]

Year.	Average yield per acre (bushels).	Average cost—	
		Per acre.	Per bushel.
1921.....	34	\$21.76	\$0.64
1922.....	34	20.83	.61

I hereby submit a statement from Cotton News, published at St. Matthews, S. C., in the issue of November 1, 1923, showing the cost of the 1923 cotton crop. Also an analysis of cotton prices for 25 years as gathered by the statistical department of that great paper:

*Estimated average cost production.*

State.	Cents.
North Carolina.....	24
South Carolina.....	26
Georgia.....	33
Florida.....	33
Alabama.....	34
Mississippi.....	35
Louisiana.....	32
Texas.....	25
Arkansas.....	28
Tennessee.....	28
Oklahoma.....	24
Missouri.....	18
United States average.....	29

The average cost of production for all the States was shown to be 29 cents per pound of lint cotton, bulk line:

*Analysis of cotton prices for 25 years.*

	Cents.
1898 yield, 11,256,000 bales, average price.....	6 to 6½
1899 yield, 9,363,000 bales, average price.....	9½ to 10½
1903 yield, 9,820,000 bales, average price.....	13½ to 17
1904 yield, 13,451,000 bales, average price.....	7½ to 8
1908 yield, 13,432,000 bales, average price.....	9 to 10
1909 yield, 10,386,000 bales, average price.....	15 to 19
1911 yield, 16,109,000 bales, average price.....	9 to 12
1914 yield, 16,738,000 bales, average price.....	7½ to 9
1916 yield, 12,664,000 bales, average price.....	15 to 27

1919 yield, 11,326,000 bales, average price.....	Cents. 29 to 43
1920 yield, 13,271,000 bales, average price.....	10 to 13
1921 yield, 9,798,000 bales, average price.....	17 to 23
1922 yield, 9,729,000 bales, average price.....	21 to 31

Mr. SWANK. According to a statement by the Department of Agriculture of 451 records in 1920 in Missouri, Nebraska, Kansas, and Oklahoma, the net cost per bushel of production of wheat is, in Missouri, \$2.21; Nebraska, \$1.91; Kansas, \$1.77; and in Oklahoma, \$1.98. This is the cost for winter wheat. Farmers can not raise wheat that cost \$2 per bushel to make, sell it for \$1, and continue to live. No business in the world could live in that way. We must have wheat for the people to eat, but with this difference in the cost of production and the selling price production will decrease and there will be suffering. The farmer can not continue in his business under these conditions, and as a Member of Congress I am urging that something be done. We all want to see the railroads receive a reasonable profit in carrying the products of the farm to market, for times are better and better wages paid for all work when all lines of business prosper. Yet I know that it would be better for the farmer, and therefore for the whole country, if some of our other appropriations were reduced and at least \$100,000,000, the amount asked in this bill, set aside for the purpose of assisting in erecting warehouses as this bill provides. The enactment of such a law would not only help the cotton grower but would render the same assistance to all products of the farm.

It has been estimated that there is a loss annually of more than \$70,000,000 to cotton alone as a result of permitting it to remain exposed to the weather for months at a time without attention or covering of any kind. With the loss on other crops from a lack of warehousing the loss in one year would be more than the appropriation carried in this bill. Then, would it not be an economical measure to enact into law and result in much good to our country? Some have asked how this warehouse bill will remedy the cotton and grain situation. I answer that it will save a loss of more than \$70,000,000 on cotton alone, to say nothing of other crops. It will, in addition, stimulate the producers to establish cooperative selling agencies, organize more efficiently, and thereby more directly market their products to the manufacturer and consumer. Under this bill the farmers must first establish selling agencies. I believe that this warehouse bill and cooperative marketing associations will solve the problems of our present system of marketing.

Agriculture is of so much importance that the Government should erect warehouses under its supervision and help in the solution of the farmers' problems. I think the Government should build them, but have drawn this bill cooperatively with the States, and also with farmers' cooperative associations.

Bulletin No. 887, "The Cotton Situation," says: "The warehousing of cotton after ginning is very important economically. Leaving the baled cotton exposed to the weather results in large losses annually from the rotting of the fiber. The cotton warehouse is a place of shelter and protection from fire and theft; a place for classing and assorting to meet mill requirements; and finally it is a place where cotton may be deposited under conditions which enable the owner to obtain money advanced upon it until such time as he may desire to sell. Receipts of responsible warehouses are considered among the best kinds of security."

The warehouse bill under consideration provides that when any State makes an appropriation for warehouses, or when any farmers' cooperative association having a selling agency makes an appropriation, the Government shall duplicate such appropriation. We now have a good roads law to the same effect so far as the appropriations are concerned. Good roads are necessary for farmers, but not so necessary, and will not stimulate agriculture so much as this bill provides. We can live and enjoy life without hard-surfaced roads, but can not live without agriculture. It is our most important industry, always has been, and always shall be, and more should be done to encourage and protect it by the Federal Government, and it should be done now. Some say that the State should not engage in the warehouse business. As an answer to that criticism, and as a precedent, I will say that the Government built warehouses for the storage of liquor, and at the present time, after many months of prohibition, we still have 348 liquor warehouses in the United States. Are not cotton, corn, wheat, oats, wool, and other farm products about as important to provide storage facilities for as liquor, and especially in time of prohibition? I am sure that the gentlemen of this committee want to assist and promote our great agricultural interests in this country, and I shall invite your careful and patient hearing to the provisions of this bill under consideration.

The Secretary of Agriculture is the head of the farming activities of the United States and is interested in the promotion of this industry. The bill provides that he, the president of the board of agriculture of any State where the warehouses are located, and a representative chosen by the farmers' cooperative associations in any such State, shall constitute the board of control. This provision will encourage the organization of farmers' associations, which are necessary to the farmers' interests, and will have a wholesome effect upon the

business of farming. The warehouses shall be under the management of the board of control, which is authorized to acquire property and property rights for the erection of the warehouses. Provision is made for the employment of a warehouse superintendent in each State, whose salary shall be paid by the State. Several States now have warehouse laws of some sort and employ a warehouse superintendent, but the provisions of the State laws will work in with the provisions of this bill.

It is provided in this bill that the official standards of the United States for farm products shall be the official standards of the warehouses created by this bill. It is necessary that uniform grades be established, and not have thousands of unofficial graders, each of whom can set his own standards. It is to the best interests of the farmers and the country that the grading be under the supervision of the Government. The issuance of warehouse receipts is provided for, which shall be negotiable and in the form prescribed by the Secretary of Agriculture. Adequate punishment is provided for any violation of the provisions of the act. The locations for the warehouses are subject to the approval of the Secretary of Agriculture of the United States.

Rural credits have been discussed and have been a favorable theme for orators and candidates for many years. I believe the most effective way to provide adequate and suitable methods for rural credits is for provision to be made for the Government to loan money on certain chattels as provided in this bill. If a farm product is properly stored, why not loan money on that warehouse receipt, which is a most satisfactory and safe investment? The warehouse receipts would be so convenient, and little expense attached in recording, as is the case in voluminous mortgages, that the local banks would be glad to loan money on the receipts. In order to prevent any association which might be formed against the system, and which might be interested in banks, it is provided that if the local banks refuse to loan money on the warehouse receipts, then loans shall be provided by the Federal Farm Loan Bureau through the intermediate credit banks.

By reason of the importance of the agricultural industry, I have provided in the bill that stored products shall be insured at actual cost. Some say that the Government must not go into the warehouse business, as it leans toward socialism, but there will be a greater leaning to socialism if something is not done for the farming interests of the United States.

The bill provides that the board of control shall prescribe the fees to be charged for the storage of farm products, and the fees shall not be in excess of the actual cost of maintaining the warehouses. It has been said that if the farmers want warehouses let them build them at their own expense like other business organizations. Farming is an entirely different business to merchandising, banking, etc. One of the greatest fights the farmers have had to make is to get money with which to finance their business. It is not organized like other business and more obstacles have to be overcome. You may say, "Let them organize." Organization of farmers' societies will be promoted if this bill is enacted into law. It will encourage the farmers of the country to greater efforts and the entire Government will prosper thereby.

Heretofore Congress has seen fit to appropriate millions for the assistance of the railroads of this country and to guarantee them a certain rate of profit. Of course, as has been said, the railroads were taken over by the Government during the war and must be turned back in as good condition as when taken. The farmer's business was also taken in charge during that time by the Government, and he was told to plant wheat and the price was fixed. It is true that the railroad prices—the rates—were also fixed, but care was taken that they received a reasonable return, and this is all that the farmers ask now for themselves. In the readjustment after the war the farmers lost millions and can not recover for many years. Can not Congress do something for them? But for the farmers there would be nothing for the railroads to transport. The railroads and other business can recover much more easily than the farmer. His cost was higher than at any time in our history. He paid more for his tools, feed, and the necessities of life cost him more. He is certainly entitled to as much consideration as the railroads or any other line of business. No one was more patriotic than the farmer during the war. He planted what the Government told him to plant and never grumbled. He has always done his part, and this bill for his assistance only asks for a small appropriation in comparison to the importance of his business. He has been unable to borrow money on his crops, and could not sell for enough to pay for harvesting them. On account of this depression in farm products the sons and daughters of the farm have been compelled in many cases to remain away from school. His family is entitled to as much consideration as any others. It has been said that the States should build warehouses for these products. Why not the different States do their road building? Why does the Government assist in this way? For the reason of the importance of roads to the Government. In measures like this warehouse bill and our good roads law there should be cooperation between the Government and the States. On account of the importance of agriculture our courts have held that appropriations for farming associations are not unconstitutional.

The Republican platform of 1920 says: "The farmer is the backbone of the Nation. The crux of the present agricultural condition lies in prices, labor, and credit. The Republican Party believes that this condition can be improved by the . . . right to form cooperative associations for marketing their products and protection against discrimination."

The Democratic platform of 1920 says: "We favor such legislation as will confirm to the primary producers of the Nation the right of collective bargaining and the right of cooperative handling and marketing of the products of the workshop and the farm, and such legislation as will facilitate the exportation of our farm products."

These provisions of the platforms of the two great political parties show the importance which they attach to agriculture. The farmers are the only business men who produce the absolute necessities of life, and who produce more than they consume. In the United States there are some 6,500,000 farms and some 13,000,000 men engaged upon these farms, but this number is fast decreasing and will so continue unless something is done for this industry. Many farmers bought a little home for their families and made a substantial payment, thinking that their prices would be maintained to some extent and that they could pay out, and when the "bottom dropped out" in their prices they were compelled to forfeit their hard-earned money. Many renters have been obliged to leave the farm and have moved to town by reason of low prices on their production. Something must be done to stop this drift to the cities from the farms. Men and women can not be expected to continue to work early and late and not make expenses. That is not done in other classes of business. According to statistics, business failures increase in a surprising ratio to poor prices and reduced revenue on the farm, and there is a great reduction in business failures when the farmer receives a reasonable price for the products of his toil. When agriculture is depressed the number of business failures is more than doubled in comparison to the number of failures when the farmer is in reasonably good circumstances. When the farmer receives poor prices business is bad, failures many, and laboring people suffer greatly thereby in unemployment and low wages. Everyone enjoys the prosperity of the farmer, and all suffer when he suffers. He not only feeds himself and family but the rest of the world.

In comparing prices the Yearbook of the Department of Agriculture for 1920 says:

"This means that the farmers of the United States, as a whole, are not receiving adequate returns for their efforts. It means also that the very foundation of our Nation—the stability of our agriculture—is threatened, and that everything possible must be done to prevent, or at least to lessen, the effect of the recurrence of conditions under which large numbers of farmers conduct their operations at a loss. The farmer must have, under ordinary conditions, a reasonable prospect of a fair return for his labor and the use of his capital. The science, the art, and the business of agriculture can not thrive unless he is suitably and profitably paid for the products of his farm—unless he receives compensation sufficient to enable him to continue to produce and to maintain for himself and his family satisfactory standards of living."

This same volume says:

"We must see to it that the road between the producer and the consumer is open and direct, and that the farmers have a free and competitive market in which to dispose of their products. We must omit no effort to improve our marketing machinery and practices and to furnish necessary market information to the farmer so that he may take full advantage of modern business methods in the distribution of his commodities. The department recognizes fully the importance of the cooperative movement and its potentialities for good in the general marketing scheme."

We all know that the farmer is not receiving an adequate price for his work and toil. We know that he is producing more with the greatest cost in the history of agriculture. We know that prices are unreasonably depressed and should give our best efforts to find some remedy. I think a solution can be found that will bring great relief at least, and this bill under consideration is worthy the careful study of every member of this committee. We all recognize the great drift from the farms to the centers of population and know that this will not have to be kept up long until disaster will follow. We may talk long and loud about the constitutionality of certain proposed laws, but what we need now is legislation that will rehabilitate our agricultural interests. It is true, as I have heard suggested, that we can not legislate good crops, rain, sunshine, and industry, but we can enact legislation that will absolutely put a stop to the fixing of prices of products of the farm by those whose only interest is further depression of farm prices. We can assist greatly the marketing system of the farmer by providing a means for the storage of his products and the issuance of warehouse receipts against these products, and thereby relieve the threatened undermining of agriculture, as stated in the yearbook mentioned. How else can we make good the recommendation of the Secretary of Agriculture when he says that we must see to it that the road between the producer and the consumer is open and direct, and that the farmer has a free and competitive market in



which to dispose of his products? These recommendations are exactly the results that will follow the enactment of this legislation.

I quote from the report of the Joint Commission of Agricultural Inquiry of the first session of the Sixty-seventh Congress to determine, among other things, the cause of the present condition of agriculture. "In the last 10 years the total number of mortgages on farm lands and buildings owned by their operators has more than doubled and has increased proportionately more than the value of the lands and buildings. Railroad service, like any other service or commodity, must be sold at a price within the reach of the people who pay for it. Freight rates, therefore, must bear some relation to the prices which it is possible to obtain for the commodities transported. Numerous instances were brought to the attention of the commission in which it was shown that the total receipts from shipments, especially of fruits and vegetables, were absorbed by railroad charges in transporting them to market, leaving to the producer nothing for his time, labor, and investment in producing them. No industry can survive or prosper under such conditions."

Gentlemen of the committee, note the language of this commission: "It is clear that there is an imperative necessity for the formulation of a definite program looking to the permanent development of agriculture, with a view of relating agriculture with the various agencies of distribution in such a way as to avoid duplication, waste, and loss in the common purpose to deliver the products of the farm to the consumer in the most economical and efficient way. The warehouse system of the United States is a decentralized and disintegrated system, subject to the widest variations of regulation of the warehouseman's liability in the different States. This situation does not lend itself to systematic marketing or orderly financing of farmers' crops. The farmer can not hope adequately to control the marketing of his products or to have influence in proportion to his number and importance in the absence of a warehouse system which will enable him to hold or sell his crops as his own judgment or the judgment of the cooperative association of which he may be a member dictates."

Mr. Chairman, how can he hold or sell his crops as his judgment dictates under any warehouse system which fails to extend credit on his warehouse receipts? It can not be done. When he gathers his crops he must either borrow on his warehouse receipts or sell at once to pay his debts, his taxes, and buy something to eat and wear. The bill I am presenting to you for your consideration now meets adequately all these suggestions. It will absolutely enable him to hold his products until he can sell on a fair market. He can store his crops and borrow money on his warehouse receipts and not be compelled to sell when the market is forced down. As a matter of fact, the price under such a system can not be controlled by outside and unjust influences.

Secretary Wallace, of the Department of Agriculture, before the Traffic Club of Philadelphia, January 9, 1922, said:

"Agriculture provides the railroads with more than 20 per cent of their total tonnage, and indirectly with as much more. But for the agricultural tonnage many of our great transportation systems would fail."

The report of the Secretary of Agriculture for 1921 says: "Marketing is as truly a part of production as is the growing of the crops, for the crops have no value unless they can be put into the hands of those who need them. The assembling, storing, and distributing of farm products are productive enterprises, and those engaged in this work require much the same economic and technical information as that required by farmers." Gentlemen of the committee, if a bill similar to the bill we are now considering were enacted into law, our officials would not have to worry about marketing the products of the farm. The storage would be provided and the selling done as needed and the demand required. We all believe in organization and cooperation. Political parties are organized among us for the purpose of promoting and disseminating their ideas of government.

Business men and those engaged in the different professions organize for mutual protection and assistance, and such encouragement should be given the farmers. Organization and cooperation should be the watchword of the farmers. In union there is strength, and no other organization or business need fear the organization of the farmers for the purpose of obtaining a reasonable price for their products, because with such prices he will buy more and can pay his debts and meet all his obligations. Nothing would stimulate business so much as such a system.

The provisions of this bill will bring the producer and the consumer closer together. It will save the loss of farm products caused by lying out in the weather. It will provide for the storage of large quantities of products that can be sold to a better advantage, and will encourage closer cooperation among the producers.

The products can then be sold directly to the manufacturer and consumer and will eliminate the middlemen and useless profits which do not go to the farmer. There is no reason why the Government should not loan money on warehouse receipts, as provided in this bill. It is a question as to whether Congress agrees with this bill and desires to assist the farmers in this manner. The appropriation is small compared to the results to be accomplished and the many and enormous appropriations for other purposes.

Fostering our agricultural interests and the payment of good, living wages that workers may enjoy some of the comforts of life as well as the necessities is the best bulwark against Bolshevism, which thrives on unrest and low prices. Prices that will return a fair per cent of profit on the investment and labor of the farmer and good wages which will result will prevent Bolshevism from gaining a hold in this country. The farmer and other workers must not be neglected. Business of every kind will thrive with fair prices paid for farm products.

My warehouse bill (H. R. 2343) introduced in Congress April 11, 1921, is identical with H. R. 4149, the bill now under consideration, except the latter provides for the loans to be made by the Federal Farm Loan Bureau through the intermediate credit banks, and the provisions in H. R. 2343 for loans not exceeding 80 per cent of the value of the products at the time of storage, and the maximum period of six months, are eliminated in this bill.

INDORSEMENT OF H. R. 2343.

FARMERS' EDUCATIONAL AND COOPERATIVE  
UNION OF AMERICA, OFFICE OF PRESIDENT,  
Washington, D. C., March 4, 1922.

(C. S. Barrett, president, Union City, Ga.; John A. Simpson, vice president, Stillwater, Okla.; A. C. Davis, secretary-treasurer, Gravette, Ark. Board of directors: George H. Bowles, chairman, Lynchburg, Va.; J. W. Batcheller, secretary, Mission Hill, S. Dak.; John Tromble, Beloit, Kans.; C. J. Osborne, Eleventh and Jones Streets, Omaha, Nebr.; J. M. Collins, Easton, Colo.)

Hon. F. B. SWANK,

House of Representatives, City.

MY DEAR SIR: I have read with interest H. R. 2343, a bill to provide that the United States of America shall build warehouses in conjunction with the several States and in cooperation with duly and legally organized farmers' cooperative associations in said States, for the storage of farm products not perishable, for the insurance of said products while in storage, for Government loans on warehouse receipts, providing penalties for the violation of this act, making an appropriation therefor, and for other purposes.

This bill meets my hearty approval, and in my judgment is a most constructive measure. The farmers of this country need not only a comprehensive and far-reaching system of marketing, but they are also sorely in need of sufficient money for long periods of time and at a low rate of interest. In my judgment your bill will assist most materially in bringing about the consummation of the end sought to be reached by the farmers, who are the producing class of all countries.

I have also read with pleasure the argument made by you in defense of your bill before the Committee on Agriculture of the House on February 8, 1922. The observations in which you indulged on that occasion and the data presented strike me as unanswerable.

At your convenience I would like to have a conference with you in regard to your bill, and if you find where I can be of assistance in promoting your bill please let me know.

With assurances of high regard, I am,

Very truly yours,

C. S. BARRETT,  
President Farmers' Educational and  
Cooperative Union of America.

LITTLE ROCK, ARK., August 13, 1921.

Hon. F. B. SWANK, M. C.,

Washington, D. C.

SIR: I have examined with considerable interest your warehouse bill. I heartily indorse it and would be glad to see it become a law. I don't see any reason why the Government should not make appropriations to help agriculture, as much so as the railroads. If they will appropriate an equal amount for the agriculture of the country, I am sure there will be less complaint among the farmers. I see no reason why the Government should not guarantee a profit to the farmers as well as to the railroads. Push your bill, and I am sure all farm organizations in the cotton-producing States will support your measure.

Very truly,

GEO. L. SANDS,  
President State Farmers' Union.

ENID, OKLA., January 16, 1922.

Hon. F. B. SWANK,

House of Representatives, Washington, D. C.

DEAR SIR: Have carefully studied your bill, H. R. 2343, and also your speech, and I will say that it is absolutely fine and the very thing we want. If you are successful in getting this through, am sure that the farmers of Oklahoma will reward you for your services.

Yours very truly,

OKLAHOMA WHEAT GROWERS' ASSOCIATION,  
By JOHN MANLEY, Secretary-Treasurer.

The annual meeting of the Farmers' Union of Oklahoma, August 16, 17, 18, 1921, in Oklahoma City, where there were 313 delegates present from 40 counties, in resolutions addressed to the Oklahoma delegation, among other recommendations, stated that "they vote for the Swank warehouse bill or any similar bill."

The bill under consideration also has the following indorsements: Cotton Growers' Association of Wayne, Okla.; Cotton Growers' Association of Civi, Okla.; farmers' meeting at Foster, Okla.; general meeting at Drake, Okla.; cotton-growers' meeting at Washington, Okla.; Farmers' Union local, resolution from Noble, Okla.

The Muskogee County Farmers' Union, in convention May 19, 1921, petitioned the Oklahoma delegation in Congress, among other recommendations, as follows: "That they give their solid support to the Swank warehouse bill." Like resolutions were adopted by the following Farmers' Union locals in Oklahoma:

No. 256, McClain County; No. 531, McIntosh County; No. 13, Coal County; No. 11, Le Flore County; No. —, Seminole County; No. 315, Mayes County; No. 165, McClain County; No. 375, Payne County; No. 433, Dewey County; No. 31, Choctaw County; No. 17, Coal County; No. —, Seminole County; No. 319, Pontotoc County; No. 16, Le Flore County; No. 340, Garvin County; No. 167, Grady County; No. 523, Hughes County; No. 119, Le Flore County; No. 387, Pawnee County; No. 129, McClain County; No. 33, Coal County; No. 80, Seminole County; No. 527, Muskogee County; No. 491, Pottawatomie County; No. 262, Hughes County; No. —, Caddo County; No. 101, Hughes County; No. 72, McClain County; No. 339, Caddo County; No. 96, Le Flore County; No. —, Coal County; No. 451, Stephens County; No. 32, Seminole County; No. 191, Latimer County; No. 316, Choctaw County; No. 187, Seminole County; No. 309, Le Flore County; No. 294, Choctaw County; No. 210, McClain County; No. 164, Seminole County; No. 528, Pushmataha County; No. 216, McClain County; No. 171, Pushmataha County; No. 466, Okfuskee County; No. 389, Mayes County; No. 117, Pottawatomie County; No. 168, Lincoln County; No. 416, Le Flore County; No. 254, McCurtain County; No. 53, Coal County; No. 252, Latimer County; No. 526, McIntosh County; No. 67, Stephens County; No. 38, Pontotoc County; No. 98, Noble County; No. 522, Le Flore County; No. 545, Pawnee County; No. 183, Payne County; No. 450, Le Flore County; No. 514, Coal County; No. 431, Cleveland County; No. 112, Seminole County; No. 549, Le Flore County; No. 326, Pawnee County; No. 82, Hughes County; No. 14, Coal County; No. 550, Le Flore County; No. 6, Lincoln County; No. 504, Seminole County; No. 533, Jefferson County; No. 81, Pontotoc County; No. 331, Seminole County; No. 233, Lincoln County; No. 209, Seminole County; No. 202, Kiowa County; No. 85, Hughes County; No. 289, Stephens County; No. 160, Lincoln County; No. 155, Lincoln County; No. 516, Custer County; No. 354, McCurtain County; No. 346, Caddo County; No. 469, Haskell County; No. 348, Dewey County; No. 325, Seminole County; No. 108, Seminole County; No. 243, Hughes County; No. 43, Seminole County; No. 169, Noble County; No. 8, Cleveland County; No. 207, Pittsburg County; No. 79, Payne County; No. 551, Le Flore County; No. 506, Jackson County; No. 180, Seminole County; No. —, Beckham County; No. 411, Le Flore County; No. 271, Pottawatomie County; No. 3, Okfuskee County; No. 212, McCurtain County; No. 203, Washita County; No. 307, Lincoln County; No. 483, Caddo County; No. 102, Beckham County; No. 62, Beckham County; No. 186, Lincoln County; No. 296, Seminole County; No. 510, Pushmataha County; No. 222, McCurtain County; No. 184, Coal County; No. 429, Pontotoc County; No. 172, Le Flore County; No. 322, McCurtain County; No. 111, Stephens County; No. 247, Cleveland County; No. 465, Coal County; No. 520, Choctaw County; No. 178, Pushmataha County; No. 541, Le Flore County; No. 137, Le Flore County; No. 519, Latimer County; No. 323, Seminole County; No. 241, Pawnee County.

Mr. SWANK. Oklahoma has a permissive warehouse law, and the legislature in 1923 passed an act "to regulate the storage, grading, and marketing of cotton and other nonperishable farm products." Among other things, this act provides that the commissioner shall have power to acquire property for the warehousing of agricultural products by lease, and provides further that no rent shall be paid until the operating expenses of such warehouses so leased have been paid from the income of the warehouse so leased. An appropriation of \$15,000 was passed to carry out this act.

The principal warehouse law of Oklahoma was approved March 26, 1923. This act provides for warehouses for the storage of all agricultural, livestock, or poultry products. It provides that any farmers' cooperative association, with the approval of the superintendent, may lease property to be used as a warehouse. No rent in excess of 75 per cent of the income from said warehouse shall be paid therefor. Agricultural products may be stored in these warehouses by any grower or producer, or any growers' or producers' marketing association.

To carry out the provisions of this law the legislature appropriated \$1,250,000 to be placed in a revolving fund to be known as the "State warehouse revolving fund." The State board of agriculture is authorized to invest these funds in first-mortgage bonds on local warehouse

properties owned by any farmers' cooperative associations organized as provided by law. This investment must not exceed 50 per cent of the appraised value of any such warehouse property, exclusive of the value of the land on which the warehouse is located. The board may make similar investments on terminal warehouses not exceeding 60 per cent of the value of the property.

Now, I will be glad to have you gentlemen ask questions concerning the bill.

Mr. KINCHELOE. This \$100,000,000 appropriation is for the purpose of cooperating with the State in building warehouses?

Mr. SWANK. Yes.

Mr. KINCHELOE. After the warehouse is built, if the farmer gets a warehouse receipt, then the law provides that he may go—

Mr. SWANK. To the intermediate credit bank.

Mr. KINCHELOE. To the intermediate credit bank?

Mr. SWANK. Yes.

Mr. KINCHELOE. In section 4 you include specifically grain, baled cotton, broom corn, wool, and any other nonperishable farm product suitable for storage and shipment. What is the idea of leaving out corn and tobacco?

Mr. SWANK. It includes corn and tobacco.

Mr. JOHNSON. Isn't fruit in cold storage nonperishable?

Mr. SWANK. I do not know how that would be considered, but it would be determined by the Department of Agriculture.

Mr. CLARKE. How far has private enterprise gone in utilizing the funds provided for in your State?

Mr. SWANK. Under the law I have mentioned?

Mr. CLARKE. Yes.

Mr. SWANK. The bill was approved March 26, 1923, and I am not just sure what has been done at this time. One million two hundred and fifty thousand dollars has been appropriated.

Mr. CLARKE. Don't you think if there had been any immediate need there would have been at once some demand upon this fund?

Mr. SWANK. There may have been.

Mr. CLARKE. I think it would be interesting for the committee to know that. I want to know whether through cooperation or through the State itself the people in those immediate localities that are being affected are making any effort to avail themselves of the opportunity?

Mr. KINCHELOE. Have you any cooperative marketing system in your State?

Mr. SWANK. Yes.

Mr. KINCHELOE. Are they building any warehouses?

Mr. SWANK. I do not know how many, but I know of some.

Mr. KINCHELOE. The reason I asked is that in my State they are building them.

Mr. SWANK. Those are the tobacco growers?

Mr. FULMER. In places where they already have warehouses, for instance, like South Carolina—

Mr. SWANK. Under this bill the board of control could buy such warehouses.

Mr. FULMER. You propose to take them over if they want to come in?

Mr. SWANK. Yes.

Mr. FULMER. In South Carolina we have warehouses all over the country under the State system.

Mr. RUBEY. Mr. Chairman, some years ago, I don't just remember what year or what session of Congress it was, we passed three acts in one appropriation bill. We went to the Rules Committee to get a rule to make those three acts in order. The first was the grain grading act, the second was the warehouse act, and the third the cotton futures act. Those were all passed in that same appropriation bill. That warehouse act provides that these private warehouses that were built with private money might become subject to the Government and be inspected by the Government at the request of the owner or of the people who put up the warehouse. That is the way that works.

Mr. KINCHELOE. I am not familiar with that act. It was passed before I came here.

Mr. RUBEY. That was passed in 1916.

Mr. KINCHELOE. Were any of those warehouses built with Government money?

Mr. RUBEY. No; they were not built with Government funds. They were built with private funds, but they are subject to inspection by the Government if they want to come in under Government supervision.

Mr. SWANK. That is the only Federal warehouse law we have.

Mr. JOHNSON. Here is what is bothering me. Mr. SINCLAIR has a bill here which does seem to me to cover the same ground, and you men might possibly get together and make it into one bill.

Mr. SWANK. I think one of the best features of Mr. SINCLAIR's bill is the provision for storage facilities.

Mr. JOHNSON. Here is what occurred to me. If this bill is similar to the Sinclair bill, how do you expect to get either or both of them through Congress in that condition? Is not it possible to take these two bills and make one bill out of the whole thing in some way?

Mr. SWANK. It might be done.



Mr. JOHNSON. So that you might be willing to support one or the other of the bills?

Mr. SWANK. Mr. SINCLAIR's bill, in my judgment, will help present conditions.

Mr. JOHNSON. I simply make the suggestion. Suppose the committee reports favorably both of these bills. There is really conflict between them.

Mr. CLARKE. Why not put the two together?

Mr. SWANK. The Sinclair bill provides \$100,000,000 for the purpose of buying and selling farm products and building warehouses as this bill proposes to build them.

Mr. CLARKE. But does not this bill go further? It contains really an authorization for \$600,000,000?

Mr. SWANK. Yes; the Sinclair bill does through the issuance of bonds, but the appropriation asked is \$100,000,000. This is a loan which is to be paid back ultimately.

Mr. SINCLAIR. This bill provides for additional funds to be raised through the Farm Loan Bureau and would be practically the same plan as my bill except I raise funds through the Federal reserve bank.

Mr. TINCHER. Mr. Swank, you know that I have some sympathy with the warehouse proposition.

Mr. SWANK. Yes; you called my attention to a bill you introduced when I was before the committee last February, and I read that bill.

Mr. TINCHER. I notice you refer in this bill, in line 16, to the Federal Farm Loan Bureau, that it shall make provision for loaning money on Federal warehouse receipts.

Mr. SWANK. Yes.

Mr. TINCHER. What organization is the Federal Farm Loan Bureau?

Mr. SWANK. That is the bureau that has supervision of the intermediate credit banks.

Mr. KINCHELOE. That is the Federal Farm Loan Board, isn't it?

Mr. SWANK. That bureau has charge of the intermediate credit banks.

Mr. JONES. The Federal Farm Loan Bureau was established by the Federal Farm Loan Board.

Mr. SINCLAIR. Is that the legal and official term?

Mr. SWANK. Yes.

Mr. TINCHER. Some of the most ardent supporters of the Sinclair bill in the last session of Congress, in response to questions of Congressmen here, denied that it was the intention of the proponents of the Sinclair bill to build warehouses.

Mr. SWANK. Well, the erection of warehouses is provided for in that bill.

Mr. TINCHER. They said they would be opposed to the bill.

Mr. SWANK. These two bills would work together.

Mr. TINCHER. Your idea is that the Government will own these warehouses?

Mr. SWANK. The Government and the State, or the Government and the cooperative association, according to which furnishes the money.

Mr. TINCHER. Have partnership warehouses?

Mr. SWANK. Yes.

Mr. TINCHER. Some States have laws that impose a different duty on warehousemen from laws of other States.

Mr. SWANK. Yes; I know that.

Mr. TINCHER. Your idea is that the Government would own a half interest in the warehouse and that the State would decide all questions of responsibility, liability, and duties of warehousemen?

Mr. SWANK. No; that would be under the control of the board for which I provide, the head of which would be the Secretary of Agriculture.

Mr. SINCLAIR. Wouldn't it tend to make uniform the laws controlling the warehouses in all the States?

Mr. SWANK. It would have that effect.

Mr. JONES. I notice in section 5 you say the board shall consist of the Secretary of Agriculture, the president of the board of agriculture in any State where such warehouses are located, and a representative chosen by the Farmers' Cooperative Association in such State.

Mr. SWANK. Yes.

Mr. JONES. Do all the States have the cooperative associations allied in such a way as would make it possible to make a selection?

Mr. SWANK. I think they would get together for that purpose.

Mr. JONES. Some of them do not get along together all the time.

Mr. SWANK. They should do so.

Mr. JONES. Yes; but they do not.

Mr. TINCHER. Which organization would function in your State under this bill—what organization?

Mr. SWANK. Any legally organized farmers' cooperative association.

Mr. TINCHER. But I am wondering which one would be the one. Some one of them is to name the third member. I am wondering whether it was the Farm Labor Party.

Mr. SWANK. The bill provides for the third selection to be made by the farmers' cooperative associations.

Mr. CLARKE. I believe it would fall down on account of its indefiniteness.

Mr. SINCLAIR. In my State the principal product is grain, and it would be the North Dakota Grain Growers' Association.

Mr. CLARKE. I believe the bill would fail as a matter of law because of its indefiniteness.

Mr. SWANK. The bill is as plain as language can make it.

Mr. JONES. In my State there are several different farm cooperative associations. I know of three. They would have to have some process of making a selection as a practical proposition.

Mr. CLARKE. It would have to be definite and certain.

Mr. FULMER. In South Carolina we have the cotton association and the tobacco association, both of them very large and vitally interested.

Mr. JONES. We have in Texas the Farm Labor Union of Texas, the Cotton Growers' Association, the Farmers' Union—

Mr. SWANK. They would get together and decide on a representative.

Mr. JOHNSON. Are both of you gentlemen going to insist on both of these bills being passed?

Mr. SWANK. I am submitting it to the committee.

Mr. JOHNSON. I want to help the farmer if I can.

Mr. SWANK. Mr. SINCLAIR and I have not conferred at all.

Mr. JOHNSON. I think you ought to try to get a bill that we can get out of here.

Mr. TINCHER. Your idea is to benefit the farmers of the country by the passage of a warehouse bill, such as yours would be, to effect the more orderly marketing of the farmer's products?

Mr. SWANK. That is what would result, and in order to better market those products there must be a storage system.

Mr. TINCHER. Your idea is by affording a place of storage they would have more orderly marketing because you offer a credit relief to them. Is it your idea to offer the farmer credit so that he can market his produce in an orderly manner?

Mr. SWANK. Yes; to afford him credit if he needs it, so he will not be compelled to sell, whether he wants to or not, regardless of the price. It would be to his advantage to have his products stored in large quantities in one place.

Mr. CLARKE. What limitation would you put on the question of time and authority to sell? Is that lodged in somebody, so that there won't be an accumulation and they won't take 80 per cent of it and let it stay there?

Mr. SWANK. They would sell as they desire to sell under this law.

Mr. JONES. The creditor would probably control that; the man he owed the money to would insist on payment when it came due.

Mr. JOHNSON. But the Government is the creditor under this.

Mr. JONES. No; not as I understand it.

Mr. SWANK. The Government would have nothing to do with it except appropriate part of the money and supervise the administration of the act.

Mr. TINCHER. Here is the thing that worries me. If we report a bill out, it has to be presented on the floor of the House and we would have to explain that the reason for the Government going into the warehouse business was to enable the farmer to hold his products until he gets a market which is orderly, and the reason for having the Government warehouse is to afford him a place to store it; we do not offer any new loan facilities or credit facilities, because you propose to put the machinery we now have into effect; and I am wondering how far that \$100,000,000 would go toward building these warehouses, and I am wondering if there isn't in Oklahoma now and in every State where they have taken advantage of it, approved warehouses under the law, as Mr. RUBEY explained a little while ago, where they can, if they actually have the product, store it and get the credit.

Mr. SWANK. Take your own State of Kansas. How many Government warehouses have you?

Mr. TINCHER. Coming under that law, I do not know. I want to do anything that will help the people of my State, but I doubt if there are many in Kansas who have farm products for sale and who want to sell them but what can obtain all the credit they want right now, perhaps more than 80 per cent. If a man has wheat, it is good collateral and he can get money on it; if he has corn, he can get money on it.

Mr. SWANK. Don't you think he would get more if he had a place where the product could be stored?

Mr. CLARKE. I want to refer again to the point I made. I think it would be peculiarly interesting to this committee to show that the State of Oklahoma has already provided a fund that could be utilized, and just exactly what has been done by the people of your own State toward the utilization of the instrumentalities which they have at hand.

Mr. SWANK. That law was approved last March. It takes some time to get machinery of that kind into operation.

Mr. SINCLAIR. When the good roads bill was passed there were few States that had any good roads law. It was a hit-and-miss affair in all States. But they immediately conformed to the principles and rules laid down by the Federal Government, and with this warehouse bill they could do the same thing.

Mr. CLARKE. There is no necessity for cooperation so far as the States are concerned. There is no Federal law concerned. Here is a State law and an instrumentality at hand for the utilization of

\$1,250,000. Now, a year's time would be abundant time to get the thing started, and we will then find out whether it is being utilized.

Mr. SWANK. I can not say whether any of these loans have yet been made or not.

Mr. CLARKE. You could get that information.

Mr. SWANK. Yes; but it takes some time to get the machinery working.

Mr. KINCHELOE. How does that law provide for the expenditure of the \$1,250,000? It is loaned to individuals for the purpose of building warehouses?

Mr. SWANK. To farmers' cooperative associations.

Mr. KINCHELOE. Is there anything in this bill that provides for the apportionment of this \$100,000,000 among the various States?

Mr. SWANK. No; except the Government duplicates an appropriation made by any State.

Mr. KINCHELOE. Suppose my State, for instance, would come up and want a good deal more than they are entitled to and they have the money.

Mr. SWANK. The object of the bill, as I have stated, is for the Government to duplicate what the State appropriates for that purpose.

Mr. KINCHELOE. I do not imagine that \$200,000,000 would go very far.

Mr. SWANK. This is for \$100,000,000.

Mr. KINCHELOE. I know; but the States put up \$100,000,000.

Mr. FULMER. I would like to answer Mr. Clarke's question in connection with this proposition. One reason for this bill would be this: In South Carolina, under the State law last year, there was a question whether or not the intermediate credit banks would handle such warehouse receipts, and the cooperative manager said he had quite a lot of trouble in handling the warehouse receipts in New York and wanted to force all of these warehouses into the Federal system. Another advantage of the bill would be that you would get Government grades, better grades than the State grades, and that would make these receipts better collateral, and it would be easier to secure a loan. As it is now, under the State systems, you do not get the proper grading and you can not get the loan easily, and you can not get as much as you would get on the kind of receipt issued.

Mr. VOIGT. Suppose under this bill 4149 the local cooperative organization appropriates \$5,000 to build a warehouse. Then the United States is bound to furnish the other five thousand?

Mr. SWANK. Yes.

Mr. VOIGT. Where does the title in the warehouse rest?

Mr. SWANK. Jointly in the State and the Government, or the association and the Government, as to which furnished the money.

Mr. JOHNSON. Does the Government lend the money under the same conditions as the States lend it?

Mr. SWANK. I do not provide for a loan. The Government and State will appropriate a like amount of money as is done on hard-surfaced roads.

Mr. VOIGT. Suppose in the case that I have cited, where the local cooperative association gives \$5,000 and the Government gives \$5,000, your bill does not provide anything for dividends on this \$5,000 put up by the local cooperative association?

Mr. SWANK. The bill provides that the warehouses shall be operated at cost, but that any net earnings by the Federal Loan Bureau on the loans provided shall be used to construct other warehouses.

Mr. VOIGT. What I am getting at is this: Do you suppose that they will contribute \$5,000 when no provision is made for any return on the investment?

Mr. SWANK. The bill does not provide for a return of the money contributed.

Mr. KINCHELOE. They wouldn't be likely to do it under that arrangement.

Mr. SWANK. I think they would.

Mr. SINCLAIR. It seems to me there is one other phase of this warehouse bill that would have to be considered. When you come to the question of terminal warehouses, and that, I think, is the most important part of the whole bill, how are you going to provide for a State to contribute its share when that State is interested, perhaps, in storing the products of a dozen different States? Take, for instance, Kansas City, which would be a terminal market for the Southwest, and St. Louis, Chicago, and Minneapolis. Now, is the State of Missouri or the State of Illinois or the State of Minnesota going to supply funds; that is, 50 per cent of the funds necessary to build a terminal to take care of the products of other States?

Mr. SWANK. They could do that.

Mr. KINCHELOE. But the question is, Would they do it?

Mr. SINCLAIR. Yes; would they do it?

Mr. SWANK. Well, of course, that can not be answered positively, but that would work out all right.

Mr. KINCHELOE. In other words, would the State of Missouri be willing to contribute 50 per cent of the funds to build a terminal warehouse to store products of the farmers of North Dakota, South Dakota, Oklahoma, and so forth? Would any one of those States be

willing to appropriate 50 per cent of a fund to build a big warehouse for the benefit that would accrue to farmers of other States?

Mr. SWANK. They should be given an opportunity.

Mr. TINCHEP. I introduced my bill at the suggestion of an organization interested in helping the agricultural sections, and then we had a survey out in my State of warehouse facilities and we found they were so adequate, that there were so many warehouses under State regulation and Federal regulation, privately owned, that if we constructed any new ones we would put those out of business and practically destroy them. Your idea here is to have them purchased?

Mr. SWANK. Or leased as needed when they come up to Federal requirements.

Mr. JOHNSON. Isn't it possible for you and Mr. Sinclair to take these two bills and write them into one bill that will cover the question?

Mr. SWANK. That might be done.

Mr. SINCLAIR. The gentleman from Kansas has a bill also.

Mr. JOHNSON. Then they should all get together.

Mr. SWANK. Mr. Chairman, I thank the committee for its patient hearing.

#### SOLDIERS' BONUS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bonus question. They are my own remarks.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the bonus question. Is there objection? [After a pause.] The Chair hears none.

Mr. SNYDER. Mr. Speaker, this compilation shows that 38 States and Territories will benefit financially by the enactment of a bonus measure, while 15 States and Territories will suffer hardships.

The following table sets forth, I believe, the amount the soldier bonus will cost each State and Territory, on a basis of \$500 to each of the 3,900,000 men who served in the Army—and this does not include those serving in the Navy, Marine Corps, and nurses. It further shows the amount each State and Territory will receive and the amount they will turn back into the Treasury, based on the 1922 report of the Treasury Department.

These figures are not guaranteed to be absolutely accurate, but are, in all cases, within a few thousand dollars of the correct amount. The figures are conservative, being compiled on a much lower basis than those given out by the actuaries of the Treasury Department.

This table is compiled to indicate the total each State and Territory will have to pay and which of the States would benefit from a money standpoint and which would be injured in the same manner. The figures clearly show that 15 States and Territories will be called upon to pay more taxes than their veterans would receive, and 38 States and Territories will receive for their veterans more money than they will return to the Treasury.

For example, New York will receive \$189,493,000 and will pay \$557,140,000, or \$367,647,000 more than that State will receive. Michigan receives \$68,676,500 and pays \$114,700,000, or \$46,023,500 more than it will receive. Pennsylvania will receive \$151,944,500 and pay \$195,000,000, or \$43,055,500 more than it receives. On the other hand, Missouri will receive \$66,926,500 and pay \$5,000,000, benefiting to the amount of \$61,926,500. Texas will receive \$82,100,500 and pay \$31,451,600, benefiting to the amount of \$50,648,900. Iowa will receive \$50,000,000 and pay \$13,000,000, benefiting to the amount of \$37,000,000.

States and Territories.	Number of soldiers in Army.	Total bonus received in State.	Cost in taxes to State, 1922 report Treasury Department.	Amount received by State above that raised by taxation.	Amount raised by taxes above that received by soldiers of State.
Alabama.....	75,486	\$37,743,000	\$6,351,791	\$31,391,209	.....
Alaska.....	1,945	972,500	155,465	827,035	.....
Arizona.....	9,727	4,863,500	1,310,000	3,553,500	.....
Arkansas.....	63,425	31,712,500	3,830,000	27,882,500	.....
California.....	118,676	59,338,000	78,000,000	.....	\$18,662,000
Canal Zone.....	311	105,500	.....	.....	.....
Colorado.....	33,852	19,026,000	15,354,331	4,571,669	.....
Connecticut.....	51,751	25,875,500	27,464,800	.....	1,589,300
Delaware.....	7,782	3,891,000	3,239,200	651,800	.....
District of Columbia.....	16,342	8,171,000	10,600,000	.....	2,429,000
Florida.....	35,795	17,898,000	9,000,000	8,898,000	.....
Georgia.....	89,493	44,746,500	10,430,000	34,316,500	.....
Hawaii.....	8,950	4,475,000	9,000,000	.....	4,525,000
Idaho.....	18,677	9,338,500	1,300,000	8,038,500	.....
Illinois.....	203,422	131,711,000	162,500,000	.....	30,789,000



States and Territories.	Number of soldiers in Army.	Total bonus received in State.	Cost in taxes to State, 1922 report Treasury Department.	Amount received by State above that raised by taxation.	Amount raised by taxes above that received by soldiers of State.
Indiana.....	113,618	\$56,809,000	\$30,000,000	\$26,809,000	.....
Iowa.....	100,001	50,000,500	13,000,000	37,000,500	.....
Kansas.....	68,872	34,436,000	17,000,000	17,436,000	.....
Kentucky.....	81,323	40,661,500	18,000,000	22,661,500	.....
Louisiana.....	65,760	32,880,000	21,195,652	11,684,348	.....
Maine.....	26,070	13,035,000	8,228,000	4,807,000	.....
Maryland.....	48,640	24,320,000	26,500,000	.....	\$2,180,000
Massachusetts.....	137,745	68,872,500	108,333,333	39,460,833	.....
Michigan.....	137,353	68,676,500	114,700,000	46,023,500	.....
Minnesota.....	100,389	50,194,500	26,600,000	24,194,500	.....
Mississippi.....	54,086	27,043,000	2,600,000	24,443,000	.....
Missouri.....	133,853	66,924,500	5,000,000	61,924,500	.....
Montana.....	34,630	17,315,000	1,930,000	15,385,000	.....
Nebraska.....	48,250	24,125,000	8,744,000	15,381,000	.....
Nevada.....	5,058	2,529,000	477,600	2,051,400	.....
New Hampshire.....	14,786	7,393,000	3,463,000	3,929,400	.....
New Jersey.....	110,507	55,253,500	59,090,000	3,836,500	.....
New Mexico.....	12,452	6,226,000	659,600	5,566,400	.....
New York.....	378,986	189,493,000	557,140,000	387,647,000	.....
North Carolina.....	75,486	37,743,000	69,640,000	31,897,000	.....
North Dakota.....	24,904	12,452,000	1,512,400	10,939,600	.....
Ohio.....	204,279	102,139,500	108,333,333	6,193,833	.....
Oklahoma.....	80,155	40,077,500	10,051,000	30,026,500	.....
Oregon.....	32,686	16,343,000	10,655,000	5,688,000	.....
Pennsylvania.....	303,889	151,944,500	195,000,000	43,055,500	.....
Philippines.....	21,400	10,200,000	238,000	9,962,000	.....
Porto Rico.....	17,510	8,755,000	18,600	8,736,400	.....
Rhode Island.....	19,056	9,533,000	20,312,000	10,779,000	.....
South Carolina.....	54,475	27,237,500	6,678,000	20,559,500	.....
Tennessee.....	78,988	39,494,000	11,993,000	27,501,000	.....
Texas.....	164,201	82,100,500	31,451,600	50,648,900	.....
Utah.....	17,510	8,255,000	2,914,800	5,340,200	.....
Vermont.....	12,062	6,031,000	2,614,000	3,417,000	.....
Virginia.....	74,709	37,354,500	26,351,000	11,003,500	.....
Washington.....	47,473	23,738,500	15,476,000	8,260,500	.....
West Virginia.....	51,674	25,837,000	18,396,000	7,441,000	.....
Wisconsin.....	103,112	51,556,000	28,260,800	23,295,200	.....
Wyoming.....	11,284	5,642,000	1,211,900	4,430,100	.....

Three million eight hundred and sixty-two thousand eight hundred and seventy-seven men are involved in this calculation. The total amount received by them, based on these figures, would be \$1,934,988,500. Fourteen States and Territories would have to pay \$609,067,466 more than their soldiers would receive.

#### INLAND WATERWAYS.

Mr. KINDRED. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing some remarks I made on the policy which the Congress should pursue in the matter of river and harbor appropriations. They are remarks delivered at a recent convention of the Inland Waterways Association at Norfolk, Va.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. KINDRED. Mr. Speaker, under the leave to extend my remarks in the Record, I include a speech made by myself at the Deep Waterways Convention.

The matter referred to is as follows:

SPEECH OF HON. JOHN J. KINDRED, MEMBER OF CONGRESS FROM NEW YORK, BEFORE THE ANNUAL MEETING OF THE ATLANTIC DEEPER WATERWAYS ASSOCIATION AT NORFOLK, VA., ON NOVEMBER 15, 1923.

A REPLY TO THE CHARGES OF "PORK BARREL" IN RIVER AND HARBOR APPROPRIATIONS—WHAT THE POLICY OF THE UNITED STATES CONGRESS SHOULD BE WITH RESPECT TO THE DEVELOPMENT OF OUR RIVERS AND HARBORS.

There is, at least in the city which I in part represent in the United States House of Representatives, and in some other sections of the country, so much misapprehension or misunderstanding and misrepresentation of the question of appropriations by the United States Congress for the development of our rivers and harbors, and also as to the real facts connected with appropriations and their expenditure by the United States Government for rivers and harbors development, that I am glad to have this opportunity as a member of the Committee on Rivers and Harbors of the United States House of Representatives (one of three members of that important committee from the State of New York) of presenting to the members of the Atlantic Deeper Waterways Association, and through this association to the public, some facts in refutation of the sensational charges of "pork barrel" and "cheap politics" which are often, from certain quarters, charged against the Committee on Rivers and Harbors and the Congress, in connection with this important Governmental activity.

Because, many years ago, there were less careful methods and investigation on the part of Congress than those which have existed during the past 10 or more years, during much of which time I

have officially had opportunity to observe the care with which these appropriations were made and expended, there has arisen in the minds of not a few the persistent notion that so-called "pork-barrel" methods and cheap political logrolling prevailed in the formulation and passing by Congress of the river and harbor appropriation bills.

In emphatically denying such charges, I wish to present an array of facts to prove that a comprehensive annual program of appropriations sufficient for river and harbor development is of vital economic and general importance to the consumers, the shippers, the producers, and the public of the United States.

I present these facts without regard to appropriations for the benefit of any particular waterway or harbor, in any particular part of this country, but as simply bearing on the general proposition that there is no governmental activity more important or better safeguarded than appropriations for this purpose. I present the facts for the further purpose of proving that at this time there is no money investment that the United States Government could make that would prove more profitable to the American people than the carrying out of a comprehensive program for river and harbor development over a long period of, say, 20 to 25 years.

The crux of this argument is found in the fact that particularly at this time an enormous congestion of freight has occurred and will certainly continue to increase with the reawakening of domestic and foreign commerce, following the adjustment of reparations and other difficulties resulting from the World War. Even if our railways should continue to prosper and expand, as I hope they will, they will at best provide totally inadequate facilities to meet these growing needs, and then, unfortunately, the railways may, through widespread labor strikes and through other causes, utterly break down, as they have nearly done in the recent past, subjecting not only our millions of shippers and producers to huge losses, but subjecting the American people, the helpless consumers, to actual suffering and worse through a breakdown in transportation of food and fuel and other actual necessities of life.

But allowing the more favorable view that the railways will not break down, but will build up and expand, the cost of railway transportation is excessive as compared to the cost of water-borne transportation, especially with respect to bulky and other classes of freight, as I shall conclusively show in the subjoined tables carefully worked out at my request under the supervision of Gen. Lansing H. Beach, Chief of Engineers of the War Department and consulting engineer to the Rivers and Harbors Committee of the House of Representatives.

THE APPROXIMATE COST OF 100 POUNDS OF FREIGHT SHIPPED BY WATER.

General Beach, in a letter to me, says:

"The approximate cost of 100 pounds of freight shipped by water for any given distance, varies over a very wide range, according to the nature of the freight, the depth of channel, the character and efficiency of the carrier, terminal, and interchange facilities, etc. Considering economical movements by established carriers, the following figures of cost per ton-mile may be taken as broadly typical. They were obtained in a recent cost study made under the direction of the Chief of Engineers and cover all items of cost, operating and nonoperating, including carrying charges on investment:

	Mills.
Mississippi River, barge traffic, general cargo.....	4.4
Monongahela River, barge traffic, coal.....	4.6
Hudson River and New York State Barge Canal, barge traffic, general cargo.....	7.3
Great Lakes, steamers, package freight.....	4.2
Great Lakes, steamers, bulk freighters.....	0.8
Coastwise steamers, general cargo.....	4 to 6
Intracoastal steamer service (through Panama Canal), general cargo.....	1.5

THE APPROXIMATE COST OF 100 POUNDS SHIPPED BY RAIL.

"The railroad costs, as distinguished from railroad rates, are very difficult to obtain without elaborate study. The best information available here indicates that the average cost per ton-mile of freight in 1922 for 15 railroads in various parts of the country, including all charges of every character, and making certain necessary assumptions as to allocations of charges, was in the neighborhood of 13 mills. Variations in the assumptions made may reduce this about 25 or more per cent."

This last statement clearly shows that the average freight cost per ton-mile on 15 railway lines—which may justly, I think, be taken as an average of all the railways in the country—is about 13 mills, this allowing various assumptions that might reduce this somewhat.

As compared with the railway cost of approximately 13 mills we see by a comparison with freight cost per ton-mile on water—assuming an average approximate freight cost on water as 3.83 mills per ton-mile—that there is a difference of 9.17 mills per ton-mile in favor of water transportation.

Applying these figures to the estimated miles of water over which the estimated annual number of tons of water-borne freight is carried, we have a difference of hundreds of millions of dollars annually saved

by water transportation, as compared with railway freight costs, under the existing conditions of about 25,000 miles of rivers, canals, and intra-coastal waterways already developed and made navigable.

According to authentic figures furnished me by the United States Board of Army Engineers, the rivers and waterways (exclusive of ocean waterways) of the United States have a navigable length of over 32,000 miles, compared with the 25,000 miles mentioned as having been developed and made more or less navigable. The full development of the whole navigable length of our rivers and waterways would show a corresponding saving in freight transportation costs of many additional hundreds of millions of dollars annually—approximately two billions annually.

This is based on the estimate that water-borne freight represents, as compared with railway freight, a saving on an average of about \$1 per ton to the consumers, shippers, and producers of the United States.

A fair estimate of tonnage that would be carried over the navigable length of our rivers and harbors, were they developed to the full extent of their navigable length, would be over 2,000,000,000 tons, and an average saving of \$1 per ton on this tonnage would, obviously, mean a saving of approximately \$2,000,000,000 annually, and at the same time would greatly help to assure our people against a food and fuel shortage that might be caused by a breakdown or diminution in railway transportation. This estimated saving of approximately \$2,000,000,000 annually would pay back to the United States Government very quickly the entire amount of appropriations made by Congress for rivers and harbors since the foundation of the Government, the total being \$109,000,000.

I give the amounts appropriated by Congress for rivers and harbors, exclusive of appropriations for flood control, during the past 10 years, from 1912 to 1923, inclusive, as follows:

Amounts appropriated by Congress for rivers and harbors, exclusive of appropriations for flood control, from 1912 to 1923, inclusive.

	Year.	Reported by committee.	Appropriated by law.
Sixty-second Congress.....	1912	\$26,292,520	\$33,259,370
	1913	40,872,958	47,868,894
Sixty-third Congress.....	1914	43,289,004	20,000,000
	1915	34,138,580	25,000,000
Sixty-fourth Congress.....	1916	39,608,410	42,886,085
	1917	38,162,839	.....
	1917	27,696,150	27,826,150
Sixty-fifth Congress.....	1918	19,227,900	23,854,600
	1919	26,939,344	33,378,364
Sixty-sixth Congress.....	1920	12,400,000	12,400,000
	1921	15,250,000	15,250,000
Sixty-seventh Congress.....	1922	27,885,260	43,140,661
	1923	37,456,850	56,589,910

<sup>1</sup> Did not pass the Senate.

<sup>2</sup> Reported by Committee on Appropriations.

<sup>3</sup> Recommendation of Committee on Rivers and Harbors.

The amounts carried in the several bills may appear large, especially to one not familiar with the advantages accruing to the people of the country from water transportation or who is not conversant with the great demand for river and harbor improvement growing out of the rapid progress we are making along every line of material development. We are all familiar in a general way with this wonderful growth. I wish to call attention, however, to some features of this development, which will illustrate the point I am making. From 1902 to 1914 the population of this country increased 27 per cent, farm products 70 per cent, products of the mine more than 67 per cent, imports of merchandise upward of 113 per cent, and exports of merchandise more than 76 per cent. Similarly, and as a result of all this, a marked increase occurred during this period in freight tonnage, both by rail and by water, this having increased in greater proportion since 1914. The tonnage of the railroads during the past decade grew from 1,340,394,000 tons to 1,844,977,000 tons, an increase of more than 504,000,000 tons, and even if the railroads do not break down at times, they have not and can not meet the increasing demands made upon them.

As bearing on the approximate cost for each mile of waterways so far developed by the United States Government, I give the following from Gen. Lansing H. Beach, Chief of United States Army Engineers:

"No general answer can be given to this question, as the character and amount of work vary enormously. On many of the interior rivers a fair navigation can be developed by a small amount of snagging. On other streams expensive lock and dam projects may be necessary. On the Ohio River, for example, which has a length of 968 miles, the original estimate of cost is approximately \$88,600,000, which would give a cost of about \$90,000 per mile. For the Upper Mississippi—i. e., from the mouth of the Missouri to Minneapolis, a distance of 669 miles—the estimated cost is \$27,000,000, or about \$40,000 per mile. For the Black Warrior, Warrior, and Tombigbee Rivers, extending from the headwaters of the

Black Warrior River to the Mobile River, a distance of 362 miles, the estimated cost of the project is \$9,897,000, or a little less than \$30,000 per mile. The costs of the projects for the streams cited are much above the average."

#### COST OF MAINTENANCE OF EACH MILE.

As to the approximate cost of maintenance of each mile, I quote General Beach, as follows:

"The costs of maintenance vary as greatly as the cost of construction. In some cases the maintenance costs are practically nothing; in other cases quite high. Any general average would be misleading.

"These figures as to the approximate cost for each mile of waterways developed and the approximate cost of maintenance of each mile speak for themselves as showing that the chief elements of the cost of developing and maintaining waterways are very low compared with the cost of constructing and maintaining railways, and also as showing consequently a proportionately lower water freight cost."

The following data, compiled in 1913 by the State engineer and surveyor of the State of New York, are interesting as pertinent to the relative cost of water transportation by ocean vessels, 100-ton barges, car ships, and car floats. Cost of water transportation:

Items.	Measure.	Ocean vessels.	1,000-ton barges.	Car ships.	Car floats.
Length over all.....	Feet.....	480	150	268	.....
Breadth.....	do.....	52	25	75	.....
Draft.....	do.....	19	10' 7 1/2"	10	.....
Speed.....	Statute miles per hour.	12 1/2	6	8	8
Indicated horsepower.....	.....	2,200	.....	2,500	.....
Carrying capacity.....	Net tons.....	8,600	3,900	375	800
Cost of ship.....	Dollars.....	387,000	115,000	200,000	160,000
Pay roll per day, including subsistence.....	.....	60	40	40	40
Cost of repairs and depreciation.....	Per cent.....	5	5	5	5
Cost of insurance.....	do.....	4 1/2	3	3	4 1/2
Interest.....	do.....	5	5	5	5
Incidental expenses per day (coal, waste, etc.).....	Dollars.....	117	50	50	50
Total cost per day (above items).....	do.....	330.75	131	161.23	153.23
Total cost per mile.....	do.....	1.1025	0.909	0.84	0.80
Total cost per ton-mile.....	Mills.....	0.128	0.233	2.24	1.00
Approximate charge per ton.....	do.....	0.74	.....	.....	.....
Approximate charge per ton-mile (Albany to New York).....	do.....	0.1272	1.3	.....	.....
Canal boats charged per ton-mile.....	do.....	.....	2	.....	.....

The increase of water-borne tonnage does not necessarily mean an increase of expenditures for river and harbor improvement. The pertinent question is, Has there been a legitimate commercial demand for the improvement, making the expenditures necessary? The answer to that must be in the affirmative. There has not been a harbor developed or a river improved which has not been preceded by a demand for the work based upon the necessities of commerce.

#### WASTEFUL POLICY OF CONGRESS IN NOT COMPLETING AUTHORIZED WATERWAY PROJECTS.

As proving conclusively the wastefulness and unbusinesslike methods of the United States Congress in authorizing appropriations for given waterway projects and then failing to make available sufficient appropriations for the full completion of such projects, I give below an official statement from Gen. Lansing H. Beach, Chief of the United States Board of Engineers, of the War Department, showing that millions of dollars have been expended by the Government in uncompleted waterway projects, many of which, because of the lack of continued appropriations, have proven absolutely useless and have involved immense losses to the Government and to the producers, shippers, and consumers of the United States:

"Hon. J. J. KINDRED,

"House of Representatives, Washington, D. C.

"MY DEAR MR. KINDRED:

"1. In compliance with your telephone request of the 8th instant for a statement of the amounts required to be appropriated for the completion of existing projects, I take pleasure in inclosing herewith four photostat copies of a tabulation prepared from the data given in my annual report for the fiscal year ending June 30, 1923. If you will look at the report, you will find at the end of the financial statement for each project the figures given in this tabulation.

"2. The total expenditure of the Federal Government for the construction, maintenance, and operation of works for the improvement of rivers and harbors and all related works since such improvements were first instituted nearly a century ago has been



approximately \$1,090,000,000. Of this amount, up to June 30, 1923, there have been spent, in round numbers, \$385,000,000, or about three-eighths of the total, for the improvement and maintenance of harbors on our Atlantic, Gulf, and Pacific coasts and in Hawaii and Porto Rico; \$15,000,000, less than 1 per cent of the total, had been spent on coastwise channels and intracoastal canals along the Atlantic and Gulf coasts; \$142,000,000, or one-eighth of the total, on the connecting channels and harbors of the Great Lakes; \$445,000,000, or a little less than one-half of the total, on our interior rivers and lakes other than the Great Lakes, this amount being exclusive of the amount expended for the construction of levees on the Mississippi River and for flood control on the Sacramento River; \$60,000,000, or about one-sixteenth of the total, had been spent for levee construction on the Mississippi River and for flood control on the Sacramento. In addition, some \$20,000,000 had been expended for investigations, surveys, and contingent expenses not susceptible of classification; and another \$20,000,000 for projects which have been abandoned, have proven obsolete, or have been otherwise dropped from the reports. It is interesting to note that nearly three-fourths of the total expenditure of \$385,000,000 for harbors was expended on the improvement and maintenance of 30 of the most important ports of the United States. Of the \$445,000,000 expended on inland waterways, more than one-half has been spent on the Mississippi and Ohio Rivers alone, this not including some \$60,000,000 expended on the levees of the Mississippi. It should be remembered that the figures given are the total disbursements of the Federal Government on river and harbor work and that these figures include expenditures for upkeep, maintenance, and operation of works extending over nearly a century of time, as well as their capital cost.

"Very truly yours,

LANSING H. BEACH,

"Major General, Chief of Engineers."

The photostat copies to which the above letter refers of a tabulation prepared from the data given in General Beach's annual report for the fiscal year ending June 30, 1923, give the following figures as representing the amounts to be appropriated by the Government for the completion of all existing projects, meaning those already authorized by Congress and on which more or less large sums have been spent by the Government. I give herewith a recapitulation of these figures, as follows:

Secondary harbors and coastwise channels-----	\$21,023,240
Principal seacoast harbors-----	97,322,910
Principal rivers-----	97,680,164
Lake harbors and channels-----	9,380,650
Secondary rivers-----	874,200
Total-----	226,281,164

Thus it will be seen from the above recapitulation that the Government has invested more than \$226,000,000 in incomplete river, harbor, and channel projects, on which vast sum the Government is not only losing interest but is failing to give transportation relief which should be given by the prompt completion of all or most of these more worthy projects.

#### PORK BARREL.

As bearing on the absurdity and falsity of "pork-barrel" charges, I am indebted to my esteemed colleague, the Hon. C. A. NEWTON, Member of Congress of the tenth Missouri (St. Louis) congressional district, and one of the ablest Members of the House of Representatives and of the Committee on Rivers and Harbors, for the following pertinent observations on this subject:

"The charge of pork barrel has been made against the river and harbor appropriation made by the last Congress. It has been repeatedly said by certain influential newspapers that Members of Congress wasted millions of dollars upon little rivers throughout the United States where navigation was not possible, in an effort to aid themselves in being reelected to Congress, but those who make charges of this kind never undertake to give the real facts as to the purposes of the various items of the appropriation.

"The \$56,000,000 appropriation was based upon the report of the engineers of the War Department as to the actual waterway needs of the country, and that report set forth the names of all the projects and designated the amount to be expended upon each project.

"For instance, the principal seaport harbors of the United States needed money for improvement and maintenance, and for these harbors there was allotted out of the \$56,000,000, for improvement \$19,683,410, and for maintenance \$7,375,400, making a total for the principal harbors of the United States of \$27,058,810. These harbors included Boston Harbor, Bronx River, N. Y., Flushing Bay, Jamaica Bay, New York Harbor, Coney Island Channel, East River, Harlem River, Hudson River, Raritan Bay, Delaware River, Wilmington Harbor, Norfolk Harbor, Va., Savannah Harbor, Key West Harbor, Mobile Harbor, Southwest Pass, Galveston Har-

bor, Houston Ship Channel, Los Angeles Harbor, San Francisco Harbor, Columbia River at Portland, Seattle Harbor, Lake Washington Ship Canal, and a number of other harbors of the same character. Every item which was included in the river and harbor appropriation bill for the principal harbors of this country was scrutinized first by the full Board of the Army Engineers, was pared down to the very minimum which urgent needs of the harbors would stand, was scrutinized by the Rivers and Harbors Committee of the House and by the Commerce Committee of the Senate, by men who have studied the river and harbor question and know its waterway needs, and then was given most careful consideration and full debate by both branches of Congress, and after the facts were presented the bill including these items passed the House by a vote of three to one and passed the Senate by a very large majority.

"There was allotted out of the \$56,000,000 for the secondary harbors and coastwise channels of the country for improvement \$7,860,900, and for maintenance \$1,509,600, making a sum total for this purpose allotted out of the \$56,000,000 of \$9,370,500. Among the harbors classed as secondary are Beverly Harbor, Mass., Plymouth Harbor, Mass., Pollock Rip Shoals, Pawcatuck River, Bridgeport Harbor, Norwalk Harbor, Greenwich Harbor, Port Chester Harbor, East Chester Creek, Westchester Creek, Mattituck Harbor, Tarrytown Harbor, Peekskill Harbor, Rondout Harbor, Woodbridge Creek, Mantua Creek, Chesapeake & Delaware Canal, Potomac River at Washington, Rappahannock River, Va., and a great many other deserving secondary harbors, each of which take care of a substantial tonnage.

"Out of the \$56,000,000 there was allotted for the improvement of the Lake harbors and channels \$1,726,000, and for the maintenance of work heretofore done upon the harbors and channels of the Lakes \$1,450,800, making a sum total for improvement and maintenance upon the Lakes of \$3,176,800. Anyone with any general information as to the amount of commerce carried upon the Great Lakes, who takes into account the large number of cities situated upon these Lakes, must know that the amount allotted for improvement and maintenance of Lake harbors is extremely conservative.

"Out of the \$56,000,000 there was allotted for the improvement of the principal rivers of the United States \$13,726,000, and for the maintenance of work heretofore done upon these rivers \$2,249,000, making the sum total for the principal rivers of the United States of \$15,975,000. These rivers comprise the Hudson, the Mississippi, the Missouri below Kansas City, the Cumberland, the Tennessee, the Ohio, the Monongahela, Fox River, Wis., Illinois River, and Sacramento River, Calif. Every single item allotted to the principal rivers was scrutinized and reduced to the minimum by the full Board of the Army Engineers, was again scrutinized by the Rivers and Harbors Committee of the House and by the Commerce Committee of the Senate, and was exhaustively debated and considered by both the House and the Senate.

"We come now to the item which certain influential newspapers and magazines have used as an excuse for the charge of pork barrel. I have seen many severe criticisms of the river and harbor bill on the ground that it spent millions of dollars for pork barrel, but I have not yet seen one single criticism which undertook to point out a single item in the bill as an illustration of an appropriation for pork-barrel purposes; I have not seen a single criticism which even undertook to specify the amount allotted out of the \$56,000,000 for the improvement of all the so-called little rivers throughout the United States. These rivers are classed by the engineers as secondary rivers. The report of the Army Engineers who keep a tabulation upon the amount of commerce passing over each river in the country shows that there was carried upon these so-called little rivers throughout the United States last year a little more than 5,000,000 tons of freight, with a saving to the shipper in excess of \$1 per ton. There was allotted out of the \$56,000,000 appropriated for rivers and harbors for the improvement of all the so-called little rivers throughout the United States a sum total of \$181,820, and if the critics of the river and harbor bill can point out a single project upon which this money is being expended which is not a meritorious project they will render to the engineers of the War Department, to the Rivers and Harbors Committee of the House, and to the Congress of the United States a great service."

The development of the country along the rivers has made their improvement a necessity, while the increase in the dimensions and draft of ocean-going craft, in obedience to an inexorable law of economics, has made it necessary to also increase the dimensions of harbor channels on our Lake shores, seaboard rivers, and seacoast. This growth in the dimensions and draft of vessels has not been confined to the immediate past, but has been going on for many decades, and is likely to continue for many more. But I would like to emphasize this increase—the regularity of its growth. Half a century ago an ocean-going vessel of more than 300 feet in length,

or more than 40 feet in width, was not in existence. The bulk of the Atlantic Ocean traffic was then carried on in ships drawing less than 20 feet of water, with not a single vessel at that time exceeding 24 feet in draft, while to-day we have vessels more than 900 feet long and several more than 38 feet in draft.

The cost of a comprehensive, systematic program of river and harbor development, extending over 20 to 25 years, is a pertinent question. Of course, it is difficult for us to determine now, or for anyone to say just what the future cost will be, and yet I believe that unless we are to embark upon some wild scheme of waterway improvement not connected—or, if connected at all, very remotely—with legitimate river and harbor work—I say, unless we are to embark upon some such wild scheme, I believe it is possible to approximate within reasonable bounds the cost of river and harbor improvement that will fully develop all our harbors and the full navigable lengths of our rivers and waterways in this country within the next 25 years. Of course, if we enter upon other works, having no direct or necessary relation to the real needs of commerce and navigation, there is no telling where we will land.

It is true that there are propositions advanced, some of them now before Congress advocated and supported by men of national repute, the adoption and the carrying out of which, it is said by competent engineers, would cost billions of dollars. But assuming that we are to pursue a safe and sane policy, such as we have been pursuing for the past several decades, then I believe it is easy, or at least it is not very difficult, to approximate within reasonable limits what the Government will be called upon to expend in this direction in the near future—say, in the next 20 years or quarter of a century.

Under this plan providing for a systematic, comprehensive coordinated development of our navigable waterways we will furnish the country and its commerce more than 32,000 miles of inland waterways, rivers, canals, intracoastal channels, besides more than 300 harbors, large and small, the whole making the grandest system of navigable waterways in the world and accommodating perhaps more than 2,000,000,000 tons of commerce in addition to the billions of tonnage that will continue to tax the utmost capacity of our railroads.

We have been, as already stated, repaid many times over for the money we have expended on our navigable waterways since the Republic began. Now consider, Mr. Chairman, that not a single river or harbor in its natural state would have been capable of accommodating modern commerce, and that many of them even now can not fully meet modern commercial requirements, and it is easy to appreciate the great benefits that have accrued and will continue to accrue to the people by reason of reasonable systematic appropriations for this great work against which there has, from the lobbying railroad interests and from certain powerful newspapers and other influential sources, been a steady and unjustifiable propaganda of opposition and criticism unless the proposed waterway improvement directly and favorably affected their private interests.

As a full reply to these unfounded charges that river and harbor appropriations by Congress are "pork-barrel" appropriations and as justifying my plea to Congress for a comprehensive systematic plan of annual appropriations I am gratified that since the foregoing address was delivered by me at the Norfolk, Va., meeting of the Atlantic Deeper Waterways Convention, President Coolidge in his address before Congress December 6, 1923, fully answers all charges of "pork barrel" in this connection by indorsing a comprehensive national program of annual congressional appropriations for rivers and harbors development. I quote in part from President Coolidge's address to Congress on this subject:

"The time has come to resume in a moderate way the opening of our intracoastal waterways; the control of flood waters of the Mississippi and of the Colorado Rivers; the improvement of the waterways from the Great Lakes toward the Gulf of Mexico; and the development of the great power and navigation project of the St. Lawrence River, for which efforts are now being made to secure the necessary treaty with Canada. These projects can not all be undertaken at once, but all should have the immediate consideration of the Congress and be adopted as fast as plans can be matured and the necessary funds become available. This is not incompatible with economy, for their nature does not require so much a public expenditure as a capital investment which will be reproductive, as evidenced by the marked increase in revenue from the Panama Canal. Upon these projects depends much future industrial and agricultural progress. They represent the protection of large areas from flood and the addition of a great amount of cheap power and cheap freight by use of navigation."

#### ADJOURNMENT.

Mr. CRAMTON. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 52 minutes p. m.) the House adjourned until Tuesday, January 22, 1924, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

292. A letter from the Secretary of the Interior, transmitting a copy of letter from the Commissioner of Pensions dated January 16, 1924, together with a copy of the report of the Board of Actuaries; to the Committee on the Civil Service.

293. A letter from the Comptroller General of the United States, transmitting report of use by the Navy Department of public moneys, proceeds of sales of Government property, to pay certain expenses, including salaries of civilian employees, of a board created without authority of law therefor (H. Doc. No. 157); to the Committee on the Judiciary and ordered to be printed.

294. A letter from the Secretary of War, transmitting a plan for the development of Muscle Shoals presented jointly by the Tennessee Electric Power Co., the Memphis Power & Light Co., and the Alabama Power Co. (H. Doc. No. 158); to the Committee on Military Affairs and ordered to be printed.

295. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Smithsonian Institution for the fiscal year ending June 30, 1924, \$1,500, and for the fiscal year ending June 30, 1925, \$6,000, for an additional assistant secretary of the Smithsonian Institution, amounting in all to \$7,500 (H. Doc. No. 159); to the Committee on appropriations and ordered to be printed.

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

Under clause 2 of Rule XIII,

Mr. LEA of California: Committee on Interstate and Foreign Commerce. H. R. 1475. A bill for the relief of Luke Ratigan; with an amendment (Rept. No. 72). Referred to the Committee of the Whole House.

Mr. SEARS of Nebraska: Committee on Claims. H. R. 3183. A bill for the relief of Rush O. Fellows; without amendment (Rept. No. 73). Referred to the Committee of the Whole House.

Mr. McREYNOLDS: Committee on Claims. H. R. 4647. A bill for the relief of the Underwood Typewriter Co. and Frank P. Trott; without amendment (Rept. No. 74). Referred to the Committee of the Whole House.

Mr. THOMAS of Oklahoma: Committee on Claims. H. R. 5448. A bill for the relief of Clifford W. Seibel and Frank A. Vestal; without amendment (Rept. No. 75). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 2099) granting a pension to Lelia Cox; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2127) granting a pension to Eliza Coslett; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2359) granting a pension to Ellen L. Curran; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2404) granting an increase of pension to Francis M. Coats; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2734) granting a pension to Viola Loe; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 3067) granting a pension to Mary Lord Harrison; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 3139) granting a pension to Harriet Smith; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 3531) granting a pension to Catherine Ahern; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 3495) granting a pension to Alice Hadsell; Committee on Invalid Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3496) granting a pension to Elizabeth Tice; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.



The bill (H. R. 3493) granting a pension to Lydia Bedortha; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3494) granting a pension to Mary E. McGill; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3491) granting a pension to Addie Peck; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3492) granting a pension to Julia Metzger; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

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

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

By Mr. UNDERHILL: A bill (H. R. 5835) relating to assuring compensation for accidental injuries or death of employees in certain occupations in the District of Columbia; to the Committee on the District of Columbia.

By Mr. COOPER of Ohio: A bill (H. R. 5836) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, and June 26, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN: A bill (H. R. 5837) to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cotton," approved July 22, 1912; to the Committee on the Census.

By Mr. BYRNS of Tennessee: A bill (H. R. 5838) to amend section 3 of an act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes," approved June 19, 1922; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 5839) to reimburse officers, soldiers, and civilian employees of the Army and their families and dependents for losses sustained as a result of the hurricane which occurred in Texas August 16, 17, and 18, 1915; to the Committee on Claims.

By Mr. COLLIER: A bill (H. R. 5840) to provide for the paving of the Vicksburg National Cemetery Road at Vicksburg, Miss.; to the Committee on Military Affairs.

By Mr. SCHNEIDER: A bill (H. R. 5841) to reduce night work in post offices; to the Committee on the Post Office and Post Roads.

By Mr. SWANK: A bill (H. R. 5842) authorizing the Department of Agriculture to issue semi-monthly cotton-crop reports and providing for their publication simultaneously with the ginning reports of the Department of Commerce; to the Committee on Agriculture.

By Mr. PORTER: A bill (H. R. 5843) to authorize the President, in certain cases, to modify visé requirements; to the Committee on Foreign Affairs.

By Mr. COOK: A bill (H. R. 5844) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on the Civil Service.

By Mr. RATHBONE: A bill (H. R. 5845) to amend section 2 of an act entitled "An act to regulate the sale of viruses, serums, toxins, and analogous products in the District of Columbia, to regulate interstate traffic in said articles, and for other purposes," approved July 1, 1902; to the Committee on the District of Columbia.

By Mr. SUMMERS of Washington: A bill (H. R. 5846) to authorize the Secretary of Agriculture to establish for farm products uniform standards of classification, an inspection service, and a market news service, and for other purposes; to the Committee on Agriculture.

By Mr. WARD of North Carolina: A bill (H. R. 5847) for the purchase of the Lake Drummond (Dismal Swamp) Canal; to the Committee on Rivers and Harbors.

By Mr. HADLEY: A bill (H. R. 5848) to create a Pribilof Islands fund and to provide for the disposition of surplus revenue from the Pribilof Islands, Alaska, and for other purposes; to the Committee on Ways and Means.

Mr. Mr. McLEOD: A bill (H. R. 5849) authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of beneficiaries of the United States Public Health Service, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. HAWES: A bill (H. R. 5850) to repeal an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMER: A bill (H. R. 5851) to authorize the building of a bridge across the Pee Dee River in North Carolina between Anson and Richmond Counties; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILLIPS: A bill (H. R. 5852) to enlarge and extend the post-office building at New Castle, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. McNULTY: A bill (H. R. 5853) to increase the limit of cost of the United States post office at Bayonne, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. BRIGGS: A bill (H. R. 5854) for the erection of a Federal building at Texas City, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. REED of West Virginia: A bill (H. R. 5855) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. LITTLE: Joint resolution (H. J. Res. 147) proposing an amendment to the Constitution of the United States; to the Committee on Ways and Means.

By Mr. GALLIVAN: Joint resolution (H. J. Res. 148) granting permission for the erection of a monument to symbolize the national game of baseball; to the Committee on the Library.

By Mr. DYER: Joint resolution (H. J. Res. 149) amending the China trade act, 1922, and the revenue act of 1921; to the Committee on the Judiciary.

Also, resolution (H. Res. 154) for the immediate consideration of H. R. 1, the antilynching bill; to the Committee on Rules.

By Mr. HOWARD of Nebraska: Resolution (H. Res. 155) requesting information from the Attorney General regarding special attorneys appointed during the year 1923, and for other purposes; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. AYRES: A bill (H. R. 5856) granting a pension to Margaret E. Dotson; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 5857) granting a pension to Belle Thompson Alter; to the Committee on Invalid Pensions.

By Mr. BRAND of Georgia: A bill (H. R. 5858) granting a pension to Dicie D. Fowler; to the Committee on Pensions.

By Mr. BURTON: A bill (H. R. 5859) granting a pension to Bernice McLaughlin; to the Committee on Pensions.

Also, a bill (H. R. 5860) granting a pension to Jesse T. S. Neighbor; to the Committee on Pensions.

By Mr. CASEY: A bill (H. R. 5861) providing for the making of a survey and completing plan and estimate of cost for regulating the stream flow and controlling the flood waters of the North Branch of the Susquehanna River; to the Committee on Flood Control.

By Mr. COOK: A bill (H. R. 5862) granting an increase of pension to Henry C. Pate; to the Committee on Pensions.

Also, a bill (H. R. 5863) granting an increase of pension to Walter E. Tarver; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 5864) granting an increase of pension to James H. Palmer; to the Committee on Pensions.

Also, a bill (H. R. 5865) granting a pension to August Bohlender; to the Committee on Pensions.

Also, a bill (H. R. 5866) granting a pension to Josephine Holmes; to the Committee on Pensions.

Also, a bill (H. R. 5867) granting a pension to Carrie M. Zumwalt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5868) granting an increase of pension to Nathan P. Jackson; to the Committee on Pensions.

Also, a bill (H. R. 5869) for the relief of the estate of Leavitt Grimes; to the Committee on Claims.

Also, a bill (H. R. 5870) for the relief of Lee Martin; to the Committee on Claims.

By Mr. FENN: A bill (H. R. 5871) authorizing the Secretary of War to donate to the town of Windsor, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 5872) for the relief of James Augustine Gagan; to the Committee on Claims.

Also, a bill (H. R. 5873) for the relief of John F. Cassidy; to the Committee on Claims.

Also, a bill (H. R. 5874) for the relief of Thomas E. Kelley; to the Committee on Claims.

By Mr. GARDNER of Indiana: A bill (H. R. 5875) granting a pension to Charles Abbott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5876) granting an increase of pension to Mary E. Lofton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5877) granting a pension to Lewis Berry; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 5878) granting a pension to Josephine Gerard; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 5879) granting a pension to William H. Park; to the Committee on Pensions.

Also, a bill (H. R. 5880) granting a pension to James Holli-man; to the Committee on Pensions.

By Mr. KELLY: A bill (H. R. 5881) granting a pension to Barbara E. Baker; to the Committee on Pensions.

By Mr. KENT: A bill (H. R. 5882) for the relief of William D. Nicholas; to the Committee on Claims.

By Mr. KINCHELOE: A bill (H. R. 5883) to make a preliminary survey of Pond River in Kentucky with the view to the control of its floods; to the Committee on Flood Control.

By Mr. KURTZ: A bill (H. R. 5884) granting a pension to Laura Birkhiemer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5885) granting a pension to Annie S. Jones; to the Committee on Invalid Pensions.

By Mr. LINEBERGER: A bill (H. R. 5886) granting a pension to Evelyn A. Stump; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5887) for the relief of Albert E. Magoffin; to the Committee on War Claims.

By Mr. LONGWORTH: A bill (H. R. 5888) granting a pension to Susan Brunaugh; to the Committee on Invalid Pensions.

By Mr. McLEOD: A bill (H. R. 5889) for the relief of the Great Lakes Engineering Works; to the Committee on Claims.

Also, a bill (H. R. 5890) to refund to Clinton G. Edgar income tax erroneously and illegally collected; to the Committee on Claims.

Also, a bill (H. R. 5891) for the relief of Vincent Kolencik; to the Committee on Claims.

By Mr. MANLOVE: A bill (H. R. 5892) granting an increase of pension to Nancy J. Lance; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5893) granting a pension to Tabitha E. Isbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5894) granting a pension to Francis S. Gooding; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5895) granting a pension to Abram Jones; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 5896) granting an increase of pension to Harriet E. Larimore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5897) granting a pension to Huldah E. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5898) granting an increase of pension to Rachel H. Kendall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5899) granting an increase of pension to Jerusha E. Kennedy; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 5900) granting a pension to Mary M. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5901) granting a pension to Seeger Stevenson; to the Committee on Invalid Pensions.

By Mr. O'SULLIVAN: A bill (H. R. 5902) to correct the military record of John P. Daley; to the Committee on Military Affairs.

By Mr. PARKER: A bill (H. R. 5903) granting a pension to Emily J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5904) granting a pension to Robert Irwin; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 5905) granting an increase of pension to Sarah A. Ellis; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 5906) granting a pension to Esther Barton; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 5907) granting a pension to Clara A. McCarty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5908) granting an increase of pension to Sarah A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5909) granting an increase of pension to Emily French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5910) granting an increase of pension to Nancy E. Alward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5911) granting an increase of pension to Mary E. Blanchard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5912) granting a pension to Mary Underwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5913) granting a pension to Catherine Crow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5914) granting an increase of pension to Sarah J. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5915) granting an increase of pension to Elenor J. Valen; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 5916) granting a pension to Nancy Morgan; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 5917) granting a pension to Willard H. Shedd; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 5918) granting an increase of pension to Mary Garbo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5919) granting a pension to David Graff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5920) granting an increase of pension to Alice Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5921) granting an increase of pension to Ellen E. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5922) granting an increase of pension to Jennie E. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5923) granting a pension to Elsie M. Pool; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5924) granting an increase of pension to Ann Starkey; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 5925) granting an increase of pension to Lewis M. Stevenson; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 5926) granting a pension to Fred J. Nelson; to the Committee on Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 5927) granting an increase of pension to Sallie Musick; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 5928) granting an increase of pension to Hannah Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5929) granting a pension to Nathan B. H. Gardner; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5930) granting an increase of pension to Amos E. Albritton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5931) granting an increase of pension to Lottie Frailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5932) granting an increase of pension to Mary E. Sutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5933) granting an increase of pension to Nancy A. Cotterel; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

665. By Mr. BLOOM: Petition of B. A. Larger, general secretary United Garment Workers of America, representing 25,000 clothing workers in the State of New York, indorsing House bill 4123; to the Committee on the Post Office and Post Roads.

666. By Mr. BURTON: Petition signed by 715 residents of the city of Cleveland, requesting support of the measure now pending before Congress to amend the Volstead Act by permitting the manufacture and sale of beer and light wines; to the Committee on Ways and Means.

667. By Mr. FULLER: Petitions of the Central States Group of the Investment Bankers Association of America and sundry citizens of Illinois, favoring the plan of the Secretary of the Treasury for tax reduction, and particularly that the surtax be 25 per cent for the maximum; to the Committee on Ways and Means.

668. Also, petitions of the Railway Mail Association, Chicago branch, and George F. Bell, of Loutan, Ill., chairman of the county board of La Salle County, Ill., favoring House bills 705 and 4213, for relief of postal employees; to the Committee on the Post Office and Post Roads.

669. Also, petitions of the Strand Theater, of Mendota, Ill., and the Apollo Theater, of Belvidere, Ill., for repeal of the tax on theater admissions; to the Committee on Ways and Means.

670. By Mr. GALLIVAN: Petition of Massachusetts Fish and Game Protective Association, Boston, Mass., supporting every wise effort to protect the public right in public waters of the State; to the Committee on Agriculture.

671. Also, petition of the American Legion, Department of Massachusetts, Boston, Mass., urging the enactment into law of an adjusted compensation bill; to the Committee on Ways and Means.

672. Also, petition of treasurer and general manager of the Boot & Shoe Recorder Publisher Co., Boston, Mass., favoring an



increase of salaries being granted to postal employees; to the Committee on the Post Office and Post Roads.

673. Also, petition of the Massachusetts Federation of Churches, Boston, Mass., favoring the principle of the Dyer anti-lynching bill; to the Committee on the Judiciary.

674. By Mr. HUDSPETH: Petition of Kiwanis Club, of El Paso, Tex., favoring the Mellon plan of tax reduction; to the Committee on Ways and Means.

675. By Mr. MAGEE of Pennsylvania: Petition of Department of Pennsylvania, American Legion, protesting against the reduction of appropriations for the maintenance of the Navy; to the Committee on Appropriations.

676. Also, petition of Pennsylvania Department of the American Legion, at the fifth annual convention, indorsing an early enactment of a universal service law; to the Committee on Military Affairs.

677. Also, petition of Pennsylvania Department of American Legion, at the fifth annual convention, urging cooperation of State and Federal Governments in establishing universal physical education for school children; to the Committee on Education.

678. By Mr. SHREVE: Petition of the postal employees of Erie, Pa., urging substantial readjustment in postal salaries and retirement annuities; also readjustment of system of handling parcel post; to the Committee on the Post Office and Post Roads.

679. By Mr. SPEAKS: Papers to accompany House bill 5701, granting a pension to Florence M. A. Goodspeed; to the Committee on Pensions.

680. Also, papers in support of House bill 9842, Fifty-second Congress, second session, for the correction of the record of James A. Smith, deceased, and papers in support of House bill 3803, Sixty-eighth Congress, first session, granting a pension to Eliza A. Smith; to the Committee on Invalid Pensions.

681. Also, papers to accompany House bill 5669, granting a pension to Elizabeth Botimer; to the Committee on Invalid Pensions.

682. Also, papers to accompany House bill 5698, granting a pension to Ida V. Dilts; to the Committee on Invalid Pensions.

683. Also, papers to accompany House bill 5700, granting a pension to Elizabeth Merrill; to the Committee on Invalid Pensions.

## SENATE.

TUESDAY, January 22, 1924.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O God, Thou hast been our refuge and strength, an ever present help in every time of trouble. Thou art always ready to assist those who come to Thee with humble and contrite hearts. Thy mercies are manifold. We would recognize our dependence upon Thee and so realize our opportunities that we may live to Thy glory, seeking constantly the highest welfare of Thy kingdom and the blessing and prosperity of our country. We ask in Jesus' name. Amen.

### NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., January 22, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair during this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer for the day.

### THE JOURNAL.

The reading clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### CALL OF THE ROLL.

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

The PRESIDING OFFICER (Mr. MOSES). The Secretary will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ernst	La Follette	Robinson
Ashurst	Fernald	Lodge	Sheppard
Ball	Ferris	McKellar	Shields
Bayard	Fess	McKinley	Shipstead
Brandegee	Fletcher	McLean	Simmons
Brookhart	Frazier	McNary	Smith
Bruce	George	Mayfield	Snoot
Bursum	Greene	Moses	Spencer
Cameron	Hale	Neely	Stanley
Capper	Harrell	Norbeck	Stephens
Caraway	Harris	Norris	Sterling
Colt	Harrison	Oddie	Swanson
Copeland	Heflin	Overman	Tammell
Couzens	Howell	Owen	Wadsworth
Curtis	Johnson, Calif.	Pepper	Walsh, Mass.
Dale	Johnson, Minn.	Phipps	Walsh, Mont.
Dial	Jones, N. Mex.	Raiston	Warren
Dill	Jones, Wash.	Ransdell	Watson
Edge	King	Reed, Mo.	Wills
Edwards	Ladd	Reed, Pa.	

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

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following Senate bills:

S. 2. An act granting a franking privilege to Florence Kling Harding;

S. 160. An act authorizing the State of Georgia to construct a bridge across the Chattahoochee River, between the States of Georgia and Alabama, at or near Fort Gaines, Ga;

S. 484. An act to extend the time for the completion of the construction of a bridge across the Columbia River, between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon;

S. 627. An act to authorize the National Society United States Daughters of 1812 to place a bronze tablet on the Francis Scott Key Bridge;

S. 801. An act granting the consent of Congress to the construction, maintenance, and operation by the Valley Transfer Railway Co. its successors and assigns, of a bridge across the Mississippi River between Hennepin and Ramsey Counties, Minn;

S. 1367. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak; and

S. 1368. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.

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

H. R. 657. An act granting the consent of Congress to the boards of supervisors of Rankin and Madison Counties, Miss., to construct a bridge across the Pearl River in the State of Mississippi;

H. R. 2878. An act to authorize the sale of lands allotted to Indians under the Moses agreement of July 7, 1883;

H. R. 3295. An act to authorize the construction of a bridge between the Boroughs of Brooklyn and Queens, in the city and State of New York;

H. R. 3679. An act to authorize the building of a bridge across the Pee Dee River in South Carolina;

H. R. 3680. An act authorizing the building of a bridge across Kingston Lake at Conway, S. C.;

H. R. 3681. An act to authorize the building of a bridge across the Waccamaw River in South Carolina;

H. R. 4796. An act to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River, in the State of New York;

H. R. 4121. An act to extend the provisions of certain laws to the Territory of Hawaii; and

H. R. 5196. An act granting the consent of Congress to the construction of a bridge across the Rio Grande.

### REPORT OF DAUGHTERS OF THE AMERICAN REVOLUTION.

The PRESIDING OFFICER laid before the Senate a communication from the secretary of the Smithsonian Institution, transmitting, pursuant to law, the twenty-sixth annual report of the National Society of the Daughters of the American Revolution, for the period March 1, 1922, to March 1, 1923, which was referred to the Committee on Printing.