To have no secret place wherein,
To stoop unseen to shame or sin,
To be the same when I'm alone,
And when my every deed is known.

To live undaunted, unafraid,
Of any step that I have made,
To be without pretense or sham,
Exactly what men think I am.

The SPEAKER pro tempore. Without objection, leave is granted to Mr. BYRNS of Tennessee and others who may desire to do so to extend their remarks in the RECORD.

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, our deceased colleague, Hon. JAMES CAMPBELL CANTRILL, of Kentucky, and I entered Congress at the same time, and it is a source of very great gratification to me that we immediately became warm personal friends, a friendship which continued throughout our service here and lasted until the day of his death. Our early attachment was perhaps due in a measure to the fact that we came from neighboring States, whose splendid citizenship, past and present, and whose economic, political, and social history and traditions are peculiarly interwoven in the proud history of our country. Then, too, we had the honor to represent two of the most historic congressional districts of the Nation—the Ashland district of Kentucky and the Hermitage district of Tennessee. The agricultural interests of these two districts are chiefly concerned with the growing of tobacco, different in type but identical in its many problems. We were both deeply interested in doing what we could to serve the interests of the tobacco grower and this great agricultural industry. He was himself a tobacco planter on a large scale and had given years of study and devoted much thought to the tobacco growers' problems, and I was glad to join and cooperate with him in every effort to give relief. These matters of common interest and desire brought us very close together from the beginning, and I had opportunity to study and to know him as he really was.

And to know CAMPBELL CANTRILL intimately was to love him; to admire him for his many sterling qualities of mind and his nobility of soul and to respect his rugged character, his loyalty to his friends; his high-minded purposes of life and his intense devotion to duty as he saw it. CAMPBELL CANTRILL had all these qualities in fullest measure and these elements are necessary as the foundation for a true and lasting friendship.

He was a faithful and able legislator, worthy to represent a district which boasts of so many distinguished sons who have represented it in the past. He was honored and respected by all of his colleagues and held high place in the House, being a member of the important Committee on Rules. He was a man of strong conviction; gentle and retiring in disposition, but when aroused, forceful and aggressive in debate and in the advocacy of those principles and measures in which he believed. He was a two-fisted fighter and never lowered his flag in the face of opposition.

CAMPBELL CANTRILL was intensely proud of his State. He loved her people and gloried in her splendid traditions. His great ambition was to serve as Governor of the Kentucky Commonwealth and, accordingly, at the solicitation and with the support of influential friends all over the State he became a candidate for governor in the Democratic primary of 1923. He had for an opponent one of the very able and popular citizens of Kentucky, but after a spirited and hard-fought campaign he was nominated and would have undoubtedly been elected had he lived. The goal of his ambition was in sight. He was never to reach it. The work of a strenuous campaign was too much for his declining health, and death claimed him within a month after his nomination. God's finger touched him and he slept. His death was mourned throughout the entire State. Thus on the threshold of what was his greatest political ambition in life he was cut down, leaving behind him a record of able, faithful, and useful service in the State legislature and in Congress. There can be no doubt that had he lived he would have made a great Governor of Kentucky.

It is not for us to know, Mr. Speaker, why our friend was cut off in the prime of life and in the very midst of what appeared to be a greater field for usefulness and service. The ways of Providence are as a sealed book to mortal ken. CAMPBELL CANTRILL has lived his life and has gone his way. It may be truly said that life's greatest compensation is the knowledge that it has been one of service. CAMPBELL CANTRILL had this compensation. Soon we will follow in his footsteps and the mysteries of the unknown hereafter will be revealed to us as it has been to him. And when that time shall come may it be said of us, as it can be of him, that the world is better that we have lived.

Mr. HULL of Tennessee. Mr. Speaker, it affords me a mournful pleasure to offer some feeble words in deserved tribute to a pure patriot, a distinguished statesman, and a warm personal friend—CAMPBELL CANTRILL, late an honored Member of this House from the State of Kentucky.

I observed closely the course of Mr. CANTRILL from the time he became a member of the Kentucky Legislature many years ago. He there revealed himself as a man of outstanding courage, ability, and resourcefulness. While not yet personally acquainted with him, I then predicted that this young man of such demonstrated vision, force, and capacity was destined to write his name high on the roll of distinguished men. That prediction was soon to be fully vindicated.

Mr. CANTRILL had scarcely entered the National House of Representatives when the attention of the leaders was attracted toward him as a coming force and outstanding factor in that great membership. At every stage of his highly honorable and distinguished service Mr. CANTRILL more than justified the fondest expectations of even his most enthusiastic friends and admirers. He early and rapidly took high rank both in the legislative and his national party councils. CAMPBELL CANTRILL, in the breadth of his views, utterances, and actions, was as truly a representative of the Nation as of his own congressional district. This high compliment can truthfully be paid to but few Members of the House. The Constitution was always his guide and the people's rights his aim.

As has too often occurred, CAMPBELL CANTRILL was taken from us in the flower of a vigorous manhood, in the midst of a most useful public service, and when the hand of fortune was beckoning him to higher rank and to fields of broader opportunity for service.

To me it was a rare privilege to have known and served with Mr. CANTRILL and to have earned his friendship. Those who knew him best considered him one of the ablest, best poised, purest, and most courageous men in public life during recent years. His innate modesty concealed many of his finer traits, but his loyalty to principle and to questions of right was known to all. I was proud of him living; and now that he has gone from us, I revere his memory and mourn his untimely death.

ADJOURNMENT

Mr. MORRIS. Out of respect to our late deceased colleague I move, Mr. Speaker, that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 46 minutes p. m.) the House adjourned, pursuant to previous order, until to-morrow, Monday, March 2, 1925, at 10 o'clock a. m.

SENATE

MONDAY, *March 2, 1925*

(Legislative day of Thursday, February 26, 1925)

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

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

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 bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee were appointed managers on the part of the House at the conference.

The message also announced that the House insisted on its amendments to the amendments of the Senate Nos. 27, 30, 34, 38, and 50 to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes; that the House further insisted upon its disagreement to the amendment of the Senate No. 37 to the said bill, and agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER were appointed managers on the part of the House at the further conference.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 4210. An act to authorize the building of a bridge across the Congaree River in South Carolina;

S. 4211. An act to authorize the building of a bridge across the Catawba River in South Carolina;

S. 4212. An act to authorize the building of a bridge across the Broad River in South Carolina;

S. 4213. An act to authorize the building of a bridge across the Santee River in South Carolina; and

S. 4214. An act to authorize the building of a bridge across the Savannah River between South Carolina and Georgia.

The message communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. J. CAMPBELL CANTRILL, late a Member of the House of Representatives from the State of Kentucky.

DEFICIENCY APPROPRIATION

Mr. WARREN. Mr. President, I ask the Chair to lay before the Senate the action of the House on the deficiency appropriation bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes, asking for a conference with the Senate on the disagreeing votes of the two Houses, and appointing conferees on the part of the House.

Mr. WARREN. I move that the Senate insist upon its amendments disagreed to by the House of Representatives, accede to the request for a conference asked for by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and Mr. WARREN, Mr. CURTIS, and Mr. OVERMAN were appointed conferees on the part of the Senate.

ANNUAL REPORT OF THE FEDERAL RESERVE BOARD

The PRESIDENT pro tempore laid before the Senate a communication from the governor of the Federal Reserve Board, transmitting, for the information of the Senate, a copy of the annual report of the Federal Reserve Board covering operations during the year 1924, etc., which, with the accompanying report, was referred to the Committee on Banking and Currency.

NATIONAL CAPITAL PARK COMMISSION

The PRESIDENT pro tempore, pursuant to the provisions of the act approved June 6, 1924 (Pub. No. 202, 68th Cong.), providing for a comprehensive development of the park and playground system of the National Capital, appointed the Senator from Kansas [Mr. CAPPER] a member of the National Capital Park Commission.

ORDER FOR RECESS

Mr. CURTIS. Mr. President, I desire to submit a unanimous-consent request. I ask unanimous consent that when the Senate concludes its business to-day it take a recess until 11 o'clock to-morrow morning.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate communications relative to the action of the Legislature of the State of Connecticut on the so-called proposed child labor amendment to the Constitution, which was referred to the Committee on the Judiciary, as follows:

STATE OF CONNECTICUT,
SECRETARY'S OFFICE,
Hartford, February 26, 1925.

Hon. ALBERT B. CUMMINS,
President of the Senate, Washington, D. C.

DEAR SIR: I have the honor to transmit to you, certified copy of the action taken upon the proposed amendment to the Constitution of the United States, relative to the employment of minors, and showing that such amendment was rejected by the General Assembly of Connecticut.

Respectfully yours,

FRANCIS A. PALLOTTI,
Secretary.
By ELMER H. LOUNSBURY,
Deputy Secretary.

STATE OF CONNECTICUT,
EXECUTIVE CHAMBERS,
Hartford, January 27, 1925.

To the honorable General Assembly:

I have the honor to transmit herewith for your consideration a certified copy of the joint resolution of Congress proposing an amendment to the Constitution of the United States which shall give the Congress the power to permit, regulate, and prohibit the labor of persons under 18 years of age.

JOHN H. TRUMBULL, *Governor.*

No. 502

UNITED STATES OF AMERICA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress entitled "Joint resolution proposing an amendment to the Constitution of the United States," the original of which is on file in this department.

In testimony whereof, I, Charles E. Hughes, Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the chief clerk of the said department at the city of Washington, in the District of Columbia, this 27th day of January, 1925.

[SEAL.]

CHARLES E. HUGHES,
Secretary of State.
By E. J. AYERS, *Chief Clerk.*

Sixty-eighth Congress of the United States of America at the first session, begun and held at the city of Washington on Monday, the 3d day of December, 1923.

Joint resolution proposing an amendment to the Constitution of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

F. H. GILLETT,
Speaker of the House of Representatives.
ALBERT B. CUMMINS,
President pro tempore of the Senate.

I certify that this joint resolution originated in the House of Representatives.

WM. TYLER PAGE, *Clerk.*

Senate, State of Connecticut. January 27, 1925. Order of the day, February 3, 1925, noon. Rules suspended and transmitted to House.

J. FREDERICK BAKER, *Clerk.*

Senate, State of Connecticut. January 28, 1925. Refused to reconsider.

J. FREDERICK BAKER, *Clerk.*

House of Representatives, State of Connecticut. February 11, 1925, rejected.

DANL. F. B. HICKEY, *Clerk.*

House of Representatives, State of Connecticut, February 3, 1925, tabled. Order of day, February 11, 1925, 12 m. Refused to reconsider.

DANL. F. B. HICKEY, *Clerk.*

State of Connecticut, Senate. February 3, 1925. Rejected.

J. FREDERICK BAKER, *Clerk.*

State of Connecticut, Senate. February 3, 1925. Refused to reconsider.

J. FREDERICK BAKER, *Clerk.*

STATE OF CONNECTICUT,
Office of the Secretary, ss:

I hereby certify that the foregoing is a true copy of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said State, at Hartford, this 26th day of February, A. D. 1925.

[SEAL.] FRANCIS A. PALLOTTI,
Secretary.

The PRESIDENT pro tempore also laid before the Senate the following joint memorial of the Legislature of Idaho, which was referred to the Committee on Agriculture and Forestry:

THE STATE OF IDAHO,
DEPARTMENT OF STATE,
Boise, February 25, 1925.

Hon. ALBERT B. CUMMINS,
President of the Senate, Washington, D. C.

SIR: I have the honor to submit herewith a copy of senate joint memorial No. 7, adopted by the Senate and House of Representatives of the Eighteenth Legislative Assembly of the State of Idaho.

Respectfully,

F. A. JETER, *Secretary of State.*

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, F. A. Jeter, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 7, by Hagan and Henderson, adopted by the Eighteenth Session of the Idaho Legislature, which was filed in this office on the 24th day of February, A. D. 1925, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 24th day of February, A. D. 1925, and of the independence of the United States of America the one hundred and forty-ninth.

[SEAL.] F. A. JETER, *Secretary of State.*

LEGISLATURE OF THE STATE OF IDAHO,
Eighteenth Session.

In the senate—senate joint memorial No. 7, by Hagan and Henderson

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Senate and the House of Representatives of the State of Idaho, respectfully represent: That—

Whereas the continued prosperity of the United States rests, as it has always rested, on the maintenance of a foreign market for American goods; and

Whereas both domestic prosperity and the continued maintenance of a favorable balance of trade require that the products of American farms, as well as American factories, be not excluded from such foreign markets; and

Whereas the American farmer is forced to sell his products in markets, both domestic and foreign, which are dominated as to price by world factors, as against merely American factors of supply and demand, but is obliged to purchase all his necessities on a highly protected and stabilized domestic market; and

Whereas it has been the avowed policy of all parties and of all statesmen to secure not only maximum agricultural production through scientific methods but to preserve a sturdy and prosperous farm population; and

Whereas in the nature of things the farmer can not either shut down his plant or turn to nonagricultural pursuits on the farm: Therefore be it

Resolved by the Senate of the Eighteenth Session of the Legislature of Idaho (the House of Representatives concurring), That the Congress of the United States be, and the same is, urgently petitioned and requested to enact such legislation as will extend to the farmer, both as a purchaser of goods and as a seller of raw materials, the same basic opportunity as is enjoyed by industry and commerce.

That to attain this end provision be made for the creation of a farmers' export corporation to dispose of the normal surplus of basic farm commodities at the expense of all producers of such crops, in order that the American system be made effective in maintaining an American price for American agricultural products in our domestic markets; be it further

Resolved, That a copy of this memorial be forwarded to the Senate and House of Representatives of the United States of America and to the Senators and Representatives in Congress from this State.

This senate joint memorial passed the senate on the 13th day of February, 1925.

H. C. BALDRIDGE,
President of the Senate.

This senate joint memorial passed the house of representatives on the 19th day of February, 1925.

W. D. GILLIS,
Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 7 originated in the senate during the eighteenth session of the Legislature of the State of Idaho.

A. L. FLETCHER,
Secretary of the Senate.

The PRESIDENT pro tempore also laid before the Senate a communication, with an accompanying certificate, from the chief clerk of the House of Representatives, State of South Dakota, relative to the so-called proposed child-labor amendment to the Constitution, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
HOUSE OF REPRESENTATIVES,
Pierre, February 23, 1925.

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

DEAR SIR: I am inclosing herewith the certificate relative to the proposed amendment to the Constitution of the United States relating to the vesting of authority in Congress to limit, regulate, and prohibit labor of persons under 18 years of age, which has failed of passage in the Legislature of the State of South Dakota.

Yours truly,

WRIGHT TARBELL, *Chief Clerk.*

Certificate

This is to certify that the proposed amendment to the Constitution of the United States of America relating to the vesting of authority in Congress to limit, regulate, and prohibit labor of persons under 18 years of age, having been duly proposed by joint resolution in the Senate and House of Representatives of the Legislature of the State of South Dakota during its nineteenth legislative session, failed of passage.

Dated at Pierre, S. Dak., this 24th day of February, A. D. 1925.

A. C. FORNEY
President of the Senate.
W. J. MATSON,
Secretary of the Senate.
CHAS. S. MCDONALD,
Speaker of the House of Representatives.
WRIGHT TARBELL,
Chief Clerk.

The PRESIDENT pro tempore also laid before the Senate a communication from the Governor of Arizona, transmitting a concurrent memorial of the legislature of that State, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE, STATE HOUSE,
Phoenix, Ariz., February 24, 1925.

Senator ALBERT B. CUMMINS,
President of the Senate, Washington, D. C.

DEAR MR. CUMMINS: Pursuant to the provisions of Senate concurrent memorial No. 2 of the Seventh Legislature, State of Arizona, 1925, regular session, I submit herewith for your consideration a certified copy, "Memorializing the Congress of the United States to enact legislation for the relief of the stock raisers grazing and ranging livestock on the United States National Forest."

Respectfully,

GEO. W. P. HUNT, *Governor.*

STATE OF ARIZONA,
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,
State of Arizona, ss:

I, James H. Kerby, secretary of state, do hereby certify that the within is a true and correct copy of Senate Concurrent Memorial No. 2 of the Seventh Legislature, State of Arizona, 1925, regular session, "Memorializing the Congress of the United States of America to enact legislation for the relief of the stock raisers grazing and ranging livestock on the United States National Forest, as follows: For the immediate relief, waive the grazing fees for the season from April 1, 1925, to March 31, 1926, and for more permanent relief pass the Phipps bill No. 2424, now pending before the Senate of the United States," all of which is shown by the original on file in this department.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, the capital, this 19th day of February, A. D. 1925.

[SEAL] JAMES H. KERBY,
Secretary of State.

SEVENTH LEGISLATURE, REGULAR SESSION,
STATE OF ARIZONA.

Senate concurrent memorial No. 2 (introduced by Senator A. H. Favour)

To the Senate and House of Representatives of the United States of America in Congress Assembled:

Your memorialist, the Seventh Legislature of the State of Arizona, in its regular session assembled, respectfully represents that:

The men engaged in the livestock business in Arizona for the past three years have been going through one of the most trying times in the history of the industry, and as a class have been brought to the verge of bankruptcy through deflation, unfavorable economic conditions, and inability to market their output, except at a price less than cost.

That, added to the foregoing, during the year 1924 there has been in the Southwest an unprecedented drought, and this has resulted and will continue to result in a substantial loss to the breeding herds of the stock raisers, with the definite outlook of a very much lessened income for the year 1925 to these stock raisers.

That a large number of stock raisers range their stock on the various forest reserves of the United States in the State of Arizona at a fixed annual rental per head, and these fees are payable to the United States Government at the beginning of the grazing season on April 1 of each year. These grazing fees are a first and paramount charge, and unless paid the stock raisers are put in trespass and forced to remove their herds from the forest reserves.

Your memorialist further represents that during the year 1924 a substantial number of the stock raisers have not been able to pay the forest fees, and where they have been paid, such fees have been paid in most cases with borrowed money. On account of the present financial condition of the livestock industry, even borrowed money is not available for the coming year to meet these forest requirements. The stock raisers of this State must be assisted if they are to continue in their stock-raising industry, and one definite way is to assist those on the forest in the payment of forest fees.

Wherefore your memorialist prays that the Congress of the United States of America enact legislation for the relief of the stock raisers grazing and ranging livestock on the United States National Forest, as follows: For the immediate relief, waive the grazing fees for the season from April 1, 1925, to March 31, 1926, and for more permanent relief pass the Phipps bill No. 2424, now pending before the Senate of the United States.

It is hereby ordered that his excellency, the Governor of the State of Arizona, be requested to transmit a copy of the foregoing to the President of the United States and to each House of Congress and to each of Arizona's Senators and her Representative in Congress.

Passed the senate February 2, 1925.

Passed the house February 10, 1925.

Approved February 17, 1925.

Filed by secretary of state February 17, 1925, at 3.30 o'clock p. m.

The PRESIDENT pro tempore also laid before the Senate a communication from the Governor of the State of Delaware, which was ordered to be printed in the RECORD, as follows:

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover, February 26, 1925.

Hon. ALBERT B. CUMMINS,
President of the United States Senate,
Washington, D. C.

DEAR SIR: I have been advised that there appears in the CONGRESSIONAL RECORD of February 20 a communication from me, transmitting the action of the Delaware House on the proposed twentieth amendment to the Constitution of the United States, that my letter says, however, that the resolution relates "to the eighteenth amendment." I wish to advise you, therefore, that the resolution related to the twentieth amendment, and the reference to the "eighteenth amendment" was a typographical error. I would appreciate it, therefore, if you will change your records accordingly.

Very truly yours,

ROBT. P. ROBINSON, *Governor.*

The PRESIDENT pro tempore also laid before the Senate a communication from Robert Sterling Yard, executive secretary of the National Parks Association, transmitting a resolution of the American Association for the Advancement of Science, favoring the prompt passage of the so-called public shooting grounds bill, which, with the accompanying resolution, was ordered to lie on the table.

He also laid before the Senate a memorial of sundry citizens of Turtle Creek, Pa., remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which was referred to the Committee on the District of Columbia.

He also laid before the Senate a telegram, in the nature of a memorial, from Bishop Ethelbert Talbot, presiding bishop of the Episcopal Church, and Thomas F. Gailor, president of the national council, of New York, N. Y., remonstrating against the ratification of the Lausanne treaty with Turkey, which was referred to the Committee on Foreign Relations.

Mr. WARREN presented the following joint memorial of the Legislature of the State of Wyoming, which was referred to the Committee on Agriculture and Forestry:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, F. E. Lucas, secretary of state of the State of Wyoming do hereby certify that the annexed is a full, true, and correct copy of house enrolled joint memorial No. 1, as passed by the Eighteenth State Legislature of the State of Wyoming.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming

Done at Cheyenne, the capital, this 27th day of February, A. D. 1925.

[SEAL.] F. E. LUCAS, *Secretary of State.*
By H. M. SYMONS, *Deputy.*

Enrolled joint memorial 1, House of Representatives, Eighteenth Legislature of the State of Wyoming memorializing Congress to hasten the enactment of House bill No. 157, Sixty-eighth Congress, known as the Purnell bill, and giving legislative assent to its provisions

Be it resolved by the House of Representatives of the State of Wyoming (the Senate concurring):

Whereas the farmers and stockmen of Wyoming in common with the whole agricultural interests of a nation have been and are suffering under the adverse conditions affecting these basic industries; and

Whereas in the past the aid of the Federal Government has been chiefly devoted to grants encouraging the study of problems of scientific production of agricultural products and but little attention given to the problems and conditions affecting the economic and sociological factors of agriculture; and

Whereas the Purnell bill will promote research and experimentation in the important problems bearing upon the manufacture, use, distribution, and marketing of agricultural products, and whereas such scientific researches have for their purpose the establishment and maintenance of a permanent and efficient agricultural industry; and

Whereas the Purnell bill has had the careful study and formal approval of the President's agricultural commission and has been passed by the House of Representatives of the United States Congress: Therefore, be it

Resolved, That the Congress of the United States be, and it is hereby, urged to enact House bill No. 157, known as the Purnell bill, providing for the more complete endowment of agricultural experiment stations with special attention to the economic factors affecting agriculture; and be it further

Resolved, That the Legislature of the State of Wyoming hereby gives its assent to the provisions of said Purnell bill, and in the event that said bill becomes a law of the United States, the Legislature of the State of Wyoming hereby assents thereto and to the University of Wyoming, accepting the moneys to be received by it under the provisions of said bill, together with the obligations thereby imposed, and to the acceptance by the university of all other benefits, advantages, and advancements accruing to it under the provisions of said bill; be it further

Resolved, That a copy of this memorial be sent to each of the Members of the congressional delegation of this State in Congress, to the Secretary of Agriculture, and to the President of the United States with the urgent request that they employ their best efforts to secure the immediate enactment of this measure into law.

LEWIS H. BROWN,
President of the Senate.
J. C. UNDERWOOD,
Speaker of the House.

Approved 3.09 p. m., February 25, 1925.

NELLIE TAYLOE ROSS,
Governor.

Mr. WARREN also presented the following joint memorials of the Legislature of the State of Wyoming, which were referred to the Committee on Public Lands and Surveys:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, F. E. Lucas, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of senate enrolled joint memorial No. 2 as passed by the Eighteenth State Legislature of the State of Wyoming.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 27th day of February, A. D. 1925.

[SEAL.] F. E. LUCAS, *Secretary of State.*
By H. M. SYMONS, *Deputy.*

Enrolled joint memorial 2, senate, Eighteenth Legislature of the State of Wyoming

Whereas at a regular meeting of the State board of land commissioners of the State of Wyoming, held on the 5th day of February, A. D. 1925, it was recommended by unanimous vote that the Legislature of the State of Wyoming memorialize the Congress of the United States as follows:

Senate joint memorial

Whereas more than 34 years have elapsed since the date of admission of the State of Wyoming, July 10, 1890, on which date title vested in the State to the land granted for the support of its common schools, if surveyed and not then known to be mineral in character; and

Whereas it appears that the title to every school section within the State is clouded by reason of the fact that at any time any citizen of the United States who desires to acquire title to said school sections, through mineral entry or otherwise, may make application and the United States Land Department will entertain such applications, or bring charges alleging the land to be mineral in character at the time the title to the State was granted; and

Whereas in the interest of fairness and stability of titles and protection of the school revenue of the State and individual citizens who have made lease or purchase from the State, we believe that not more than 15 years from the date of admission of the State, if the land was then surveyed, or 10 years from the date of the approval of the survey, if unsurveyed, should be allowed for inquiry, after the expiration of which the title to the land granted for school purposes should not be open to inquiry, question, or attack on account of their alleged mineral character: Therefore be it

Resolved by the Senate of the State of Wyoming (the House of Representatives concurring), That the Congress of the United States be memorialized to take steps to provide the legislation necessary to remove the cloud from the school sections of the State by limiting the time in which the title to the said school sections shall be open to inquiry, question, or attack; and be it further

Resolved, That a copy of this memorial be sent to Hon. FRANCIS E. WARREN, Hon. JOHN B. KENDRICK, and Hon. CHARLES E. WINTER, representatives in Congress from the State of Wyoming.

LEWIS H. BROWN,
President of the Senate.
J. C. UNDERWOOD,
Speaker of the House.

Approved 3.30 p. m. February 25, 1925.

NELLIE TAYLOE ROSS, *Governor.*

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, F. E. Lucas, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of senate enrolled joint memorial No. 3, as passed by the Eighteenth State Legislature of the State of Wyoming.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming. Done at Cheyenne, the capital, this 27th day of February, A. D. 1925.

[SEAL.] F. E. LUCAS, *Secretary of State.*
By H. M. SYMONS, *Deputy.*

Enrolled joint memorial 3, Senate, Eighteenth Legislature of the State of Wyoming, memorializing Congress protesting against the passage of the bill now before the Senate of the United States known as S. 4076, introduced January 26, 1925, providing for the establishment of grazing districts on the public lands of the United States and Alaska and regulating their beneficial use by livestock

Be it resolved by the Senate of the State of Wyoming (the House of Representatives concurring), That the Congress of the United States be memorialized as follows:

It is the solemn judgment of the Legislature of the State of Wyoming that S. 4076, now before the Senate of the United States, providing for the establishment of grazing districts on the public lands in the United States and Alaska and regulating their beneficial use by livestock, should not be enacted into law, and we urgently request that the Congress of the United States do not pass said bill; Be it further

Resolved, That a certified copy of this joint memorial be sent to each of the Members of the congressional delegation of this State in Congress, to the chairman of the committee in Congress to which this measure has been referred, and to the President of the United States, with the urgent request that they employ their best efforts to defeat the enactment of this measure into law.

LEWIS H. BROWN,
President of the Senate.
J. C. UNDERWOOD,
Speaker of the House.

Approved 3.27 p. m., February 25, 1925.

NELLIE TAYLOE ROSS,
Governor.

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, F. E. Lucas, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of house enrolled joint memorial No. 2, as passed by the Eighteenth State Legislature of the State of Wyoming.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 27th day of February, A. D. 1925.

[SEAL] F. E. LUCAS,
Secretary of State.
By H. M. SYMONS, *Deputy.*

Enrolled joint memorial 2, House of Representatives, Eighteenth Legislature of the State of Wyoming, memorializing the Congress of the United States to set aside Old Fort Laramie and Old Fort Bridger and Independence Rock as historic reserves

Whereas Old Fort Laramie and Old Fort Bridger are historic places of nation-wide importance in the heart of the Rocky Mountain region, situated on the Continental Highway, over which passed the great army of settlers who were attracted by the lure of gold and agricultural possibilities of the far West;

Whereas never in the history of the world has there been a more picturesque, dramatic, and hazardous migration of the sturdy sons and daughters who saved this country to America, this being made possible by the protection afforded by these posts on the far frontier;

Whereas Old Fort Laramie, established in 1834, as a fur-trading post, was purchased by the Federal Government and garrisoned as a military post in 1849, and was used until its abandonment in 1890, and its buildings are now in a state of decay and the ownership is in private hands; and

Whereas this, a most important post in the Rocky Mountain region, was the scene of many Indian conferences and the place of many important treaties; and

Whereas it is situated on the great historic highway known as the Oregon Trail;

Whereas Old Fort Bridger, a rendezvous of the trappers, was first established as a trading post in 1834, by the famous scout, Jim Bridger, and visited in early days by such noted characters as General Ashley, Sublette, Robert Campbell, and Bonneville, and many others; and

Whereas in 1847 it became a resting place for the Latter Day Saints, who were the pioneers in the reclamation of the great West; and

Whereas in 1849 came the great army of gold seekers on their way to California, among them the ill-fated Donner party;

Whereas in 1853 the first settlement of Anglo-Saxon people to engage in agriculture and reclamation work within the borders of Wyoming was at this point;

Whereas in 1857 the army of Gen. Albert Sidney Johnson, guided from Fort Laramie by Jim Bridger, established here a Government military fort, naming it Fort Bridger, in honor of their guide;

Whereas this was a home station for the overland stage line, established in 1859, and the pony express, established in 1860, the only one remaining in good preservation on the entire route; and

Whereas in 1861 this post became an important station in the Overland Telegraph Co.; and

Whereas it is the most important historical point on the Lincoln Highway and in the direct route of the aerial mail; and

Whereas the descendants of the early settlers of this country, in their appreciation and gratitude for the services rendered to the great West in the protection afforded by these noted forts, and in order that these historic places so prominent in western American history may be reestablished, restored, and perpetuated, and be kept for all time in reverent memory of the high ambitions and devoted sacrifices of their forebears.

SECTION 1. *Therefore be it resolved by the House of Representatives of the State of Wyoming and the Senate concurring*, That the Congress of the United States be memorialized to purchase and set aside Old Fort Laramie and Old Fort Bridger as historic reserves, and Independence Rock.

SEC. 2. That copies of this memorial be sent to the congressional delegations from Wyoming, Utah, Nevada, Colorado, Idaho, Oregon, and Washington.

LEWIS H. BROWN,
President of the Senate.
J. C. UNDERWOOD,
Speaker of the House.

Approved 1.20 p. m., February 25, 1925.

NELLIE TAYLOE ROSS, *Governor.*

Mr. JOHNSON of California presented the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Public Lands and Surveys:

CALIFORNIA LEGISLATURE,
FORTY-SIXTH SESSION.

Assembly joint resolution No. 3. (Introduced by Mr. H. E. Dillinger.) January 13, 1925

ASSEMBLY CHAMBER, *Sacramento, February 2, 1925.*

To the honorable President of the Senate of the United States, Speaker of the House of Representatives, and to each Senator and Member of Congress:

In compliance with the provisions of assembly joint resolution 3, adopted by the Legislature of the State of California at the forty-sixth session, I am sending you a true copy thereof, in title and words as follows:

CHAPTER 23

Assembly joint resolution 3 (by Mr. H. E. Dillinger, of the sixteenth district) relative to memorializing Congress to adopt a bill introduced by the Hon. JOHN E. RAKER to provide compensation in lieu of taxes for the several States with respect to certain lands of the United States within the borders of said States, and for other purposes

Whereas Hon. JOHN E. RAKER, Member of Congress of the United States, representing the second district of California therein, has introduced a bill in the House of Representatives, being H. R. 8844, which provides: "That the United States Government hereby assumes, subject to the conditions of this act or any subsequent act of Congress, the payment to the several States of sums of money equivalent to the amounts which such States would receive from the taxation of said lands of the United States within their respective borders if such lands were owned by individuals"; and

Whereas under act of the Congress of the United States approved March 3, 1891, large areas of territory, with the timber and other resources thereon and therein, were "set apart, reserved, and withdrawn from entry" in the States of California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona, and New Mexico, and in a lesser degree in several of the other States of the Union; and

Whereas the United States Government has withdrawn, set apart and reserved within permanent national forests 18,891,161 acres of land within the State of California, approximating one-fifth of the total land area of the State, said lands being set apart, withdrawn from entry, and reserved for the purpose of conserving the resources thereof, and particularly the standing timber thereon, for the benefit of future generations of mankind; and

Whereas the lands of the United States above referred to, comprising in several of the counties to upward of one-half of the area within the borders of the counties, and, although exempt from annual taxation, are being put to commercial and industrial uses for the benefit of all of the people of the United States, which fact places these lands on the same basis as to use as privately owned lands used for the same purpose, and said lands of the United States are in competition with said privately owned lands, and the setting aside, reserving, and withdrawing from entry of these large areas of territory in the sparsely settled forest counties and on which the United States pays no taxes results in throwing a heavy tax burden on privately owned property in the same political subdivision of Government, thus making the financing of local government a difficult problem indeed; and

Whereas this area is not and can not be taxed by any of the 39 counties of California wherein this vast domain is situated, although each of said counties are required to and do perform therein and thereon all necessary and requisite police powers, equip, maintain, and operate schools; equip, maintain, and operate courts for the punishment of offenders against the forest and other laws; construct, repair, and maintain trails, roads, and bridges and to do and perform such other acts, duties, and powers as may be necessary to the enjoyment of such forests by the people of the United States as well as of other nations; and

Whereas when State government was instituted and the several States admitted into the Union they were divided into counties, and townships and each of the States, counties, and townships were guaranteed the full right of enjoyment of all of the territory and resources within their respective borders and the declared policy of the United States Government being to dispose of all of the public domain and article 10 of the Declaration of Rights which formed the basis for the Union of the States provides that "No State shall be deprived of territory for the benefit of the United States." In setting apart, reserving, and withdrawing from entry 19,000,000 acres of land for national forest purposes within the boundaries of a single State surely territory has been taken from that State for the benefit of the United States; and

Whereas the following clause is contained in the enabling act of every State admitted into the Union, beginning with Ohio in 1803: "The State when admitted shall be on a basis of equality with the original States in all respects whatever." Therefore all political subdivisions of government should be on a basis of equality, which makes it necessary for all to contribute on a basis of equality to the solution of all problems of national necessity (and we deem the national forests to be national necessities), and if in so doing it becomes necessary to take territory and resources from some of the subdivisions of government, and "set apart, reserve, or withdraw" the same from entry for the benefit of all of the others, then those benefited should join in reimbursing the subdivisions of government from which the territory and resources were taken, otherwise there can be no basis of equality; and

Whereas the Congress of the United States has enacted legislation known as the "exchange bills" under the provisions of which said law private owners are enabled to exchange cut-over lands for standing timber on the lands of the United States, and since said law has become operative private owners have availed themselves of the right granted to them under said law and have conveyed hundreds of thousands of acres of such lands to the United States and have received in exchange hundreds of millions of feet of standing virgin timber from the United States, and as a result of the operation of such legislation counties in which such exchange have been made or in which such exchanges may hereafter be made have had or will have taken from them and removed from the assessment rolls of such counties many thousands of dollars in assessed valuation, and in addition to this loss of assessed valuation such counties are losing the percentage which they would receive were a sale made instead of an exchange, and as Colonel Greeley, Chief Forester of the United States, has said of this law: "The forest counties lose both going and coming"; and

Whereas the Congress of the United States has enacted the so-called Clark-McNary law, and under the provisions of section 7 of said law private owners are enabled to donate or devise to the United States lands chiefly valuable for the growing of forests, the private owner reserving the timber, mineral, grazing, and other rights, and when so conveyed become a part of the national forest reserve and not open to entry or taxation, and should timber owners in some of the counties in several of the Western States exercise their just right under this law and convey their said lands to the United States, thus taking from the assessment rolls of the counties the immense valuation involved and the right of taxation, it will result in putting many of the forest counties of the West out of business, such counties will be unable to raise sufficient revenue to maintain county government, and if such counties are annexed to a nonforest county in the same State the county to which it is annexed will receive not an asset but a liability; and

Whereas it is only just and right that a heavy burden of local taxation should not be placed annually on the people of any State in which and by reason of the fact that extensive areas of territory having great natural resources, guaranteed to them in the beginning and later legislated from them, set apart, reserved, and withdrawn from entry for the economic use and benefit of all of the people of the United States, and we believe that if the Government of the United States can not afford to finance its national forests, then in right and justice it should not expect the sparsely settled forest counties to do so for it: Now therefore be it

Resolved by the Assembly and Senate, jointly, That the Legislature of the State of California approves of the purpose of the Raker bill, referred to, and respectfully requests its support and adoption by the Congress of the United States at the earliest possible date; and be it further

Resolved, That any moneys to be paid to the State of California by the United States under the provisions of the Raker bill, or any similar bill, or any law enacted by the Congress of the United States based on forest values of the forest counties of California, shall be divided among said forest counties in proportion to the forest values fixed by the United States Bureau of Public Roads: *Provided,* That by the term "forest counties" is meant those counties of California a part of which are in the present national forests: *And provided further,* That any portion of the timber sale, grazing, or other receipts of national forests returned by the Federal Government to the State of California are excepted herefrom; and be it further

Resolved, That the chief clerk of the Assembly of the State of California be authorized and directed to transmit copies of this resolution by mail to the Governors of the States of Oregon, Washington, Idaho, Montana, Wyoming, Utah, Nevada, Colorado, New Mexico, and Arizona with the request that similar action be taken by their respective legislatures; and be it further

Resolved, That the chief clerk of the Assembly of the State of California be authorized and directed to transmit copies of this resolution by mail to all of the Members of the Congress and Senate of the United States.

FRANK F. MERRIAM,
Speaker of the Assembly.
C. C. YOUNG,
President of the Senate.
JOSEPH VICKERS,
Private Secretary to the Governor.
FRANK C. JORDAN,
Secretary of State.

And do hereby certify that the same was duly filed with the secretary of state on January 27, 1925.

ARTHUR A. OHNEMUS,
Chief Clerk of the Assembly.

Mr. SIMMONS presented the following concurrent resolution of the Legislature of North Carolina, which was referred to the Committee on Military Affairs:

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

Resolution 31 calling attention of Congress to the significance of the Battle of Moores Creek Bridge in the war of the American Revolution, and requesting that Moores Creek battle ground be erected and maintained by the Federal Government as a national park

Whereas on February 27, 1776, at Moores Creek Bridge in North Carolina, 1,000 patriots, under the command of Col. Alexander Lillington, put to flight 1,600 Tories, under the command of Col. Donald McLeod, and thereby saved North Carolina to the cause of American independence; showed that North Carolina was able to hold in check the Tories within her borders; won over to the cause of freedom many who had hitherto held back for fear of England's power; and so thoroughly broke the spirit of the Highlanders that they never again rallied in North Carolina to the support of the royal cause; and

Whereas the troops engaged in this battle under the patriot supreme commander, Col. James Moore, and the royal supreme commander, Gen. Donald McDonald, were engaged in the first set military campaign of the War of the Revolution and the patriots here won the first pitched battle fought against royal troops in this war: Now, therefore, be it

Resolved by the senate (the house of representatives concurring):

1. That Moores Creek battle ground in Pender County, N. C., ought to be erected into a national park and so maintained by the Federal Government.

2. That a copy of this resolution be forwarded to each Senator and Member of the House of Representatives in Congress from this State, with the request that they seek by appropriate legislation to erect and maintain Moores Creek Battle Ground as a national park.

In the general assembly, read three times and ratified, this 27th day of February, 1925.

J. ELMER LONG,
President of the Senate.
EDGAR W. PHARR,
Speaker of the House of Representatives.

Examined and found correct.

J. M. SHARP,
For Committee.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, W. N. Everett, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (three (3) sheets) to be a true copy from the records of this office.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 27th day of February, in the year of our Lord 1925.

W. N. EVERETT,
Secretary of State.

Mr. REED of Pennsylvania presented the following concurrent resolution of the Legislature of Pennsylvania, which was referred to the Committee on Finance:

Resolution 9
IN THE HOUSE OF REPRESENTATIVES,
COMMONWEALTH OF PENNSYLVANIA,
February 16, 1925.

Whereas the Commonwealth of Pennsylvania in 1826 inaugurated the practice of providing needed revenue for the State by taxation of inheritance; and

Whereas this practice has been followed by the vast majority of the States of the Union so that inheritance taxes have become a necessary and important feature of the fiscal system of the States; and

Whereas the Federal Government in the past has only entered the field of the inheritance taxation in war time as an emergency measure; and

Whereas the recently increased rates of the Federal estate tax will materially affect State revenues in the future even more seriously than they have in the past; and

Whereas the increasing financial burden upon State governments make it necessary to conserve every logical source of revenue: Therefore (if the senate concur) be it

Resolved, That in the judgment of the General Assembly taxes on the transfer of property by inheritance should be reserved to the State government, and that the Federal Government should now withdraw from this field and leave to the States exclusively this much-needed source of revenue.

Resolved, That a copy of this resolution be sent to the Senators and Representatives from Pennsylvania in the Congress of the United States.

THOMAS H. GARVIN,
Chief Clerk of the House of Representatives.
W. P. GALLAGHER,
Chief Clerk of the Senate.

Approved the 25th day of February, A. D. 1925.

GIFFORD PINCHOT.

The foregoing is a true and correct copy of resolution of the General Assembly No. 9.

CLYDE L. KING,
Secretary of the Commonwealth.

Mr. ASHURST presented a concurrent memorial adopted by the Legislature of the State of Arizona, praying for the passage of legislation for the relief of stockraisers grazing and ranging livestock on the United States national forest, etc., which was referred to the Committee on Agriculture and Forestry. (See duplicate resolution when presented to-day by the President pro tempore and printed in full in the RECORD.)

Mr. FESS presented a resolution adopted by the Tuscarawas County Fish and Game Association, of New Philadelphia, Ohio, a chapter of the Izaak Walton League of America, protesting against the proposed diversion of the waters of Lake Michigan for sanitary purposes of the city of Chicago in such manner as to contaminate the waters of the Illinois River, etc., which was referred to the Committee on Commerce.

Mr. JONES of Washington presented memorials of sundry citizens in the State of Washington, remonstrating against the passage of legislation providing for Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. SHORTRIDGE presented resolutions adopted by Roosevelt Camp, No. 9, Department of California, United Spanish War Veterans, of Los Angeles, Calif., favoring the passage of legislation creating a separate aviation department in the Federal Government and the appropriation of funds necessary for that purpose, which were referred to the Committee on Military Affairs.

He also presented memorials numerously signed by sundry citizens of Glendale, Long Beach, Maywood, Monrovia, National City, Rivera, Sawtelle and vicinity, and San Diego, all in the State of California, remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which were referred to the Committee on the District of Columbia.

Mr. METCALF presented a memorial of sundry citizens of Providence, R. I., remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 4185) to authorize the Secretary of the Interior to conduct investigations and tests to locate underground supplies of water for agricultural purposes in the State of New Mexico, reported it with amendments and submitted a report (No. 1257) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the joint resolution (H. J. Res. 226) for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes affecting the management of the Alaska Railroad,

reported it without amendment and submitted a report (No. 1258) thereon.

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 12156) extending the time for repayment of the revolving fund for the benefit of the Crow Indians, reported it with an amendment and submitted a report (No. 1259) thereon.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 4366) authorizing and directing the Secretary of the Treasury to immediately reconvey to Charles Murray, sr., of De Funiak Springs, Fla., the title to that certain lot conveyed to the Federal Government by deed dated January 9, 1917, reported it without amendment and submitted a report (No. 1260) thereon.

Mr. SPENCER, from the Committee on the Judiciary, to which was referred the bill (H. R. 4507) to amend an act for the appointment of an additional circuit court judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes, approved September 14, 1922, reported it without amendment.

Mr. REED of Pennsylvania, from the Committee on Finance, to which was referred the bill (H. R. 12308) to amend the World War veterans' act, 1924, reported it with amendments.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on February 28, 1925, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 827. An act for the relief of Jessie M. White;

S. 1237. An act for the relief of settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation, in Michigan, and for other purposes;

S. 1323. An act for the relief of Eugene K. Stoudemire;

S. 1573. An act for the relief of Samuel S. Weaver;

S. 1725. An act for the relief of Rubie M. Mosley;

S. 2100. An act authorizing the sale of the United States Veterans' Bureau hospital at Corpus Christi, Tex.;

S. 2399. An act to provide and adjust penalties for violation of the navigation laws, and for other purposes;

S. 2503. An act for the relief of W. H. King;

S. 2527. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army;

S. 2534. An act for the relief of J. E. Saucier;

S. 2745. An act to authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes;

S. 2865. An act to define the status of retired officers of the Regular Army who have been detailed as professors and assistant professors of military science and tactics at educational institutions, and for other purposes;

S. 2879. An act for the relief of James E. Jenkins;

S. 3666. An act for the exchange of lands in the Custer National Forest, Mont.;

S. 3824. An act to provide for the appointment of a leader of the Army Band;

S. 3899. An act to create a Library of Congress Trust Fund Board, and for other purposes;

S. 3977. An act to authorize the Secretary of War to reappoint and immediately discharge or retire certain warrant officers of the Army Mine Planter Service;

S. 4015. An act to authorize the Secretary of the Interior to sell to the city of Los Angeles certain lands in California heretofore purchased by the Government for the relief of homeless Indians;

S. 4087. An act to revive and reenact the act entitled "An act to authorize the construction of a bridge across the Sabine River at or near Orange, Tex.";

S. 4178. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Hudson River between the States of New York and New Jersey;

S. 4179. An act to authorize the Port of New York Authority to construct, maintain, and operate bridges across the Arthur Kill between the States of New York and New Jersey;

S. 4203. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Kill Van Kull between the States of New York and New Jersey;

S. 4230. An act to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American Centennial;

S. 4325. An act authorizing the construction, maintenance, and operation of a bridge across the St. Louis River between the cities of Superior, Wis., and Duluth, Minn.; and

S. J. Res. 163. Joint resolution to accept donations of furniture and furnishings for use in the White House.

Mr. CAPPER, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 12348) to create a Federal Cooperative Marketing Board, to provide for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes, reported it with an amendment.

INCIDENTAL FUNERAL EXPENSES OF THE LATE SENATOR M'CORMICK

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate Resolution 346, submitted by Mr. MCKINLEY on the 26th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the President pro tempore in arranging for and attending the funeral of the Hon. MEDILL MCCORMICK, late a Senator from the State of Illinois, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

REPORT OF COMMITTEE ON FOREIGN RELATIONS

Mr. BORAH. I ask unanimous consent, as in executive session, to report from the Committee on Foreign Relations nominations of officers in the consular service for promotion.

The PRESIDENT pro tempore. The report will be received.

JUDGE GEORGE W. ENGLISH

Mr. REED of Missouri. Mr. President, I ask unanimous consent to submit a report from the Committee on the Judiciary. I report back favorably without amendment from that committee the joint resolution (H. J. Res. 347) providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois, and I submit a report (No. 1255) thereon. I ask unanimous consent for the present consideration of the joint resolution. I will state in connection with the request what the joint resolution is.

The House of Representatives have under consideration the investigation of charges against George W. English, United States judge for the eastern district of Illinois. They have reached the conclusion, because the House will not be organized, that the committee could not sit during the recess without the authority of a joint resolution. They are merely asking the Senate to concur in the joint resolution in order that the committee of the House may proceed with the business during the recess. That is all that is covered by the joint resolution. It has been before the Senate Committee on the Judiciary this morning and is reported unanimously.

Mr. BORAH. Does the joint resolution impose any duty upon the Senate in the investigation?

Mr. REED of Missouri. Not at all; we simply give to the House the authority the House asks for itself.

Mr. NORRIS. It is merely giving the consent of the Senate and the President?

Mr. REED of Missouri. That is the effect of it.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. KING. May I inquire of the Senator whether it looks to the formulation of impeachment articles?

Mr. REED of Missouri. It looks to nothing except that the House committee is given an opportunity to proceed, and when it does proceed, if it thinks that it ought to bring in a report to the House of that character or one of vindication, the committee of course will do so. It will do as it pleases. We are simply aiding the House to proceed with the business of the House.

Mr. BORAH. Let the joint resolution be read.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The Chief Clerk read the joint resolution, as follows:

Whereas certain charges against George W. English, United States district judge for the eastern district of Illinois, have been transmitted by the Speaker of the House of Representatives to the Judiciary Committee: Be it

Resolved, etc., That WILLIAM D. BOIES, CHARLES A. CHRISTOPHERSON, IRA G. HERSEY, EARL C. MICHENER, HATTON W. SUMNERS, JOHN N. TILLMAN, and ROYAL H. WELLER, being a subcommittee of the Committee on the Judiciary of the House of Representatives, be, and they hereby are, authorized and directed to inquire into the official conduct of George W. English, United States district judge for the eastern district of Illinois, and to report to the House whether in their opinion the said George W. English has been guilty of any acts which in contemplation of the Constitution are high crimes or misdemeanors requiring the interposition of the constitutional powers of the House;

and that the said special committee have power to hold meetings in the city of Washington, D. C., and elsewhere and to send for persons and papers, to administer the customary oaths to witnesses, all process to be signed by the Clerk of the House of Representatives under its seal, and be served by the Sergeant at Arms of the House or his special messenger; to sit during the sessions of the House and until adjournment sine die of the Sixty-eighth Congress, and thereafter until said inquiry is completed, and report to the Sixty-ninth Congress.

SEC. 2. That said special committee be, and the same is hereby, authorized to employ such stenographic and clerical assistance as they may deem necessary, and all expenses incurred by said special committee, including the expenses of such committee when sitting in or outside of the District of Columbia, shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by said committee, signed by the chairman of said committee: *Provided, however*, That the total expenditures authorized by this resolution shall not exceed the sum of $5,000.

Mr. NORRIS. May I ask the Senator from Missouri a question?

Mr. REED of Missouri. Certainly.

Mr. NORRIS. As I caught the reading of the joint resolution, the committee is to report to Congress. It seems to me it ought to report to the House of Representatives.

Mr. REED of Missouri. I hope there will be no amendment offered.

Mr. NORRIS. I would not like to amend it at this stage.

The PRESIDENT pro tempore. The committee that is authorized under the joint resolution is required to "report to the House whether in their opinion the said George W. English has been guilty," and so forth. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in the Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

BILLS INTRODUCED

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

By Mr. JOHNSON of California:

A bill (S. 4401) granting a pension to Emma R. Morrison; and

A bill (S. 4402) granting an increase of pension to Harriet C. Rogers; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 4403) granting a pension to Julia C. Nickerson (with accompanying papers); to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 4404) granting an increase of pension to Julia C. Payne; to the Committee on Pensions.

By Mr. LADD (by request):

A bill (S. 4405) to abolish the Sullys Hill Park, in the State of North Dakota, and to provide for the administration of the area heretofore known by that name as a national game preserve; to the Committee on Public Lands and Surveys.

ADDRESSES AT FUNERAL SERVICES OF THE LATE SENATOR M'CORMICK

Mr. McKINLEY. Mr. President, at the funeral services in Washington conducted for my late colleague, Senator McCORMICK, addresses were delivered by the Senator from Missouri [Mr. REED] and the Senator from Pennsylvania [Mr. PEPPER]. I ask that their addresses be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The addresses are as follows:

FUNERAL SERVICES FOR HON. MEDILL McCORMICK, LATE A SENATOR OF THE UNITED STATES FROM THE STATE OF ILLINOIS, HELD AT NO. 15 DUPONT CIRCLE NW., WASHINGTON, D. C., THURSDAY, FEBRUARY 26, 1925, AT 11 O'CLOCK A. M.

Opening and closing prayers of the service by the Rev. J. J. Muir, Chaplain of the United States Senate.

Speakers: Senators JAMES A. REED, of Missouri, and GEORGE WHARTON PEPPER, of Pennsylvania.

Reverend Doctor MUIR. We have gathered here this morning under singularly distressing circumstances, and in the midst of a great bereavement we turn our thoughts to the God of comfort. Let us pray.

OPENING PRAYER

Our Father and our God. Thou dost give unto us life. Thou dost open to us so many opportunities for service. We know not what Thy plans are for us excepting for our good. And when sorrows darken our pathway, and griefs tear upon the soul, we turn unto Thee, O God, seeking the ministries of Thine own infinite consolations, and ask from Thee at this very hour that hearts may be quieted and in the stillness of the soul there may be heard Thine own voice of comfort, of hope, of large outlook.

We come with sorrowing hearts unto Thee. But we would bear before Thee especially those directly associated with the deceased, whose cry this morning is so bitter, and under the crushing circumstances they must have Thy presence or all will be sad indeed.

Look in mercy upon the aged mother, and, as Thou hast said, "As one whom his mother comforteth so will I comfort thee." Grant the infinite consolations, therefore, of a mother's tenderness to her who amid the shadowed conditions of advancing years feels so keenly this blow. Father, be with her and gently, gently keep her, that she may be stayed upon Thee.

Minister, we beseech of Thee, to the widow, and as Thou hast said Thou wouldst be the widow's God, grant that it may be so under the circumstances of this sudden bereavement. May she find that Thy word is really true, for Thou hast said, "Thy Maker is thy husband."

And the children, we would ask Thee, Father, to throw about them the gentleness of a father's care. Minister to each one of them, as to all of the members of the household, and of this kin.

We pray above all things there may be granted unto each such consolations that they may look out upon life with higher purposes, with nobler endeavors.

We pray for those here representing so many high responsibilities in connection with the Nation, those related to the deceased in the varied forms of duty; we pray for each that there may come to all of us the sense that in the midst of these conditions our lives are in Thy hand, and that according to the purposes of Thy love it is granted unto us to walk humbly with our God, to do the thing which will enable us to acknowledge Thee in all Thy ways.

And so lead us, Father, take us each by the hand to-day, and while we wonder at Thy providences may we be still and know that Thou art God.

Forgive our shortcomings. Lead us into the paths of truth, of righteousness, and of hope, and bless us in this service, we ask in the name of Jesus Christ, our Lord. Amen.

ADDRESS BY SENATOR REED OF MISSOURI

Reverend Doctor MUIR. According to the arrangements that have been made, two Senators will deliver addresses. Senator REED of Missouri will be the first speaker.

Senator REED of Missouri. As one of the colleagues of Senator McCormick, I have been asked to say a word to-day. All must realize that at a time like this silence alone is golden. For such is the poverty of language, it is incapable of expressing the grief that rends the heart.

Perhaps I may suggest one thought. All races of men have crowned and glorified the brave. The monuments that rear the loftiest capitals commemorate the heroes who adventured wounds and death to establish or defend a nation's rights. For them the poet's songs have long been sung and every tongue been ravished of its eloquence. The painter's brush has pictured their heroic acts, the artist's chisel has enshrined their deeds in marbles that depict the passions they endured. For those who on war's crimson field have, amidst comrades, held their steadfast place, or more sublimely in the solitude of the bleak skies contended single-handed with the foe and did not waver in their loyal tasks—for all of these I, too, would wreathe fame's laurel crown, nor shall a word or act of mine take from their brows a single leaf affection has bestowed.

But is there not a valor rarer than that which nerves the soldier's arm and turns his heart to steel and makes him with unwavering eye look in the face of death? Is not the moral courage to endure dishonor for the tongueless, voiceless, impalpable thing we call principle supreme, incomparable, and rarest valor? To all the living death must sometime come. Even at our birth his shaft is poised, and though the flight be long, it soon or late infallibly will strike the mark. The hero well may find contentment in the thought that he advances but by a little while the inevitable stroke. And so, with honor's voice for his mead in life and requiem in death, he dares to meet his fate.

Not so the soldier who on the bloodless fields of thought endures the calumny of enemies, the criticism of friends, the scorn of the great multitude, that he may serve his country. The dramatist has seized upon the thought and placed in graphic contrast the physical and moral tests. He portrays a man who scorns the agonies of death and meets them with unflinching nerve but who is stricken to desperation by the scorn of those who falsely think he has betrayed the flag for which he nobly gives his life.

To stand before your people and endure while the name of "traitor" may be hissed into your ear, to stand and know that friends are leaving you, that doubt of your fidelity and manhood has been raised, and yet to stand—that is the sublimest attribute of which the human soul is capable.

As I recall the past, I recall how this man who now lies cold and voiceless, had his mettle tried. I would not on any account intro-

duce here the false note of a controversial matter, further than to say there was a time when our great Nation, its heart torn by the atrocities and horrors of a mighty war, turned its eyes longingly to a peace it hoped might last forever. An alluring and enchanting plan had been advanced, in form of a world agreement that, its advocates hoped, would end for all time wars upon the earth. The proposal involved a revolution in our Nation's ancient policies. I do not here discuss the merits or demerits of the case upon which the best of minds have differed, and will long continue in divergence.

But when that plan was broached, war-weary people at first gave it heartiest welcome. All the tongues of men cried loudly in unstinted praise. As such a time it did require exalted courage to stand within the breach and dare assert that a mistake was being made. It meant for this brave man, whose heart is still to-day, the chance of losing friends, and honor, and good name.

But in that contest how bravely he stood forth! How unflinchingly he contended! With his eye fixed upon his country's flag, and following the star which he, at least, believed to be shining in duty's skies, he remained as firm and as heroic as ever did a soldier on war's crimson field, as ever did a martyr at the blazing stake. It was the proof—I do not say of the correctness of his view; I do not raise that point—it was proof of the mettle of the man.

And in the other struggles and conflicts of life with equal fortitude he held his steady course. So always treading honor's straight, unvarying path he came to this untimely end. For him we need not weep. He lies in the embraces of a painless, dreamless sleep. But for the country we express our most profound regret; and for his family and friends our tears of sympathy and grief.

ADDRESS BY SENATOR PEPPER

Reverend Doctor MUIR. Senator PEPPER.

Senator PEPPER, of Pennsylvania. I wish that it were not necessary to efface by anything I shall say the beautiful and well-deserved tribute which has been so feelingly spoken by Senator REED.

When a dear friend is called away we are at first stunned, and then lonely. We soon begin to remind ourselves of the characteristics which in life compelled our affection. In this way we keep our friend amongst us for companionship and for inspiration. It is by this device that we wrest from death the spoils of victory, while the man's true self, his own unconquerable soul, goes triumphantly onward to its natural place in the spiritual world.

It is easy for us to keep MEDILL MCCORMICK with us in this fashion, because he had that about him which compelled affection; and, after all, love is the atmosphere in which memory flourishes most abundantly.

It is easy for us to think of him in relation to his family life, to his public service, to his wide and ever-widening circle of friends.

Of his domestic life I speak with that reserve which all right-minded people feel when they are in the presence of things sacred. As I speak these words there is unfolded to those here to-day a picture both touching and beautiful. It is the vision of a companionship in the domestic sphere that was at once tender and stimulating, and of a family circle in respect of which MEDILL MCCORMICK rightly counted himself one of the most fortunate of men. This is for us, his intimates. Others will make no protest if on this point I say nothing more.

There are always the two groups, the inner group that really care and the larger group that merely stare. It was said on a great occasion to an inner group, "To you it is given to know the mysteries of the Kingdom of God, but to others in parables, lest seeing, they prove incapable of perceiving, and hearing, incapable of understanding."

Of his public life it may be truly said both of his service before he came into the Senate and since that MEDILL MCCORMICK had many of those qualities which are the finest that a public man can have. He was honest, he was fearless, he was well informed, he was tenacious of his purpose. His honesty was not merely of the moral sort. He was intellectually honest. He could deceive neither himself nor any other man; and, incidentally, it was a shrewd man who could deceive him. He always acted on principle as he apprehended it, and therefore he cared little whether his cause was popular or unpopular.

He not merely stood for what he believed to be right, but he moved forward, often impetuously, in the pursuit of his objective. He was a hard, two-fisted fighter, and anybody who encountered him in committee or in campaign or on the floor of the Senate was apt to come away with scars of battle.

He had made the most of unusual educational opportunities. He was of culture and of wide reading. He had an unusual acquaintance with public men in all parts of the world and a grasp of world affairs that was as admirable as it is unusual.

But, of course, it is of MEDILL MCCORMICK as a friend that we most like to think to-day, because only yesterday he was with us in the flesh, and to-day our souls are knit to his, and through a longer or a shorter to-morrow we shall be waiting to rejoin him.

He had in him the qualities that compel friendship. And among his friends he was known for two, above all others, loyalty and lovableness. Loyal—no one ever knew him to go back on a friend. Lovable—he endeared himself without effort and unconsciously to all sorts of people. He was of no particular age. Those of my generation and of my children's generation thought of him alike as their contemporary.

His fine taste, his fine sense of honor, and his sense of humor made him the most delightful and stimulating of companions. And what the Senate loses in the person of so able and useful a Senator, we lose, except to the extent that we keep him with us by an effort of memory, the companionship of a dear and well-beloved friend. There are three stages of our life, are there not? There is the first stage, before birth, which is all sleeping. There is the stage between birth and the thing that we call death, which is half sleeping and half waking. And beyond death, which is birth to the third stage, is a life that is all waking. And into that stage MEDILL MCCORMICK has passed; and if we miss him here we can find comfort in the sure confidence that he is welcome there.

It is not known to many of what deep religious conviction this man was, and how firm a believer in personal immortality. It is a chance, perhaps, and to me a happy chance, that only the other day, speaking of his little-known habit of not merely reading but studying the English Bible, he mentioned to me the fifteenth chapter of First Corinthians, and expressed the judgment that it was the finest thing in English literature. I know perfectly well that on an occasion like this, if he could speak, he would express a preference that one should read that chapter rather than that any words of mine should strike a note the least discordant in the minds of those that hear me. I can almost hear the interest and conviction with which he referred to the place in which the Great Apostle says:

> "But some man will say, How are the dead raised up, and with what body do they come?
>
> "Thou fool, that which thou sowest is not quickened, except it die;
>
> "And that which thou sowest, thou sowest not that body that shall be, but bare grain, it may chance of wheat, or of some other grain;
>
> "But God giveth it a body as it hath pleased Him, and to every seed his own body.
>
> "All flesh is not the same flesh; but there is one kind of flesh of men, another flesh of beasts, another of fishes, and another of birds.
>
> "There are also celestial bodies, and bodies terrestrial; but the glory of the celestial is one, and the glory of the terrestrial is another.
>
> "There is one glory of the sun, and another glory of the moon, and another glory of the stars; for one star differeth from another star in glory.
>
> "So also is the resurrection of the dead. It is sown in corruption; it is raised in incorruption.
>
> "It is sown in dishonor; it is raised in glory; it is sown in weakness; it is raised in power:
>
> "It is sown a natural body; it is raised a spiritual body."

I can hear MEDILL MCCORMICK commenting on that chapter, not as one reads it in perfunctory fashion in a burial service but with the love of an appreciative student and a man who knew what he read. I can not do better than leave him in your memory with the echoing words of this great chapter as he would have read them to us if he had had the chance:

> "Behold, I shew you a mystery; we shall not all sleep, but we shall all be changed,
>
> "In a moment, in the twinkling of an eye, at the last trump, for the trumpet shall sound, and the dead shall be raised incorruptible, and we shall be changed.
>
> "For this corruptible must put on incorruption, and this mortal must put on immortality.
>
> "So when this corruptible shall have put on incorruption, and this mortal shall have put on immortality, then shall be brought to pass the saying that is written, Death is swallowed up in victory."

CLOSING PRAYER BY REV. DR. J. J. MUIR

Our Father, we turn from these scenes. We bless Thee for these words of cheer, of hope. We bless Thee for the triumphs of Thy grace.

And as we are about to separate and turn our attention to the great things that will place the demands of duty upon us, may we find that we are serving Thee in whatever capacity may be the line of our obligations.

Remember those who go upon the journey to-day. Grant unto each, we beseech of Thee, especially to the family, Thine own care. May they reach their destination with the consciousness that they are only going to put away the earthly tabernacle, and that absence from the body means presence with the Lord. We beseech of Thee to be with them.

Accept our thanks for the tributes made to-day. And we beseech of Thee to be with us in those great responsibilities of public ministration. While fellowships may be broken, may the memories of friendships remain.

Deepen our sense of obligation to blaze before us pathways of duty, and ever lead us onward till for each of us the day is done, and that for each of us may it be said, "Death has lost its sting, and the grave its victory."

Hear us and be with us now and always, loving our country, doing our best to honor its interests and promote its welfare.

And may the grace of our Lord Jesus Christ, the love of God our Father, and the comfort of the Holy Spirit be with us. Amen.

TO THE MASTERS OF SECRET DIPLOMACY GUILTY OF INITIATING THE WORLD WAR

Mr. OWEN. I ask unanimous consent to have printed in the RECORD an apostrophe to the masters of secret diplomacy who initiated the World War by that great champion of truth, E. D. Morel.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The article is as follows:

(By E. D. Morel, 1924)

Ten years ago you led your peoples to the shambles. With cunning tools, through devious paths, in secret conclave, by plot and counterplot, outmatching your rivals in astuteness, you had long prepared, equally with them, the way of death for multitudes. You prated to them of liberty, justice, progress, security, and peace. You bid them slaughter in the name of God, claiming His sanction for your enterprise, invoking the merciful Christ, whom you crucified afresh upon the cross. You promised them a world purged of the lust of hate. Purified by their sacrifice, sanctified through their martyrdom, cleansed with the tears of women, washing white in blood—in the blood of the young.

Month followed month; years died and were born; still you bade them slay. Stamped formlessly into the thirsty earth, torn and shattered; gory hollows which once were breasts; eyes from sockets blown, limbs mutilated, hanging loose; dying of thirst and wounds in shell holes, writhing on barbed wire, trailing their entrails, rotting alive amid the stench of corpse-strewn trenches; gibbering maniacs—you made them so. You! You!

What quarrel had they with those they fought, or these with them? "Common people" all. This lad from Devon, that lad from Gascony, this youth from Baden, that youth from Tuscan plains—all filled with the joy of life, all products of a common, human stock, sharing common hopes and sorrows. Workers of the world. And you had kept faith with those who strove but fell not. Immeasurable was still your guilt. And you had fully ministered to the needs of the widowed and fatherless. Immeasurable was still your crime. Yet forgiveness you would have gained. For infinite is the patience of the people, infinite simplicity of their hearts, infinite generosity and long suffering. But you have betrayed them! Where is the liberty you promised them? Is it the liberty to starve amid rioting luxury? Where is the freedom? Is it the freedom of the insufficient dole? Where is justice? Is it the justice of the poor law and the workhouse? Where is the security? Is it such security as the homeless have? Where is the prosperity? Is it the "prosperity" of impoverishment? Where is the peace? Is it the "peace" of death? For now you prepare once more a rich harvest for death's sickle

In your madness you create viler engines of destruction. In your wickedness you devote anew the peoples' substance to their undoing. In your blindness you seek again to drown your treacheries in the blood of the innocent. You pollute the skies with winged flotillas of annihilation, which presently shall envelop sleeping cities in poison storms. Destroying in a night the patient labor of centuries. Raining incendiary shells upon the narrow buildings where your wage-slaves live. Belching lethal gas o'er the countryside. Asphyxiating entire communities. In cold blood, with a cynical ruthlessness and deliberation which make of you the master criminals of the ages, you plan the people's doom. Feverishly you cut down forests of spruce and fir, hickory and ash for your planes, turn your laboratories into vestibules for assassination, your chemists into hired assassins. Science you prostitute in murder's service. Massacre on a scale never before dreamt of you elevate to the dignity of virtue. Destruction you contemplate with a comprehensiveness staggering in its imbecility; destruction of teeming centers of population, of great hives of industry, of crops, and all vegetable life. The targets of your bombs will be the homes of the workers in shop and factory, in yards and fields.

In God's name, who and what are you that do these things? Whence your right to rule? To govern? To administer? Does warning of a wrath to come not cross the threshold of your complacency? Deem you limitless the toleration of the peoples? O Peoples, alleged victors but common victims in the Great War. The supreme peril of your age and destiny approaches swiftly with whirring wings of impending desolation. Rouse yourselves to its imminence ere the inexorable mechanism crush you in its fell embrace; ere the demons of fear and hate make you puppets to the will of panic-stricken, blundering governments, cursed with the heritage of their own injustices and follies. Betrayed by your rulers—save yourselves! Betrayed by your churches—save yourselves! If you combine not to avert the catastrophe in preparation your doom is writ. Strugglers in freedom's cause—shall your life's labors perish with you? Helpers of the poor—will you surrender hopes of lifting them from the mire? Reformers of society—will you wait while madmen plan a wilderness? Workers for a cooperative commonwealth—will you watch it killed in birth? Lovers of the young—will you see the children immolated afresh? Remember! They bade you arm for peace's sake. You armed, and war came and scourged you. Remember! They bade you arm for safety's sake. You armed, and to-day are less secure from their criminal lunacy. Again they bid you fashion yet more devilish implements, while from the crucibles of their laboratories rise fumes of fetid gases to burn and suffocate; light gases which, merging with the air, will permeate all living things with dissolution; heavy gases that shall sink below the surface level and seek you out amid earth's bowels; poisons distilled in test tubes, drop by drop, whose malignant powers transcend the art of Cæsar Borgia. Your bodies, your children, your houses, your cities, towns, and villages, your countryside—these the targets. Fools! Will you minister to your own destruction?

COMMISSION OF GOLD AND SILVER INQUIRY

Mr. ODDIE. Mr. President, some days ago I entered a motion that the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of Senate Resolution 323, which provides for the continuation during the Sixty-ninth Congress of the activities of the Senate commission conducting the gold and silver inquiry. The chairman of the committee, the Senator from New Hampshire [Mr. KEYES], informed me that it had not been possible for him to get the resolution through his committee, so I accordingly have entered the motion.

Some opposition has developed to the resolution——

Mr. STERLING. Mr. President, do I understand the Senator to say that he now makes the motion?

Mr. ODDIE. I have not made the motion yet. I want to make a few remarks on the matter and make the motion after I have concluded the remarks.

Mr. STERLING. I want to suggest to the Senator from Nevada that there is a pending motion undisposed of which I think should be decided before any other motion would be in order.

Mr. CURTIS. Mr. President, in order to save time I may state that the Senator from Utah [Mr. SMOOT] objects to the consideration of the resolution at this time. He has asked that objection be made if unanimous consent for its consideration should be requested. In view of that fact I hope the Senator from Nevada will postpone his request until the Senator from Utah is in the Chamber.

Mr. ODDIE. I understand. I know positively that the Senator from Utah is the Senator who has made strong objection to the resolution and is its most bitter opponent. I want the Senator from Utah to state on the floor of the Senate what his objections are in order that I may meet those objections. I am prepared to meet any objection. I am standing here representing the mining industry of the United States. A very large majority of the mining industry and some of the ablest economists, business men, and bankers of the United States are in favor of a continuation of the work. However, I shall not delay the Senator from South Dakota in securing action on his motion, after which I shall ask recognition so that I may continue my explanation.

PENSIONS AND INCREASE OF PENSIONS

The PRESIDENT pro tempore. The question is upon agreeing to the motion of the Senator from South Dakota [Mr. STERLING] to proceed to the consideration of House bill 6645.

Mr. BURSUM. Mr. President, there are pending on the calendar and have been for some time two omnibus pension bills, granting relief to widows in distress, widows who are suffering from sickness and from a shortage of funds and inability to care for themselves. The bills do not involve large appropriations. In each case they are private pension bills incorporated within one bill, approved by the Pension Committees of the House and Senate, and have been passed by the House. There are a few amendments which represent other private pension bills.

The whole proposition of both bills will not involve $100,000. Most of the people involved are aged, sick, and in distress. It seems to me that while we are making appropriations by the millions and millions of dollars for other things, we ought not to forget those who are in distress, those who are in need, and those who are entitled to the consideration of the country.

I ask unanimous consent to take up the omnibus pension bills. It seems to me it will not take much of the time of the Senate, and unless they are considered and passed now there will hardly be any chance for them to become a law.

The PRESIDENT pro tempore. How many bills does the Senator from New Mexico include in his request?

Mr. BURSUM. There are two bills.

The PRESIDENT pro tempore. What are the numbers?

Mr. BURSUM. One is House bill 11354 and the other is House bill 11749.

Mr. ROBINSON. Are they both House bills?

Mr. BURSUM. Yes.

The PRESIDENT pro tempore. The Chair understands the request to include the bill (H. R. 11354) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and of the bill (H. R. 11749) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of said soldiers and sailors. Is there objection?

Mr. KING. I object.

Mr. CURTIS. I hope the Senator will not object.

Mr. KING. The Senator has objected.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from New Mexico.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a bill and joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 11633. An act to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924; and

H. J. Res. 382. Joint resolution empowering the Speaker of the House of Representatives to appoint a Member elect of the Sixty-ninth Congress as a member of the commission in control of the House Office Building.

PARTICIPATION OF LEGISLATIVE BODIES IN INTERNATIONAL RELATIONS

Mr. WALSH of Massachusetts submitted the following resolution (S. Res. 353), which was referred to the Committee on Foreign Relations:

Resolved, That the President be, and he is hereby, respectfully requested to ascertain through official channels the precise constitutional and legislative basis upon which rests, in each of the countries with which the United States maintains diplomatic relations, the control by the respective national legislative body, in whole or in part, of the conduct of the international relations of that country, and to furnish to the Senate at the opening of the first regular session of the Sixty-ninth Congress a report containing the full texts of all such constitutional and legislative provisions, both in the original languages and in English when the original happens to be any of the European languages, and in authorized English translation when the original is an Asiatic language, together with suitable bibliographical references.

HOUSE BILL REFERRED

The bill (H. R. 11633) to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, was read twice by its title and referred to the Committee on Public Buildings and Grounds.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed the following acts and joint resolutions:

On February 28, 1925:

S. 2714. An act for the relief of John F. Malley;

S. 2774. An act for the relief of G. Ferlita;

S. 2793. An act for the relief of the estate of Anne C. Shymer;

S. 2992. An act for the relief of the Berwind-White Coal Mining Co.;

S. 3379. An act providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake in the State of Wisconsin;

S. 3760. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. J. Res. 125. Joint resolution granting permission to Fred F. Rogers, commander, United States Navy, to accept certain decorations bestowed upon him by the Venezuelan Government;

S. J. Res. 163. Joint resolution to accept donations of furniture and furnishings for use in the White House; and

S. J. Res. 177. Joint resolution to amend section 2 of the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922.

On March 2, 1925:

S. 2399. An act to provide and adjust penalties for violation of the navigation laws, and for other purposes;

S. 2503. An act for the relief of W. H. King; and

S. 4230. An act to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American centennial.

ROBERT W. CALDWELL

Mr. WALSH of Massachusetts. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 8672) for the relief of Robert W. Caldwell, and I submit a report (No. 1256) thereon. I ask for the immediate consideration of the bill, and call it to the attention of the Senator from Ohio [Mr. WILLIS].

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts?

Mr. STERLING. Mr. President, I object.

The PRESIDENT pro tempore. The Senator from South Dakota objects.

MARTHA JANOWITZ

Mr. COPELAND. Mr. President——

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

Mr. REED of Missouri. Yes.

Mr. COPELAND. I ask unanimous consent for the immediate consideration of the bill (H. R. 9131) for the relief of Martha Janowitz.

Mr. ROBINSON. Mr. President, I rise to a point of order. It is impossible to hear the proceedings of the Senate. Senators who desire to carry on conversation should retire from the Chamber. They should be directed by the Chair to do so.

The PRESIDENT pro tempore. Senators will take their seats and order must be restored.

Mr. ROBINSON. I suggest that the Sergeant at Arms should be directed to restore order in the Chamber and to preserve it.

The PRESIDENT pro tempore. The Senator from New York presents a request for unanimous consent.

Mr. COPELAND. The bill for which I ask consideration involves only $150. It is a death benefit. The soldier had designated his uncle as the beneficiary, but the uncle refuses to take the money, and it is proposed that the mother, who is an invalid shall have the benefit of this death claim of $150.

Mr. STERLING. I shall have to object to the unanimous consent request.

The PRESIDENT pro tempore. Objection is made.

AMENDMENT OF PROHIBITION ACT

The PRESIDENT pro tempore. The question is upon agreeing to the motion of the Senator from South Dakota [Mr. STERLING] that the Senate proceed to the consideration of House bill 6645, to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties.

Mr. REED of Missouri. Mr. President, I insist that if the President of the Senate will reflect, there is no motion pending.

Mr. President, I understand the position of the Chair to be, the Senator from South Dakota having made a motion to take up what is commonly known as the Cramton bill, that that motion is still pending and is now ready before the Senate for consideration. I make the point of order that there is no motion pending, and I desire to state my reasons for that contention.

Mr. RANSDELL. Mr. President, will the Senator from Missouri yield to me for a moment? I understand the Senator——

Mr. REED of Missouri. Let me state the grounds for the point of order, and then I will yield to the Senator from Louisiana.

On the calendar day of Saturday last the Senator from South Dakota made a motion to proceed with the consideration of the bill to which I have referred. Thereupon, the Senator from Ohio [Mr. WILLIS] propounded this inquiry:

The Senator from South Dakota having made his motion, and the Senate having agreed to recess when it finishes its business for the day, I ask the Chair if the Senator's motion will not be pending when the Senate meets on Monday.

The President pro tempore replied:

The Chair is of the opinion that it will be pending in the event a recess is taken before it shall be disposed of.

While the Chair did not expressly say so, the situation presented apparently was that we were then upon the point of adjourning; and I agree that if the motion had been made and we had then adjourned, the motion would have been left pending; but, Mr. President, after this colloquy a large amount of business was transacted by the Senate; other matters were taken up and considered. The Senator from Idaho [Mr. BORAH] moved that the Senate proceed to the consideration of executive business. The motion was agreed to, and the Senate proceeded to that business. After that the Senate resumed legislative session. The Senator from South Dakota [Mr. STERLING] asked unanimous consent for the present consideration of Senate bill 4232. That bill was taken up and considered, and was read the third time, and passed.

That is enough to illustrate my point, but a large amount of other business was also transacted. So the situation presented is that a motion was made and not acted upon, a large amount of other business was proceeded with, the passage of bills was accomplished, and yet now it is said that a motion once made and not acted upon is to survive and continue pending, although other business has been transacted.

Plainly, Mr. President, the practice can not be indulged in in the Senate that a motion can be made, and although no action is taken on it and other business is transacted, bills passed, laws enacted, that motion at some subsequent time remains alive and pending when other business is also pending and is being transacted. Under such a practice as that I could have made a motion last week and failed to secure action on it; but despite the fact that the business of the Senate had gone on and the motion in the meantime had been forgotten I could then suddenly insist upon a precedence for that motion on the ground that it had been pending all the time. There can not be two motions pending before the Senate at the same time. There is only one motion that can be pending, and when the Senate took up other motions this motion necessarily lapsed.

So I say there is no motion pending before the Senate and that the business of the Senate can proceed as though this motion, which was merely abortive and was expunged by the subsequent action of the Senate, had never been made.

Mr. WILLIS and Mr. STERLING addressed the Chair.

The PRESIDENT pro tempore. The Chair is ready to rule on the question. There was no business transacted after the Senator from South Dakota made his motion except by unanimous consent, and, in the opinion of the Chair, that does not displace the motion of the Senator from South Dakota.

Mr. REED of Missouri. Mr. President, the Chair having ruled, I have really no recourse left except to appeal from the decision of the Chair to the Senate, and on that I desire to be heard.

Mr. PEPPER. Mr. President, will the Senator yield to me for a moment?

Mr. REED of Missouri. I yield.

Mr. PEPPER. The ruling of the Chair, as I understood it, Mr. President, was based on the supposition that the Senate was proceeding by unanimous consent respecting the business that was transacted subsequent to the motion made by the Senator from South Dakota. Unless I am much mistaken, Mr. President, the RECORD shows that the business in question was transacted upon motion agreed to by the Senate and not by unanimous consent. I thought possibly that might make a difference in the opinion of the Chair.

The PRESIDENT pro tempore. What business was transacted afterwards except by unanimous consent?

Mr. PEPPER. There was a motion made by the Senator from Idaho that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. That is not business within the meaning of parliamentary law on the subject. If the Senate proceeds to the consideration of executive business, that does not displace the pending motion.

Mr. PEPPER. I thank the Chair for the information.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. KING. I should like to know where the distinguished Presiding Officer finds authority for the statement that executive business dealing with treaties, foreign relations, matters of the greatest consequence to our country and our relations with foreign countries, is not business within the contemplation of the rules or the Constitution.

The PRESIDENT pro tempore. The Chair is simply following a practice that has been in force ever since the Chair entered the Senate some 16 or 17 years ago. The Chair thinks that every Member of the Senate will verify the suggestion the Chair has just made.

Mr. REED of Missouri. Mr. President, I am a little curious to know where the rule comes from that the taking up of a matter by unanimous consent presents a different situation than the taking up of a matter by motion.

What is unanimous consent? It is, in substance and effect, an affirmative vote by the Senate. It is merely a short way of arriving at an affirmative action. The question is put: "Is there objection?" Instead of taking the formal affirmative vote, a negative vote is called for; and a negative vote having been cast, it defeats the proposition; but no negative vote having been cast, the Senate has unanimously voted for the particular proposition under consideration. That is the way the question presents itself to my mind, at least.

But, Mr. President, I go further than that. I say that when a Senator rises in his place and asks unanimous consent, and that proposition is entertained, that is in itself the transaction of business.

Mr. STERLING. Mr. President, will the Senator allow an interruption?

Mr. REED of Missouri. Yes; certainly.

Mr. STERLING. I merely wish to ask whether it is understood that the appeal of the Senator from Missouri from the decision of the Chair is now pending. Did the Senator actually appeal from the decision of the Chair?

Mr. REED of Missouri. Yes; I understand that the appeal is pending.

Mr. STERLING. That is what I wanted to know.

Mr. REED of Missouri. The Senate had this question presented to it: "Will it consider a bill?" What was that bill?

Be it enacted, etc., That the provisions of section 409, Revised Statutes of the United States, shall extend in all cases now pending or which may hereafter arise to balances due to the United States through accountability for public moneys under any provision of law in relation to the officers, employees, operations, or business of the Postal Service.

Unanimous consent was asked for the consideration of that bill. Let me waive the point I have just made and say that the granting of unanimous consent to consider a bill is not itself business; but what does the Chair say about the enactment of a statute which required a formal vote and a formal record in the Senate of that vote?

Admitting for the sake of argument that when the Chair said, "Is there objection to present consideration?" the granting of that consent was not the transacting of business, the consent was that we should transact business, and we proceeded to enact a law; and when we proceeded to enact that law it was not a matter of unanimous consent at all. The "ayes" had to be called for, the "noes" had to be called for, and a solemn record had to be made of the action of the Senate, so that its vote should forever appear in the records of the Congress.

A Senator could have granted unanimous consent for the consideration of a matter if the unanimous consent had contained a provision that the motion should not be displaced, because that would have carried the motion on by unanimous consent. That was not done, however; and while I do not care to discuss the matter at great length with reference to this point, it will never do to establish the rule in the Senate that a Senator can make a motion and then himself ask unanimous consent to proceed with another bill, and other Senators ask unanimous consent to proceed with other bills, and then have the solemn action of the Senate upon these bills, and say that that does not constitute the transaction of business.

It might be that the question would arise on the right of a Senator to call for a quorum, and it might be claimed that he had no right to call for a quorum, because no business had been transacted in the meantime; and when he replied, "You have passed a dozen bills here under unanimous consent," the answer would be, "But the Senate has ruled that that is not the transaction of business."

I repeat, there can not be two measures before the Senate at the same time, each pending. So when the Senate, by unanimous consent, took up other matters and considered other matters, they absolutely displaced this motion. As to the soundness of that doctrine I have not the slightest doubt.

I do not want to take up the time of the Senate, because there are several Senators here with bills that they hope to have considered.

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

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

Mr. REED of Missouri. Certainly.

Mr. CARAWAY. The matter I want to call to the Senator's attention is that a parliamentary inquiry was propounded to the Chair, and the Chair answered that this motion would be pending. Would not that be equivalent to a consent that other matters might be taken up and disposed of and leave this motion pending? Because the query was propounded by the Senator from Ohio [Mr. WILLIS] as to whether that would affect the status of the motion of the Senator from South Dakota, and the Chair assured him that it would not.

Mr. REED of Missouri. If the Senator's question presented the facts as I understand them, I would answer him that I would not raise the question; but, if the Senator will pardon me, the facts were that we were apparently at the moment of adjournment, and with the situation in that shape and with a pretty general understanding that we would immediately adjourn the query was propounded. If we had then adjourned, I would raise no question, but we did not adjourn then.

Mr. CARAWAY. The Senator from South Dakota, with that assurance from the Chair and with that understanding from the Senate, then desisted in pressing his motion and permitted other matters to be transacted, with the assurance that to-day his motion would still be pending. Does not that raise the presumption, at least, that we assented to the carrying over of his motion and that it should be pending to-day?

Mr. REED of Missouri. I gave my tacit consent by not protesting against the ruling, because I understood the ruling to be that we were then to adjourn; and the Senator will find in the RECORD this language:

> The Chair is of the opinion that it will be pending in the event a recess is taken before it shall be disposed of.

The situation was that the motion was made, and then some Senator proposed to adjourn. At least that was the general understanding. There is nothing in the RECORD to show it.

Mr. CARAWAY. A recess was had before the motion was disposed of.

Mr. REED of Missouri. Yes; that is true, but in the meantime we went on and had two sessions of the Senate. I think that if the Senator had wanted to preserve his rights, he should have protested against these other matters coming up, or should have insisted that the unanimous-consent agreement should embrace his motion. However, I want to say that if any Senator here says that he thinks my making this point would be a violation in any way of an implied understanding, I will not insist on it. I will go that far.

Mr. CARAWAY. I do not want to take any advantage of the Senator's view, but that was my distinct understanding—that whatever transpired on Saturday afternoon and Saturday evening, it did not displace the motion of the Senator from South Dakota, and his motion was to be considered as pending when the Senate reconvened on Monday. That is the way I understood the matter.

Mr. REED of Missouri. Mr. President, I desire to make a further point of order. It has been suggested to me that at the time this motion was made by the Senator from South Dakota we were proceeding under a unanimous-consent agreement to take up unobjected bills under Rule VIII, and therefore the motion itself was out of order at that time. Is not that a correct statement of the situation?

The PRESIDENT pro tempore. The Chair does not so understand the record.

Mr. STERLING. Mr. President, I think there is no such record. There was no unanimous-consent agreement on Saturday to take up unobjected bills on the calendar.

Mr. BAYARD. Mr. President, I disagree with the Senator from South Dakota.

Mr. WILLIS obtained the floor.

Mr. BAYARD. Mr. President, will the Senator yield for just a moment?

Mr. WILLIS. I yield briefly, for a question.

Mr. BAYARD. I think the Senator from South Dakota is mistaken as to the facts, and that it will be shown upon the RECORD that we were proceeding with the consideration of unobjected bills on the calendar, and we did that under a unanimous-consent agreement. I think the point just made by the Senator from Missouri is a sound one, for that reason. That agreement being carried out, and the consideration of unobjected bills being carried on, no other business could come up except by unanimous consent. The RECORD discloses that.

I thank the Senator from Ohio.

Mr. WILLIS. Mr. President, the Senator from Delaware is laboring under a misunderstanding of the facts in this matter. It is my recollection that the Senate was not then proceeding under any such unanimous-consent agreement.

The RECORD does not show that there was any such agreement, and consequently that point must fail and fall utterly.

What are the facts touching this matter? Earlier in the day on Saturday the Senator from Kansas [Mr. CURTIS] rose in his place and said:

> Mr. President, I ask unanimous consent that when the Senate concludes its business to-night it take a recess until 11 o'clock on Monday morning.

That is on page 5003 of the RECORD. Then the President pro tempore stated:

> The request of the Senator from Kansas is that when the Senate concludes its business for to-day it shall take a recess until 11 o'clock Monday morning. Is there objection? The Chair hears none, and it is so ordered.

So that order had already been entered. Subsequently, as shown on page 5010 of the RECORD, the Senator from South Dakota made his motion, and at that time there had been no unanimous consent to consider only unobjected bills. That is an error on the part of the Senator from Delaware. We were transacting general business. When the Senator from South Dakota made his motion there was some general discussion, and there were some inquiries, and finally I submitted a parliamentary inquiry to the Chair, the inquiry which has already been read by the Senator from Missouri. That inquiry was as follows:

> The Senator from South Dakota having made his motion, and the Senate having agreed to recess when it finishes its business for the day, I ask the Chair if the Senator's motion will not be pending when the Senate meets on Monday?
>
> The PRESIDENT pro tempore. The Chair is of the opinion that it will be pending in the event a recess is taken before it shall be disposed of.

I submit that the decision of the Chair just made, and from which an appeal has been taken, is absolutely correct and in accordance with the facts. No business was transacted in open session thereafter. Senators will recall that the very bills to which reference is made on page 5010, and about which the Senator from Pennsylvania inquired, were brought up in executive session and were considered by unanimous consent. There was no further open session of the Senate, and I submit that it was the understanding of every Senator that this was the motion which would be pending when the Senate met upon Monday. The mere fact that we had an executive session and transacted certain business in that executive session, it seems to me, has no bearing whatsoever upon the understanding.

So it is perfectly clear that when the Senate recessed it recessed upon the understanding that this motion was to be pending when the Senate met on Monday morning. The Chair has so held, and I submit that the ruling of the Chair is absolutely correct.

Mr. REED of Missouri. Mr. President, my only reason for insisting upon my point is that I think if the ruling stands it will be a precedent that will rise to trouble us in the future. I am not concerned particularly about whether the Senator's motion shall come up now if he can get the floor to offer it. If there were some way I could withdraw my appeal and the decision, which I think will be troublesome in the future, with all respect in the world to the distinguished occupant of the chair, who is nearly always right, I would ask that that be done. If the entire matter can be expunged from the RECORD, I am ready to proceed, particularly since Senators claim that they think there was an implied understanding. I never broke an implied understanding in my life consciously. I did not have the understanding myself, but if others say they had it, that is controlling with me. I ask unanimous consent that the ruling upon the point of order, as well as the appeal, shall be expunged from the RECORD.

Mr. WILLIS. I object.

Mr. REED of Missouri. Then we will fight it out.

Mr. WILLIS. We might as well have a vote.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. REED of Missouri. Mr. President, I suggest the absence of a quorum.

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

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

Ashurst	Edge	King	Shipstead
Ball	Edwards	Ladd	Shortridge
Bayard	Fernald	McKellar	Simmons
Bingham	Ferris	McNary	Smith
Borah	Frazier	Mayfield	Smoot
Brookhart	George	Means	Spencer
Broussard	Gerry	Metcalf	Stanfield
Bruce	Glass	Neely	Stephens
Bursum	Gooding	Norbeck	Sterling
Butler	Greene	Norris	Swanson
Cameron	Hale	Oddie	Trammell
Capper	Harreld	Overman	Underwood
Caraway	Harris	Owen	Walsh, Mass.
Copeland	Harrison	Pepper	Walsh, Mont.
Couzens	Heflin	Phipps	Warren
Cummins	Howell	Pittman	Weller
Curtis	Johnson, Calif.	Ralston	Wheeler
Dale	Johnson, Minn.	Ransdell	Willis
Deneen	Jones, Wash.	Reed, Mo.	
Dial	Kendrick	Robinson	
Dill	Keyes	Sheppard	

Mr. CAMERON. I desire to announce that the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. WADSWORTH], the Senator from Kentucky [Mr. ERNST], the Senator from Illinois [Mr. MCKINLEY], and the Senator from New Hampshire [Mr. MOSES] are detained from the Senate in attendance on a committee meeting.

Mr. CURTIS. I desire to announce the absence of the Senator from Florida [Mr. FLETCHER] on official business.

The PRESIDENT pro tempore. Eighty-one Senators have answered to the roll call. There is a quorum present.

Mr. REED of Missouri obtained the floor.

Mr. EDWARDS. Mr. President——

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

Mr. REED of Missouri. I do.

Mr. EDWARDS. Mr. President, since the Cramton bill passed the House, June 5, 1924——

Mr. KING. Mr. President, I ask for order.

The PRESIDENT pro tempore. The Senate will be in order. The Senator from New Jersey will suspend until Senators cease conversation.

Mr. WALSH of Massachusetts. Mr. President, I ask that the Sergeant at Arms be called into the Chamber and that he remain here until 12 o'clock Wednesday to assist in preserving order, so that we can transact business.

The PRESIDENT pro tempore. The Sergeant at Arms will be sent for. There is an assistant to the Sergeant at Arms in the Chamber now, and he is a very able man. The Senator from New Jersey will proceed.

Mr. EDWARDS addressed the Senate. After having spoken for some time,

DEFICIENCY APPROPRIATIONS

Mr. WARREN. Mr. President, will the Senator from New Jersey yield to me to present a conference report?

The PRESIDING OFFICER (Mr. MCNARY in the chair). Does the Senator from New Jersey yield to the Senator from Wyoming?

Mr. EDWARDS. I yield for that purpose.

Mr. WARREN. I send to the desk the conference report on House bill 12392, the deficiency appropriation bill.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 12, 18, 30, 32, 35, 38, 40, 42, 43, 44, 51, 52, 54, and 55.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 22, 24, 25, 26, 28, 31, 33, 34, 46, 47, 49, 50, 53, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 69, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For payment, in monthly installments, for services rendered the Senate, fiscal year 1925, as follows: Agnes E. Locke, $630.50; and Joseph E. Johnson, $494; in all, $1,124.50."

And the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lines 9 and 10 of the matter inserted by said amendment strike out the words "fiscal year 1925, to remain available until expended, $10,000," and insert in lieu thereof the following: "$10,000, to remain available during the life of the commission," and transpose the amended matter to follow after line 2, on page 7 of the bill; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In line 9 of the matter inserted by said amendment, after the word "all," insert the following: ", fiscal years 1925 and 1926," and transpose the amended matter to follow after line 2 on page 7 of the bill; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "To carry out the provisions of the public act of the Sixty-eighth Congress entitled 'An act to provide for the elimination of Lamond grade crossing, in the District of Columbia, and for the extension of Van Buren Street, fiscal years 1925 and 1926, $59,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, after the word "of," insert the following: "bathhouses and bathing facilities on the east side of the Tidal Basin and of"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to follow line 6 on page 32 of the bill, and in lieu of the sum named in said amendment insert "$275,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$100,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: On page 68 of the bill in line 20 strike out the word "to" and insert in lieu thereof the following "and replacement of"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 20, 23, 36, 37, 39, and 45.

F. E. WARREN,
CHAS. CURTIS,
LEE S. OVERMAN,
Managers on the part of the Senate.

MARTIN B. MADDEN,
D. R. ANTHONY, Jr.,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. FLETCHER. Mr. President, does the Senator desire to ask for the present consideration of the report?

Mr. WARREN. I move the adoption of the report.

Mr. FLETCHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Dale	Hale	Mayfield
Ball	Deneen	Harreld	Means
Bayard	Dial	Harris	Moses
Bingham	Dill	Harrison	Neely
Borah	Edge	Heflin	Norbeck
Brookhart	Edwards	Howell	Norris
Broussard	Ernst	Johnson, Minn.	Oddie
Bruce	Fernald	Jones, N. Mex.	Overman
Bursum	Ferris	Jones, Wash.	Owen
Butler	Fess	Kendrick	Pepper
Cameron	Fletcher	Keyes	Phipps
Capper	Frazier	King	Pittman
Caraway	George	Ladd	Ralston
Copeland	Gerry	McKellar	Ransdell
Couzens	Glass	McKinley	Reed, Mo.
Curtis	Gooding	McNary	Reed, Pa.

Sheppard	Spencer	Underwood	Weller
Shipstead	Stanfield	Wadsworth	Wheeler
Shortridge	Stephens	Walsh, Mass.	Willis
Simmons	Sterling	Walsh, Mont.	
Smith	Swanson	Warren	
Smoot	Trammell	Watson	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, there is a quorum present.

Mr. WARREN. Mr. President, I recognize that the Senator from New Jersey has the floor.

The PRESIDING OFFICER. The Senator from New Jersey yields to the Senator from Wyoming for the purpose of presenting a conference report.

Mr. WARREN. I also recognize the unfinished business before the Senate, but in order to conclude the business of the Senate I shall have to ask consent that this report may be approved or otherwise disposed of.

The PRESIDING OFFICER. The question is upon the adoption of the conference report submitted by the Senator from Wyoming.

Mr. FLETCHER. Mr. President, I thought the first question was in regard to taking up the conference report. I have no disposition to be captious about it or to make any point about it. The question of the adoption of the report being now put by the Chair, I wish to submit a few observations with regard to it.

I have no objection to the consideration of the report, and, as I said, I do not want to delay matters at all, and I would not stand in the way of my good friend the chairman of the committee in pressing forward this conference report; but I want to take this position about it, and state my reasons for it:

I think this report ought to go back to the conference committee. I think the report ought to be rejected, and I am urging the Senate to reject it, for the reason, particularly, which I will state. There are other objections to the report which I might urge, but I will confine my observations to this particular amendment.

The conferees have agreed that the amendment which I offered to the bill shall go out of the bill. The House conferees objected to it; the Senate conferees have receded, and if this report is adopted that amendment will go out of the bill.

Mr. OWEN. Mr. President, what is the amendment?

Mr. FLETCHER. That amendment was to this effect:

That in carrying into effect the provisions of existing legislation authorizing the acquisition of land for sites or enlargements thereof, and the erection, enlargement, extension, and remodeling of public buildings in the several cities enumerated in Senate Document No. 28, Sixty-eighth Congress, first session, the Secretary of the Treasury is hereby authorized to disregard the limit of cost fixed by Congress for each project—

That was to give the Treasury Department leeway to modify plans, simplify plans, and save all the money possible—

and to enter into contracts for all or so many of the buildings heretofore authorized to be constructed, but not yet under contract, as may be possible within the total additional sum of $7,900,000.

The list of those buildings I can give to the Senate if they want to hear it, and the buildings in each State. Forty States are concerned in this amendment. As far as my own State is concerned, there is only one building that would be affected by it. A total appropriation of $85,000 is all that would go to the State of Florida under this amendment; but there are other States, like the State of New York, where something like $1,000,000 is involved, and other States where seven or eight hundred thousand dollars is appropriated to complete buildings which have heretofore been authorized and for which no contract has been possible, because the appropriation was not adequate. When the officials of the Government went to let the contract they found that the cost of material and labor had increased so that the buildings could not be constructed within the appropriation, and those buildings have been in the air ever since. Nothing has been done about them. There is need to supplement the original appropriations, most of them made 10 years ago, in order that work may be begun upon those buildings the construction of which has been authorized by Congress and the appropriation for which has been made, but found to be inadequate to complete the buildings.

Mr. DILL. Mr. President, will not the Senator read the list?

Mr. FLETCHER. One minute, please. I am doing this talking, and I do not want to be interrupted. I beg the Senator's pardon for being a little brusque about it.

Mr. DILL. I merely wanted the Senator to read the list, so that we might know what the buildings are.

Mr. FLETCHER. If the Senate wants it, I will read the list.

Mr. EDWARDS. Mr. President, I yielded the floor for a specific purpose, not for a speech.

The PRESIDING OFFICER. Does the Senator object to the immediate consideration of the conference report?

Mr. FLETCHER. No; I do not. I supposed that the question of the adoption or rejection of this report was the question now before the Senate.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. FLETCHER. I understood that was the parliamentary situation; and of course the question of the adoption of the report is a debatable matter.

Mr. EDWARDS. I know, but I am not yielding the floor. I only yielded for the purpose of presenting the report.

Mr. FLETCHER. Of course, if that is the parliamentary situation, I am perfectly willing to wait until the Senator gets through his speech. I do not want to take the Senator off the floor, and I am not doing it; but if I had not taken the floor when I did this report would have been acted upon. Therefore it was necessary for me to make these observations, if I am going to make them at all, before the report is disposed of.

Mr. EDWARDS. I have no objection, Mr. President, but I do not want to lose the floor. I want to finish my speech.

The PRESIDING OFFICER. The Senator does not lose the floor by yielding for the purpose of considering a conference report. His rights will be preserved by the Chair.

Mr. FLETCHER. I am very glad to have that question settled. I am not responsible for that situation.

The Senator from Washington [Mr. DILL] suggests that I read the list of buildings that would be constructed, contracts for which would be let, and construction proceeded with if this amendment is adopted. If this amendment is not adopted those buildings can not be built, although appropriations have already been made that were supposedly enough, but they have been found to be insufficient.

The list is as follows:

Alabama: Andalusia.
Alaska: Juneau.
Arizona: Globe.
Arkansas: Marianna, Prescott, Russellville.
California: Bakersfield, Red Bluff, San Luis Obispo, San Pedro.
Colorado: Durango.
Connecticut: Branford, Mystic, Putnam.
Florida: Marianna.
Georgia: Douglas, West Point.
Idaho: Coeur d'Alene, Sand Point.
Illinois: Geneseo, Jerseyville, Metropolis, Mount Carmel, Paxton.
Indiana: Bluffton, Clinton, North Vernon, Rochester.
Iowa: Cherokee, Des Moines.
Kentucky: Shelbyville.
Louisiana: Thibodaux.
Maine: Caribou, Fort Fairfield.
Maryland: Salisbury.
Massachusetts: Amherst, Leominster, Malden, Newburyport, Southbridge, Waltham.
Michigan: Cheboygan, Hastings, Midland, Wyandotte.
Minnesota: Fairmont, Montevideo.
Mississippi: Holly Springs, Water Valley.
Missouri: Fayette, Harrisonville, Liberty.
Nebraska: Central City.
Nevada: Fallon.
New Jersey: Bayonne, East Orange, Millville, Montclair, Vineland, Woodbury.
New York: Cohoes, Fort Plain, Long Island City, Saranac Lake, Syracuse, Yonkers, Walden, Waterloo.
North Carolina: Thomasville, Wilson.
North Dakota: Jamestown.
Ohio: Akron, Fremont, Kenton, Sandusky, Washington Court House, Wilmington.
Pennsylvania: Donora, Dubois, Franklin, Lewistown, McKees Rocks, Olyphant, Pittston, Sayre, State College, Tamaqua, Tarentum, Waynesburg.
South Carolina: Lancaster.
South Dakota: Chamberlain.
Tennessee: Athens, Franklin, Memphis sub-postoffice, Tullahoma.
Texas: Comanche, Gilmer, Mount Pleasant, Orange, Pittsburg.
Utah: Vernal.
Vermont: St. Johnsbury.
Washington: Seattle.
West Virginia: Hinton, Williamson.
Wisconsin: Madison, Mineral Point, Tomah.
Wyoming: Buffalo, Cody.

In a few of the instances in this list—the names I have given show the towns at which the buildings are to be built—contracts have been modified and simplified and buildings have

been put up or are under construction, but I have taken all that into consideration in naming this amount. Those items have been deducted. The total amount estimated originally by the Treasury Department as being required to complete the buildings already authorized, was fifteen millions and something. After deducting all those that are under contract and all those where the plans were simplified and modified so that the buildings could be contracted for, there still remains a balance of $7,900,000 necessary to add to the fund which has already been appropriated and which has not gone back into the Treasury. We find that the total amount necessary to add to that fund is $7,900,000.

Once an appropriation is made for public buildings, if it is not used, it does not go back into the Treasury. It remains there, and it is not necessary to reappropriate it year after year. There is something over $9,000,000 already appropriated toward this building program, and to supplement that $9,600,000 there is needed $7,900,000 in order that the buildings which I have mentioned here may be constructed.

The amendment which I originally offered provided also for the construction of buildings on sites which had already been acquired; but a point of order was made with reference to that provision in the amendment, and it was not inserted in the bill. This amendment now in the bill simply calls for this specific appropriation of $7,900,000 necessary to add to the fund already appropriated in order that these buildings may go up. This has been the situation for something like 10 years.

I submit that the Senate conferees ought not to have receded from their amendment, and ought not to have allowed the House of Representatives, because they did not get the general public buildings bill which was sent over here, calling for $150,000,000, etc., to say that because we did not report that bill they will not have any public buildings.

Mr. WARREN. Mr. President, will the Senator allow me to interrupt him?

Mr. FLETCHER. Certainly.

Mr. WARREN. The Senator has very well stated the case. The amount has been trimmed. It has been through my office several days to get the proper angle of it as to size, because the Senator has advised us that he would offer it. He is right about that.

I fear this, however: The conferees on the other side are very, very strong and set in their way about the matter, because, as they say, they know from work they have already done that it is impossible to pass anything of that kind through the House, because the House wants more and proposes to have it as soon as the next Congress meets. One trouble that I fear they would have now if they should consider the matter again is that the House is not advised of the work that the Senator has done and that the Committee on Appropriations has done to trim this amount down to absolutely the lowest notch that will cover all of those matters, as the Senator says. This is the very last thing that was settled in conference, and I thought that the other Senate conferees as well as myself had exhausted their efforts in the matter. Of course there can be only one thing or the other done with the bill in order to get it back here. So I may say that the Senator is right in his proposition as to what we ought to do, but it means that we can not do it at this time.

Mr. FLETCHER. I appreciate what the chairman has said as to that situation, but it occurs to me that rather than do this wrong thing and bring about this uneconomical way of using these funds we ought to send the bill back to conference and allow the House time to get acquainted with the facts and understand the subject. They have not very much time, but it would not take more than an hour or two of study for them to know just what this means. It does not mean an appropriation of $15,000,000 at all. It does not mean that this is an appropriation of money for buildings which have already been contracted for or anything of that sort. All that has been taken out of the amount originally estimated and the sum has been reduced to the minimum of $7,900,000 necessary to go on with these buildings where no contracts at all have been let and can not be let because the appropriation already made is not sufficient to enable the Government to let the contracts and go on with the buildings.

Mr. SHORTRIDGE. Mr. President——

Mr. FLETCHER. I yield to the Senator from California.

Mr. SHORTRIDGE. Mr. President, I favored the amendment which was offered by the Senator from Florida. I regret exceedingly that the Senate conferees have felt it necessary to yield, and not insist upon retaining that amendment in this bill.

I very heartily concur in what has been said by the Senator from Florida. It is deplorable, it is to be more than regretted, if the buildings for which appropriations have been made, which appropriations have been found to be insufficient, shall not be constructed at an early date. I speak immediately for cities in my own State, but I have no doubt that like conditions prevail in all the States mentioned in this amendment.

I do not wish to delay the matter further than to add that, from some experience, I never cease to battle until a fight is irrevocably lost or won. Therefore there is still time, it seems to me, for the Senate, acting through its able conferees, again to insist upon retaining this amendment in this bill.

Without more words, but with deference, I suggest that another attempt be made to convince the House conferees of the wisdom of retaining this item in this bill. I do not wish to force my view upon our conferees or upon others, but while there is time to make another effort I think that effort should be made, and with respect for the other branch of the Congress I think they should yield in a matter of such manifest necessity.

Mr. FLETCHER. Mr. President, this does not call for any new project or any new building. The amendment does not provide for the selecting of any new sites or anything of that sort. It simply provides for the putting up of buildings which were authorized 10 years ago and partially appropriated for. That is all there is to it. There are four such places in the State of California. Those people have been waiting long enough, it seems to me.

We can not at this session of Congress hope to get through a general public buildings bill. There has been no general public buildings bill since 1913. The last bill of that sort enacted by Congress was signed by President Taft on March 4, 1913. We can not have one now, but we can at least supply the necessary funds to complete the buildings which have been heretofore authorized, and for which these various communities in 40 States have been waiting all these years.

Mr. SHORTRIDGE. Mr. President, might not the Senate conferees call to the attention of the House conferees the fact that this amendment would not in any wise interfere with any financial program, that it would in no sense embarrass the Treasury? Might it not be well for them to point out what the Senator from Florida has just stated, namely, that the amendment does not call for the full appropriation of $15,000,000, but for the amount the Senator has stated, $7,900,000?

Mr. FLETCHER. The amount has been reduced by the Treasury Department so as to provide enough to complete buildings for which partial appropriations have been made but which appropriations have been found to be inadequate to go on with the buildings. That situation will continue indefinitely. Congress has authorized the construction of a building, we will say, at Red Bluff, Calif.——

Mr. SHORTRIDGE. A very much needed building.

Mr. FLETCHER. And let us say that Congress appropriated $50,000 for that building. When the Secretary of the Treasury went to let the contract he could not get a bid of less than $100,000 for the construction of the building. So the $50,000 has remained in that fund; it has not gone back into the General Treasury. No building has been constructed; no contract has been let, because nobody will take the contract for $50,000. This bill would supply the other $50,000 in order that the building might go up.

That illustrates the whole proposition from beginning to end. That is all it means. This amendment would not mean any general public-building program at all. It would simply mean that we would do what in good faith we have promised to do, and what we have attempted to do, but something which we find can not be accomplished because of a lack of additional funds. This bill provides for those additional funds.

I remind the conferees that we have until March 4. This is a very important bill, I realize; but I believe that after further conference the House conferees will better understand the subject and will realize the importance of agreeing to this amendment, will see the justice and the wisdom of it from an economical standpoint and from the standpoint of public interest.

For the reasons I have stated I ask that the conference report be disagreed to and that the bill be sent back for further conference.

Mr. McKELLAR. Mr. President, just a word before the vote is taken. I hope very much that this bill will be sent back to conference. We have ample time to have the matter the Senator from Florida has brought to the attention of the Senate considered by the conferees again. It will not endanger the bill in any way.

Manifestly this amendment should be agreed to. Years and years ago we passed laws providing for these several buildings. There are 40 States in which these completions are to be made. Almost every Senator here is interested in carrying out in good faith that which the Government has already by law

declared it was going to do. It means no new building program; it merely means finishing a program that has already been undertaken but for which the money has not been furnished. We should furnish the money in justice to these projects which have already been started. I hope very much that this conference report will be sent back and the conferees instructed to keep the amendment in the bill.

While I am on my feet, I want to call attention to another amendment which ought to be left in the bill. That is the amendment offered by the Senator from Utah [Mr. SMOOT], providing for an internal-revenue building. Such a structure is badly needed. If there are any records in this city which are important, they are the records of the Internal Revenue Department. Housed as they are now, those records are in jeopardy. They are in a number of temporary buildings of the Government, which might be destroyed by fire at almost any time. A building to contain records which involve the collection of revenue for the Government ought to be built, and should be begun at once. There seems to be no reasonable excuse whatsoever why the amendment providing for that building in this city was left out of the bill. I hope the conferees will take the bill back to conference and agree that not only the amendment proposed by the Senator from Florida [Mr. FLETCHER] be incorporated in the bill, but that the amendment proposed by the Senator from Utah [Mr. SMOOT] providing for an internal-revenue building, to be begun at once, be put into the bill.

Mr. SMOOT. Mr. President, I want to say just a word. I do not believe there are five Senators or five Representatives who are opposed to an appropriation for the construction of an internal-revenue building in the District of Columbia. If there ever was a proposition before Congress that was almost unanimous, it is this.

Mr. DIAL. Mr. President, we can not hear the Senator over here.

The PRESIDING OFFICER. There must be order in the Senate.

Mr. SMOOT. I have no doubt but that the chairman of the Committee on Appropriations did his best to have these amendments kept in, but I desire to say that the destruction of any of these buildings which contain the internal-revenue records would mean a frightful loss to the Government of the United States. A wrong is done in not including this provision in the bill, in order that the Government may immediately begin the construction of such a building. I repeat, I do not believe there is a Senator opposed to it, and I know of only one or two who are opposed to it in the House.

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

Mr. SMOOT. I yield.

Mr. McKELLAR. The Senator will recall that the two amendments we have been discussing were added to the bill practically without a single objection; there was an objection to a part of one of the amendments, but it was arranged in such fashion that it went into the bill unanimously.

Mr. SMOOT. Yes.

Mr. McKELLAR. I want to call the Senator's attention to another fact. The Senator says the building of this internal-revenue building is important for the protection of the Government. That is true; but it is more important for the protection of the people. The people have their papers there, many of them having reference to refunds of taxes and for settlements of their taxes. The people of the country are interested in this matter in the same way the Government is interested in it.

Mr. SMOOT. It involves records representing billions and billions of dollars. Those records are stored in places which no ordinary business man would every allow to be used as a depository for even ordinary business papers. I am not going to say anything more about this at this time. I am sorry our conferees had to yield.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Yes.

Mr. JONES of Washington. What reason is given, if the Senator can tell me, why that provision should not be included in the bill?

Mr. SMOOT. I am not one of the conferees on this particular bill. If the Senator from Wyoming has no objection, I think I can tell the Senator from Washington the reason.

Mr. WARREN. The Senator from Utah has the floor, and can tell the Senate the reason, if he knows any reason other than what I have stated. I simply know that we, as conferees, had to drop it or come to no agreement.

Mr. SMOOT. As I understand, the reason is this, that the conferees on the part of the House wanted a $150,000,000 bill, and if they could not get that there was to be none.

Mr. McKELLAR. Mr. President, will the Senator yield just a moment?

Mr. SMOOT. Yes.

Mr. McKELLAR. If this report is sent back to conference, the effect will be to allow the House to vote on these two separate provisions. That will be the only result. Surely they have plenty of time to vote. Let the House conferees put the propositions up to the House. The House has not voted on the amendments yet. The conferees only have expressed their views. So if the Senate conferees would permit the bill to go back with these two amendments in it——

Mr. WARREN. Mr. President, there is no question of permission in it. The question is for the Senate either to accept the report or to send it back to the committee. It will have to be done in the regular order.

Mr. McKELLAR. Of course, if the bill is sent back for these two reasons, it will mean that those proposals will have to be taken to the House, where the House will have the privilege of voting on them. Their conferees should not cut them out of the right to vote on the propositions. I say that with all due respect to all the conferees.

Mr. DIAL. Mr. President, I hope the report will be sent back to the committee, and I trust the conferees will agree to let both the amendments remain in the bill. It is false economy to refuse to go on with this work. In many localities the people are expecting public buildings to be erected on sites which have already been purchased. In my own State two sites have been acquired in progressive, young cities, and they are anxious to have buildings erected which will be sufficient to take care of the advancing needs.

I trust we will send the bill back, and I believe our able conferees can get the amendments agreed to.

Mr. JONES of Washington. Mr. President, as I understand the situation with reference to the public-buildings proposition, it is that we will not let any provision go through providing for any building in the interest of the Government unless we provide for buildings all over the country. Personally, I do not like a situation like that. I do not like to see legislation put upon that sort of basis. I do not think that the country likes to see legislation put upon that sort of basis. I would like very much to see some appropriations for public buildings or appropriations to make provision for additional room for governmental activities in my own State, but because we can not get them I do not think that would justify us in any way to vote against provision for a building in the city of Washington that seems so absolutely essential to the safety of Government documents and to conserve the interests of the Government.

Everybody seems to concede that the proposal for the internal-revenue building in the city of Washington is a matter of vital importance to the Government for the preservation of governmental records. I think it is a reflection upon the Congress if we fail to make provision for that simply because we do not get money for buildings outside the city of Washington. The provision for the building is not in the interest of the city of Washington; it is not in the interest of the District of Columbia; it is in the interest of the Government itself and the preservation of papers of inestimable value. I think that we should as far as possible insist at least upon this item.

The efforts of the Senator from Utah [Mr. SMOOT] have been wholly devoid of selfishness or selfish interest. He has not placed the necessity or the desirability of getting the appropriation for this building upon the basis that he must have money for some building in the State of Utah, but he has been moved solely by his desire to promote the welfare of the Government itself and to provide means by which papers and documents of inestimable value may be preserved. It seems to me that we should insist, so far as we possibly can, upon a provision for that building anyhow. I can not see how anyone can justify opposition to this provision simply because he can not get an appropriation for some building outside the city of Washington, however necessary that may be. I do not question the necessity for buildings on the outside, but I do not believe that any of them are of such vital importance as is the building desired in the District of Columbia.

Now, Mr. President, I want to say just a few words about another item in the bill, and that is the item for the payment to Ferry County and Stevens County, in my State, of a certain sum of money that has been authorized by law. I know that this is a small item. It only affects those two counties in my State, and yet it seems to me that because it is a matter that has been found to be just, we ought to take care of it. Briefly I want to call attention to the outstanding facts with reference to it.

There had been a dispute, if I may so term it, between those two counties and the National Government since 1913,

under which those counties claimed that they were equitably and justly entitled to recompense of taxes that should have been paid upon Indian lands in the State under laws that had been enacted. I desire to read from the report made upon a measure of this sort away back in the Sixty-seventh Congress by the Senator from Kansas [Mr. CURTIS], who is thoroughly familiar with these matters. This report sets out a letter from the Secretary of the Interior. Briefly, it shows that a law was passed in 1906 relating to the Colville Indian Reservation, upon which this claim by the two counties is based. I am not going into the details of that matter, but they filed their claims in 1915. The claims were disallowed then by the department without a decision upon the merits of the claims at all. In a report dated January 23, 1920, to the Sixty-sixth Congress, authorizing and directing the Secretary of the Interior to determine what taxes, if any, were due and recommending appropriation for payment, the department expressed the belief that the Secretary of the Interior already had authority to make the investigation directed in section 1 of the bill, but it had no objection to its enactment. In the Indian appropriation act for 1920, five years ago, we incorporated this provision:

The Secretary of the Interior is authorized and directed to investigate and report to Congress, on or before the first Monday of December, 1920, as to the right of Stevens and Ferry Counties, in the State of Washington, to the payment of taxes on allotted Indian lands under existing law, and to state the amount, if any, to which each of said counties is entitled.

That provided for investigation by the Interior Department as to the merits of the claim. Here is what the letter from the Secretary said:

In accordance with the above provision an Indian Office inspector made a thorough investigation of conditions on the north half of the Colville Reservation, visiting all accessible parts of the same. His report and recital of facts in connection with improvements in roads, bridges, and schools indicated that expenditures were greater than these counties would have made except for the belief that the Secretary of the Interior would recognize their equitable rights to be paid money by the Government in lieu of taxes by individual allottees, and that the provision in the act of 1892 with regard to payment was an inducement to settlement on the lands.

That was the belief of those people as found by the inspector. He agreed with the suggestion that if they had not had this reasonable belief that they would not have invested so much of their money in roads, schools, and so forth, that were largely for the benefit of the Indians themselves.

A report was made on December 6, 1920, by the then Secretary of the Interior to both Houses of Congress, and to the chairmen of the Committees on Indian Affairs. With the letter to the chairman of the Senate committee was inclosed the report by the Indian Office inspector, and the same has not yet been returned. The report to Congress required by the above-mentioned paragraph in the Indian appropriation bill of February 14, 1920, contained the following recommendation which has been included in S. 1168 and H. R. 5418.

That was the legislative bill passing upon the claim. Now notice what was in the report:

In view of the fact that by the terms of the act the Government encouraged settlement upon the ceded lands; that the Indians have shared in the benefits of the improvements made by the white people; that these improvements have also enhanced the value of the Indian holdings, and that the Government must necessarily use the roads and bridges in entering and returning from its own property in these two counties, the department recommends that an appropriation be made of the amounts claimed, and that the same shall be paid by the respective counties subject to any deductions that may be made on account of payments for Indian tuition, and for any amounts where the rate based on the value of Indian allotments may be found to be in excess of the rate on taxable lands.

Mr. President, to carry out that recommendation, made as the result of an investigation by the Interior Department pursuant to direction from Congress, legislative bills were introduced. We did not put it in appropriation bills, but we introduced separate bills to carry out the recommendation, or authorizing it to be carried out. After careful consideration not only in the Senate, but in the House, favorable reports were made. A report was made in the Senate way back in the Sixty-seventh Congress and the matter has now been pending year after year until finally, in the Sixty-eighth Congress, it not only passed the House but was favorably reported in the Senate by a committee, not the Committee on Appropriations but a committee having jurisdiction over those matters. It was recommended favorably and legislation was enacted and signed by the President.

The only purpose of the provision in the deficiency appropriation bill is to carry out the solemn legislative finding of the Congress of the United States, based upon recommendations made by the Secretary of the Interior, pursuant to directions of Congress. What more could be added by anybody in behalf of any claim brought to the consideration of the Government? After this has been done, compliance with the legislation is thus far refused by the Congress. We put on the provision in the Senate and the House for some reason excludes it. We had it on the Interior Department appropriation bill, and I finally consented to its elimination there, with assurances upon the part of some of our representatives on the committee that we would do what we could to carry it through in the deficiency bill.

It does seem to me that this Government of ours can not afford to put itself in the position of not only repudiating a claim that its department has found justifiable, but repudiating a claim that has been solemnly indorsed by legislative act signed by the President. Of course, I would not feel justified in defeating the conference report, much as I would like to have the item taken care of, but I feel that the conference report ought to go back, especially on account of the item with reference to public building in the District, and in connection with it we should have this item disagreed to in the hope that we can secure an agreement, not only on the item relating to the public building but with reference to this proposition as well.

I feel that the conferees, of course, have done the best they felt they could do under the circumstances, but it does seem to me that after a proposition has been passed upon as this one has been passed upon, the merits fully considered, a legislative act passed and signed by the President, that we can and should do nothing else but carry it out. I hope the conference report will go back for reconsideration of these two items.

Mr. SHORTRIDGE. As I understand it, no one questions the statements the Senator has made?

Mr. JONES of Washington. Nobody can question those statements.

Mr. CURTIS. Mr. President, as one of the conferees, I feel that I should make a brief statement with reference to the report.

In the first place, in regard to the item in the State of Washington, I want to say to the Senate that that was just as fully presented to the conferees as it could be. The original act was read, the legislation enacted at that time was read, the letters of the departments were read, and the matter was fully presented. I may add that the House conferees did think that if the item were not put in the deficiency bill, legislation should or could be enacted taking the amount from the funds that were turned into the Treasury. On the question, of course, and as to the status of the fund your conferees were not sufficiently advised to act. Had they agreed to it, the matter would have had to have gone back to the other House and to the Senate for a separate vote, because it would not have been in order for us to have inserted new matter in a conference report. I do not believe it will be possible to get the conferees on the part of the other House to agree to this item in the bill at this time.

The three items in dispute, the one in reference to the public building for the Internal Revenue Department, the one involved in the amendment offered by the Senator from Florida [Mr. FLETCHER] in regard to public buildings, and the Washington item were the last discussed. Your conferees worked all day long in conference; every argument was advanced that could be advanced to induce the conferees on the part of the House to recede on those amendments, but they would not do so. As one of the conferees, I wish to say that I believe if the Senate shall send the bill back to conference the result will be the same at the end of the next conference; that is, that the House will still insist upon its disagreement and that no agreement can possibly be reached.

There were reasons for their attitude given by the conferees, if I may be permitted to state them, although I, for one, believe it is not the proper thing to state what happens in conferences or before committees, but, as reference has already been made to what occurred, I feel that I am justified in adding a word or two as to what happened in regard to the amendment providing for a public building for the Internal Revenue Department.

In the first place, the House conferees did not agree that that building was actually required. They also objected to the place where it was proposed that the building should be

located, claiming that the amendment should specify where the building should be erected.

Mr. SMOOT. I will say to the Senator from Kansas I am perfectly willing the proposed legislation shall be so amended as to provide for that.

Mr. CURTIS. I know the Senator from Utah is perfectly willing that that should be done, and so are the conferees on the part of the Senate, but it would have to be brought back to both Houses.

In regard to the amendment offered by the Senator from Florida [Mr. FLETCHER], the House conferees insisted that instead of acting upon it we should act upon the general public buildings bill, which has passed the other House and which has been sent over here. The conferees on the part of the Senate did everything which could be done in order to obtain an agreement. We have done the best we could.

We secured many recessions from objections of the House to Senate amendments; we have brought the bill here, and, as one of the conferees on the part of the Senate, I desire the Senate to know that, in my judgment, we can not get an agreement if we send the bill back to conference. I therefore hope the conference report will be adopted.

Mr. JONES of Washington. Mr. President, I do not criticize our conferees at all; I am satisfied that they did the very best they thought they could do under all circumstances; but the Senator from Kansas suggested, or at least I got the impression from what he said, that there had been a discussion in conference with reference to the State of Washington item, as to taking the money out of the Treasury and putting it back into the trust fund. I should be glad to see some provision with reference to that matter, and I hardly think there would be any objection to it if the conferees should report such a provision. I should like to avoid, if possible, having to go over this whole matter in a legislative way again over a period of years. If I had the money and were pretty well to do, I would give them a check for it and get rid of it, but I can not do that. If the conferees could suggest a provision under which some of this money would be taken from the trust fund and put back where it was before it was transferred to the Treasury, I do not believe there would be any objection to the adoption of such a provision.

Of course, in a way, I can not see where that would really amount to much; for if this money ought to be paid, it ought to be paid. The trust fund has all gone into the Treasury, and we would not in a way gain by bringing it out; but if that is the way it is desired to deal with it, I should like to see it done in that way, so as to have the matter settled.

Mr. CURTIS. Mr. President, the conferees on the part of the Senate took exactly that position in the conference, but we were unable to reach an agreement as to an amendment that could be put into the bill. It was suggested, as has been stated, that the matter wait until the next session for additional legislation to ascertain the condition of the fund, and see if some arrangement could not be made to provide for the disposition of the money. I will state that we went so far as to figure out the deductions that should be made, and to try to get the conferees on the part of the House to agree upon ninety-one thousand six hundred and some dollars, but we could not get them to agree to such a provision.

Mr. DILL. Mr. President——

Mr. CURTIS. I will yield to the junior Senator from Washington, unless he wants the floor, and, if he wants the floor, I will yield the floor.

Mr. DILL. If the Senator from Kansas will yield the floor, I wish to make merely one other additional observation.

My colleague the senior Senator from Washington [Mr. JONES] spoke of all the steps that had been taken in the way of investigation and legislation. In addition, the Budget Bureau approved this item, and it came in the regular way in the Interior Department appropriations. The committee of the House of Representatives refused to put it on, but the item was put on in the Senate as a regular item, and has been disagreed to by the House. As I understand the discussion that occurred, the reason the House objects to the item is that they do not want to set the precedent of taking money out of the Treasury of the United States in order to pay the taxes on Indian lands.

The reason why that provision was made was that $265,590.87 was to the credit of these Indians until 1915 for the purpose of support and civilization of the Indians and for the payment of this very kind of taxes. That amount, however, was covered into the Treasury by the Comptroller of the Treasury. He simply took into his own hands the power to transfer that money; there was no legislative authority given him to do so, but when the question was first raised as to whether the counties of Stevens and Ferry had a right to receive this refund in 1915 the comptroller at once proceeded to cover this $265,590.87 into the Treasury so that there would not be any fund there out of which it could be made. It is because of that action that this bill carries the provision inserted by the Senate.

It has been suggested here that other legislation might be enacted. The only legislation that could be enacted would be to pass the bill to put back into the trust fund what the comptroller under his general authority assumed he had the right to put into the Treasury. It seems to me that the situation is so clear that there is no excuse for refusing to pay this $91,000 out of the money that is in the Treasury, and which, if the law had been carried out, would still be there to the credit of those Indians.

Mr. CARAWAY. Mr. President, may I ask the junior Senator from Washington a question?

Mr. DILL. Yes.

Mr. CARAWAY. Is it the contention of the Senator from Washington that the comptroller took that money that did not belong to the United States?

Mr. DILL. The money, under the laws of 1892 and 1906, was put in a fund for the support and civilization of the Indians, the building of roads, and the payment of taxes on Indian lands in the counties referred to. It remained in the fund until 1915, and then the comptroller simply on his books transferred the two hundred and sixty-odd thousand dollars to the Treasury funds.

Mr. CARAWAY. There was a ruling to that effect, then?

Mr. DILL. He made the ruling.

Mr. CARAWAY. That the money did not belong to the Indians?

Mr. DILL. He just covered it in under a ruling.

Mr. CARAWAY. He said it did not belong to the Indians.

Mr. DILL. Yes.

Mr. CARAWAY. Let me ask the Senator another question. Instead of coming to Congress, if it were an illegal act, why not have permission to go to the Court of Claims and allow it to be settled in that way?

Mr. DILL. The point is this: We would have to come to Congress to get the money appropriated, even if it were in a trust fund.

Mr. CARAWAY. I so understand, but the court could determine the question whether it belonged to the Indians or did not belong to the Indians; that would be a question of law.

Mr. DILL. The comptroller simply took the position that he would cover it into the Treasury, and there is no reason to go to the Court of Claims. He violated the law, which provided that the money should be held in this trust fund.

Mr. CARAWAY. If he did, then the court would say so.

Mr. DILL. If we have to go to the Court of Claims, we will be obliged to wait for 10 or 15 years. It is simply a matter for Congress to act upon, it seems to me. So I think this item ought to go back to conference, and I think the bill ought to go back also on the question of the internal-revenue building. I hope the report will be sent back to conference.

Mr. FLETCHER. Mr. President, just a word further on this subject. It seems to me that if this report is rejected and the bill goes to further conference the point raised by the Senator from Kansas with reference to some suggestions of amendment to the provision in the bill inserted on motion by the Senator from Washington could be covered by the Senate receding with an amendment. Such action the conferees have the power to take; and the same action should also be taken in reference to the amendment offered by the Senator from Utah [Mr. SMOOT] providing for an internal-revenue building. If the House conferees insist upon specifying a location for that building, the Senate conferees could recede with an amendment, and if such amendment were in the report when finally agreed to that would settle the matter. I see no reason why the conferees can not recede from the amendment offered by the Senator from Utah with an amendment which would specify the location of the building and thus close the matter. If the location were found to be objectionable, the question would come back for further consideration.

I have never opposed the construction of the building proposed to be erected by the Senator from Utah; I have never opposed the general plan for the construction of other buildings in the District. I thought, however, that I should insist upon taking care of those buildings which had been authorized for 10 years past and for which appropriations have partially been made, but as to which contracts could not be let, in some instances, and the buildings could not be constructed because there was need of additional appropriations. Those are the only instances that are covered by the amendment offered by

me. It involves no interference with any general public building plan or bill. If those two amendments to this bill should be adopted, they could have no earthly effect upon any future public buildings bill.

They have had from the start no relation to the general public buildings bill or policy at all. The amendment which I have offered never contemplated any general public-building plan. Some newspaper, without any justification whatever, was kind enough to refer to it as a pork-barrel proposition and stated that I insisted upon putting on the bill of the Senator from Utah an amendment providing for a general public-building plan. The truth was just to the contrary, that all I have attempted to take care of were buildings which have been authorized and for which appropriations have been made, and then only where the appropriations have been found to be inadequate.

Mr. ROBINSON. Mr. President, will the Senator yield to me for a moment?

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

Mr. FLETCHER. I yield.

Mr. ROBINSON. The Senator's amendment conforms strictly to the rule relating to deficiency appropriations. It provides only for those buildings that have already been authorized.

Mr. FLETCHER. Precisely; that is true; and I base the amount carried by the amendment upon estimates from the Treasury Department, and the amount at first supposed to be required for this purpose has been reduced on account of the modification of certain plans and the letting of contracts in certain instances where they could be let subsequent to the time when they first attempted to let them. The amount provided by the amendment is the amount needed, and the amendment further gives authority to enter into contracts and to disregard the limit of cost for such projects fixed by the Congress in the original bill, so as to enable them to utilize the fund to complete the buildings which have been authorized.

There are some nine and a half million dollars in this fund appropriated years ago and not used at all. The people are denied the conveniences which should be furnished and were authorized to be furnished. So great is the need that in some instances the mail is being handled on the sidewalks in various places throughout the country. They are not here to speak for themselves; they have heretofore done all they could in securing the legislation adopting the sites, authorizing the buildings, and actually making appropriations which were supposed at the time to be sufficient to erect those buildings, but for 10 years they have been waiting for the Government to go on and do what it intended to do and what it was supposed in various communities all over the country would have been done long ago.

I can not see how the objection to the amendment of the Senator from Utah and the amendment which I have offered to this bill—his amendment taking care of a much-needed building in the District of Columbia for the Internal Revenue Bureau, and mine taking care of these conditions over the country, where a certain amount is required in each instance to carry out what the Government has heretofore undertaken to do—can be based on the idea that they have any sort of relation to a general public buildings policy at all. The mere fact that we are not able at this time to enact a general public buildings bill is no argument whatever against these amendments; and if this report is rejected and the bill goes back to further conference I believe that the House itself, if given the opportunity, will approve both these amendments. I have not any question in my own mind—and I am not saying this without information on the subject, very material and reliable information—that if the House itself has the opportunity, it will vote for these amendments to the bill; and I think the result will be that its conferees will be instructed to recede from the objection to these amendments. Therefore, I hope the bill will go back to conference.

Mr. McKELLAR. Mr. President, before the Senator takes his seat, will he let me say just a word by way of reinforcement of what he has said about the House? I am told by House Members on both sides of the aisle that they are very desirous of getting an opportunity to vote on this matter, and they believe that if that opportunity is afforded both of these proposals will be carried.

Mr. FLETCHER. I am much obliged to the Senator.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wyoming [Mr. WARREN] that the Senate agree to the conference report on House bill 12392.

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

Mr. JONES of New Mexico. Mr. President, I should like to say just a word upon this motion.

It seems to me that no just reason has been or can be advanced by the conferees on the part of the House regarding some of these provisions. The only reason that I have heard as to why the conferees on the part of the House are not willing to agree to the amendment which the Senate put upon this bill regarding the completion of these public buildings is that we should put it upon a general public buildings bill which has passed the House and been sent over to the Senate. In other words, the attempt is made to force the Senate to take up for consideration a bill which from its very nature is going to require at least extended discussion in this body, and, as some of us at least believe, a discussion which would extend beyond the period of this session of the Congress.

That general buildings bill appropriates $150,000,000 for public buildings, to be expended at such places and within such time as may be recommended by the Secretary of the Treasury. It is quite apparent that for such a measure as that to receive favorable consideration by the Senate will require extensive debate, and in my humble judgment it has no chance in the world of becoming a law at this session of Congress.

Moreover, as has already been stated, this item is a deficiency item. Ten or twelve years ago the Congress of the United States not only authorized the construction of these buildings but made appropriations which at that time were sufficient to construct the buildings; but, owing to the increased cost of building incident to the war and conditions growing out of the war, deficiencies exist. They can not be constructed with the amount of money which the Congress has previously appropriated; and so now we are confronted with the single proposition: "Shall this deficiency in appropriations be supplied?"

In my humble judgment, this bill has nothing to do with the general buildings bill to which the conferees on the part of the House make reference. The law has already authorized the construction of these buildings; and are we going to put it in the power of the Secretary of the Treasury to say that these buildings shall not be constructed? Shall we turn back to the Treasury the appropriations which have been heretofore made for this purpose?

It seems to me, Mr. President, that it is idle on the part of the conferees of the House to say that this should await the general buildings bill. It has nothing to do with it. There is nothing in that public buildings bill which repeals the laws under which these various buildings were authorized; and it seems to me—and I desire to emphasize this with all the earnestness of which I am capable—that the excuse offered by the conferees on the part of the House can furnish no substantial reason for their disagreement.

I submit that they should take this bill back to the House and let the House vote upon it. These buildings have already been authorized by law, and appropriations sufficient for their construction were provided; and it is only because of the exigencies growing out of the incidence of war that they are not already built. All that we ask is that these deficiencies shall be supplied. There is no other bill which can be presented to the Senate which is more appropriate for dealing with this subject than this deficiency appropriation bill.

Mr. President, there is another item in this bill which, it seems to me, no excuse has been or can be offered for striking out of the bill. The Public Lands Committee has pending before it a number of bills for the lease of the public domain, for increasing the various provisions of the homestead laws, for turning the public domain over to the States in order to get rid of the enormous appropriations which are necessarily made every year to keep up land offices, far in excess of the revenues which the Government is deriving from these public lands. Your Committee on Public Lands is faced with those various measures. There is not a member of that committee who has enough information regarding these lands to enable him to act intelligently in the consideration of these various bills. What we insist upon is that there shall be a committee to obtain this information, to ascertain where these lands are, how they are intermingled with private holdings, and what class of lands they are, so that the Congress may know how to deal with them.

We have asked for a joint commission of the two Houses to gain this information, study these problems, and suggest legislation to the Congress. For what reason could the conferees on the part of the House object to that provision, which was put on this bill by unanimous vote of the Senate, creating a joint commission?

We can create a commission of the Senate ourselves; but it seemed to the members of the Public Lands Committee that there should be a joint commission representing the two bodies of Congress. The other day we passed a concurrent resolution creating this commission. Owing to the congestion in the House, and the probability that it might not be reached for the House to act upon it, the Senate put it upon this bill. It is here; and what reason can the conferees on the part of the House offer for rejecting such an amendment as that, and insisting upon its rejection to the extent of defeating the whole deficiency bill?

Mr. President, I say that this bill should go back to conference, and it should go back with the distinct understanding that if the House conferees are not willing to agree to the provisions which the Senate has unanimously put upon the bill they should at least submit these questions for a vote of the House which they pretend to represent.

Mr. BROUSSARD. Mr. President, I wish to indorse the protests that have been made against the report of the conferees. I wish to indorse what has been said with reference to the elimination of the amendments adopted by the Senate with reference to public buildings. These amendments, if taken back to conference, would require submission to the House; but I rose, Mr. President, for another purpose than to urge that which has been so well urged by others.

I proposed an amendment to this deficiency bill which was adopted. It increased by a very small amount the amount which the House had adopted. It is not an important matter, so far as the amount is concerned, but it does concern my people very much, and it also concerns the people of the States of Mississippi, Alabama, Georgia, and Florida.

I understand, from rumors that have reached me, that there was a misunderstanding on the part of the conferees as to the attitude of a Member of Congress coming from the largest sugar-producing district of my State. I have since found out that this gentleman is very much in favor of the increase which the Senate adopted, and if the bill goes back to conference I wish to ask the conferees to reopen that matter, and try to secure an agreement on the part of the House conferees to the amount which the Senate adopted under my amendment.

Mr. WARREN. Mr. President, as I understand it, this is the situation: We have sumitted a report of the conference committee and asked for its adoption. The rules of the Senate provide that under those circumstances there shall be an immediate vote. I have refrained from making a point of order against the debate, because I thought it would facilitate business for us to find out what matters of complaint there might be, so that we might get an early adoption of the conference report.

In the conference we secured some 40 or more recessions on the part of the House, and there were some further matters as to which the House will be advised by its conferees to recede, which will bring the number of recessions up to more than 50. On the other hand, there are some 15 matters on which the Senate conferees have been compelled to surrender. I can easily see that this discussion may develop into a discussion by those who may feel injured as to those 15 matters.

Of course, my judgment is perhaps no better than that of others; but my judgment is that we have made the best adjustment we can make, and that we shall not be successful in having other changes made. If the bill shall be sent back to conference we will give our best efforts in trying to have the amendments of the Senate agreed to.

It must be understood that we take a chance in sending a matter before the House at this late date when they are all very busy, when many are seeking recognition to press some particular measures. When their conferees state their side of the case in the matter of these complaints they are almost sure to win in the House, and it is a question of whether we want to take that chance or whether we shall at once adopt the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

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

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

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Connecticut [Mr. McLEAN], which I transfer to the senior Senator from Tennessee [Mr. SHIELDS], and vote "nay."

The roll call was concluded.

Mr. JONES of Washington. I desire to announce the necessary absence of the junior Senator from Wisconsin [Mr. LENROOT]. If present he would vote "yea."

Mr. ERNST. I transfer my general pair with the senior Senator from Kentucky [Mr. STANLEY] to the junior Senator from Wisconsin [Mr. LENROOT] and vote "yea."

Mr. SIMMONS (after having voted in the negative). I have a general pair with the junior Senator from Oklahoma [Mr. HARRELD]. I transfer that pair to the junior Senator from Montana [Mr. WHEELER], and allow my vote to stand.

The result was announced—yeas 32, nays 49, as follows:

YEAS—32

Ball	Curtis	Johnson, Calif.	Norris
Bingham	Dale	Keyes	Overman
Borah	Deneen	King	Pepper
Bursum	Edge	McKinley	Reed, Pa.
Butler	Ernst	McNary	Spencer
Capper	Fernald	Means	Warren
Couzens	Fess	Metcalf	Weller
Cummins	Hale	Moses	Willis

NAYS—49

Ashurst	George	Neely	Smoot
Bayard	Gerry	Norbeck	Stanfield
Brookhart	Glass	Oddie	Stephens
Broussard	Gooding	Pittman	Sterling
Bruce	Harris	Ralston	Swanson
Cameron	Heflin	Ransdell	Trammell
Caraway	Howell	Reed, Mo.	Underwood
Copeland	Johnson, Minn.	Robinson	Walsh, Mass.
Dill	Jones, N. Mex.	Sheppard	Walsh, Mont.
Edwards	Jones, Wash.	Shipstead	Watson
Ferris	Kendrick	Shortridge	
Fletcher	McKellar	Simmons	
Frazier	Mayfield	Smith	

NOT VOTING—15

Dial	Harrison	McLean	Stanley
Elkins	Ladd	Owen	Wadsworth
Greene	La Follette	Phipps	Wheeler
Harreld	Lenroot	Shields	

So the conference report was rejected.

Mr. WARREN. Mr. President, we would hardly expect a matter of this kind to be allowed to remain on the table for any length of time at this late day in the session. I notice that no motion has been made to refer the bill back to the conference committee, and I therefore move that the Senate, insisting upon its amendments, recommit the bill to conference, and that the same conferees be appointed on the part of the Senate.

The PRESIDENT pro tempore. The Senator from Wyoming moves that the Senate insist on its amendments, that the bill be recommitted to conference, and that the same conferees be named.

The motion was agreed to, and the President pro tempore appointed Mr. WARREN, Mr. CURTIS, and Mr. OVERMAN conferees on the part of the Senate at the further conference.

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 joint resolution (S. J. Res. 130) for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927.

The message also announced that the House had passed the bill (S. 4209) to authorize the building of a bridge across the Santee River in South Carolina, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12344. An act to extend the time for the commencement and completion of the bridge of the Valley Transfer Railway Co., a corporation, across the Mississippi River in the State of Minnesota;

H. R. 12347. An act granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, Ill., to construct, maintain, and operate a bridge across the Fox River; and

H. R. 12376. An act to extend the time for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 5722. An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense and to the development of commercial aeronautics, and for other purposes;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre;

H. R. 11818. An act granting the consent of Congress to the construction of a bridge across the Rio Grande;

H. R. 12033. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes; and

H. R. 12262. An act for the relief of certain enlisted men of the Coast Guard.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Commerce:

H. R. 12374. An act granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, Ill., to construct, maintain, and operate a bridge across the Fox River; and

H. R. 12376. An act to extend the times for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States.

THE ELECTION OF THE PRESIDENT OF THE UNITED STATES BY THE HOUSE OF REPRESENTATIVES (S. DOC. NO. 227)

Mr. MOSES. I ask unanimous consent to submit a report from the Committee on Printing, and if the request is granted I ask further unanimous consent for the consideration of the report.

The PRESIDENT pro tempore. Is there objection?

Mr. ROBINSON. May we have a statement of what the resolution is?

Mr. MOSES. It is a resolution authorizing the printing of a manuscript prepared by the Legislative Bureau in the Library of Congress with reference to the election of a President by the House of Representatives in the event of failure by the Electoral College so to elect. The manuscript was submitted by the senior Senator from New Mexico [Mr. JONES] and referred to the Committee on Printing. The committee now reports favorably that it be printed as a Senate document.

Mr. ROBINSON. I have no objection.

The resolution (S. Res. 354) was considered by unanimous consent, and agreed to, as follows:

Resolved, That the manuscript entitled "The Election of the President of the United States by the House of Representatives" be printed as a Senate document.

MEETING OF INTERPARLIAMENTARY UNION

Mr. McKINLEY. Mr. President, I ask unanimous consent for the consideration of the resolution which I send to the desk.

The PRESIDENT pro tempore. The Clerk will report the resolution for information.

The Chief Clerk read the resolution (S. Res. 355), as follows:

Resolved, That the chairman of the Committee on Rules of the United States Senate is hereby authorized to allow, so far as he may deem wise and under such regulations as he may determine, the use of the Senate Chamber and adjacent rooms for the meeting of the Interparliamentary Union between October 1 and 6, 1925.

Mr. SMOOT. Mr. President, I want to ask the Senator presenting the resolution if it has been taken up with the Rules Committee.

Mr. McKINLEY. It was taken up by the chairman of the Rules Committee, who consulted with some of its members. It was not reported out by the committee. It is perfectly agreeable to him, and he authorized me so to say.

Mr. SMOOT. I do not recall a resolution of this kind ever having been presented before and I was wondering whether it was a proper resolution to pass on account of the precedent that will be established.

Mr. McKINLEY. I will say to the Senator that the Interparliamentary Union meets in the capitals of the various nations. I have attended some 10 of those meetings and they are always held in the hall of the house of representatives or the senate of the respective countries. The members of the Interparliamentary Union are all members of the governing bodies of the various nations. There is no other membership.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. SMOOT. If the chairman of the Rules Committee has given it consideration and it meets his approval, I shall not object.

Mr. SIMMONS. Mr. President——

The PRESIDENT pro tempore. The question is not debatable at this time.

Mr. SIMMONS. I suggest to the Senator that he have the resolution referred to the Committee on Rules and let them act upon it. If that is done, it will relieve the situation to some extent.

Mr. ASHURST. Mr. President——

The PRESIDENT pro tempore. The Chair will not allow any extended debate on the question.

Mr. ASHURST. I would like to be heard for a couple of minutes. I hope there will be no objection to the resolution.

Mr. SIMMONS. I have no objection to it, but I think it ought to go to the Committee on Rules. We ought not to act in this way without consideration by the committee, because we will be called upon soon to do it for some other purpose. If the resolution goes to the Committee on Rules, I have no doubt they will report it back in a very short time, probably within an hour.

Mr. McKINLEY. The chairman of the Committee on Rules, who has gone to a meeting of a conference committee, authorized me to say that he was favorable to the resolution, that he had spoken to some of the members of the Committee on Rules, but had not been able to see them all, and that they had not officially acted.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. JONES of Washington. I think it ought to go to the Committee on Rules.

The PRESIDENT pro tempore. Does the Senator from Washington object?

Mr. JONES of Washington. Yes; I object.

Mr. McKINLEY. Let the resolution be referred to the committee.

The PRESIDENT pro tempore. Objection is made; and the resolution will be referred to the Committee on Rules.

AMENDMENT OF THE PROHIBITION ACT

Mr. STERLING. Mr. President——

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

Mr. EDWARDS. For what purpose?

Mr. STERLING. For the purpose of making a statement concerning the bill (H. R. 6645) to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties, and in reference to further proceeding with the bill or discussion of the bill or any motion that is pending.

Mr. EDWARDS. I will yield in just a moment. I will close my remarks in a moment, and will yield then to the Senator from South Dakota for that purpose.

Mr. President, I have no desire to prolong the discussion or interfere with legislation that may properly come before the Senate. I have considerable documentary evidence and other matter here which I ask leave to have printed in the RECORD as a part of my remarks, and when that consent is granted I shall then be very glad to yield to the Senator from South Dakota without further discussion.

I ask unanimous consent to incorporate in the RECORD as a part of my speech the remainder of the committee report which I was reading.

The PRESIDENT pro tempore. The Senator from New Jersey asks unanimous consent that there be printed in the RECORD in connection with his speech the report of the committee——

Mr. MOSES. Mr. President, I want to understand what the Senator is asking to have printed in the RECORD. It is not his own matter?

Mr. EDWARDS. No; it is documentary, entirely.

Mr. MOSES. That comes within the rule.

Mr. EDWARDS. I can read it if the Senator wants me to do so.

Mr. MOSES. The only thing we insist upon hearing are the Senator's own utterances.

The PRESIDENT pro tempore. Without objection, the request of the Senator from New Jersey is granted.

Mr. EDWARDS. I understand my request has been granted.

The PRESIDENT pro tempore. The report to the committee to which the Senator referred is ordered printed in the RECORD, together with the letters to which he has referred, but no part of the original matter of the speech of the Senator is included in that consent.

Mr. EDWARDS's speech is entire as follows:

Mr. EDWARDS. Mr. President, since the Cramton bill passed the House, June 5, 1924, its friends themselves have been unable to agree upon its provisions. At first they thought they wanted it enacted into law just as it passed the House, without the dotting of an "i" or the crossing of a "t," as was evidenced by their efforts to rush it through the Senate in 48 hours. It will be recalled that it was messaged to the Senate the same day it passed the House, referred to the Judiciary Committee, and the next day, June 6, 24 hours before adjournment, was reported favorably by the committee, without amendment, without a hearing, without consideration—word for word as it came from the House.

When Congress convened the first Monday in December friends of the Cramton bill were of the same opinion they were when it was originally reported to the Senate the 6th of June, and made it clear they intended to deny hearings and push the bill through unamended. Vigorous protests from the legitimate trade in alcohol for use in the industries, however, forced the sponsors of the bill from their untenable position, and on the 13th of December it was recommitted to the Judiciary Committee. Hearings were held December 18 and 19 and January 7, 8, and 9. Approximately a month later, February 7, the bill was again favorably reported, but with amendments very materially changing its provisions.

For instance, the salary of the Prohibition Commissioner was changed from $10,000 to $7,500. The salary of the prohibition solicitor was changed from $7,500 to $6,500. Again, the provision affecting penalties, assessments, and adjustments was made to apply to the Prohibition Commissioner instead of the Prohibition Bureau. In the bill as it passed the House this provision read:

The Bureau of Prohibition shall be charged with the duty of determining all administrative penalties, proposed assessments, compromises, and adjustments relating to intoxicating liquors and narcotics, and all statutes of the United States which shall hereafter be enacted relating thereto.

In the bill as reported by the Judiciary Committee, after the hearings referred to, this provision reads:

The Commissioner of Prohibition shall be charged with the duty of making all assessments; and—with the approval of the Secretary of the Treasury—affecting all compromises arising out of intoxicating liquors and narcotics.

Again, aside from these changes in the phraseology of these provisions, two highly important provisions of an entirely new nature are found in the bill as we now have it, following the hearings referred to, and nearly a month's consideration. The first substitutes a division of industrial alcohol and a division of nonbeverage alcohol for the division of industrial alcohol and chemistry. The provision as it originally passed the House and as it was indorsed by the Senate Committee on the Judiciary read:

To better effectuate the provisions of section 13, Title III, of this act (the Volstead Act), there shall also be in said bureau a division of industrial alcohol and chemistry, the chief of which shall be a graduate chemist and a person of knowledge and experience in the manufacture, distribution, and industrial uses of ethyl and denatured alcohol, who shall be appointed by the commissioner with the approval of the Secretary of the Treasury, and receive a salary of not more than $7,500 per annum. Such division of industrial alcohol and chemistry shall administer the manufacture, distribution, sale, and use of ethyl and denatured alcohol for all nonbeverage purposes in such manner as to insure an ample supply and promote the use thereof in scientific research and the development of lawful industry.

The provision in the bill in charge of the Senator from South Dakota [Mr. STERLING], as reported following the hearings referred to and nearly a month's consideration, reads:

There shall be in said Bureau of Prohibition two divisions as follows:

(1) A division of industrial alcohol, the chief of which shall be a graduate chemist and a person of knowledge and experience in the manufacture of ethyl and denatured alcohol, and the industrial uses of denatured alcohol, who shall be appointed by the commissioner with the approval of the Secretary of the Treasury, and receive a salary of not more than $6,000 per annum.

Such division of industrial alcohol shall administer the laws and the regulations promulgated thereunder relating to the manufacture of ethyl alcohol, and the laws and the regulations promulgated thereunder relating to the manufacture of, the issuance and revocation of permits for the distribution, sale, and use of denatured alcohol in such manner as to insure an ample supply of alcohol, and to provide for the use of denatured alcohol in the development of lawful industry.

(2) A division of nonbeverage alcohol, the chief of which shall by technical training and practical experience have a thorough knowledge of the use of ethyl alcohol and other liquors, and in the manufacture of articles in which the use of ethyl alcohol and other liquors is authorized under the provisions of the national prohibition act, who shall be appointed by the commissioner with the approval of the Secretary of the Treasury, and receive a salary of not more than $6,000 per annum.

Such division of nonbeverage alcohol shall administer the laws and the regulations promulgated thereunder relating to the issuance and revocation of permits for the distribution, sale, and use of ethyl alcohol and other liquors for manufacturing and all other nonbeverage purposes.

It will be noted that in the original provision creating a division of industrial alcohol and chemistry the chief was to receive a salary of $7,500, whereas in the committee's amendment it is provided that the chief of the division of industrial alcohol shall receive $6,000, and the chief of the division of nonbeverage alcohol shall receive a salary of $6,000. This represents an increase of $4,500 as an offset to the saving of $3,500 on the salary of the Prohibition Commissioner and the prohibition solicitor, thus making it plain that the proposed scaling of the salaries of these two officials was for some reason other than economy.

The second brand new provision written into the bill by the Senate Judiciary Committee, following the hearings referred to and the nearly month's consideration given it, provides for a board of review of three members to be appointed not by the Prohibition Commissioner but by the Secretary of the Treasury, and reads:

All regulations and decisions respectively issued and made by the commissioner or the chiefs of such divisions of industrial alcohol and nonbeverage alcohol relating to permits of all kinds; permit holders of every class; the issuance and revocation of permits for the withdrawal, purchase, sale, and use of ethyl or denatured alcohol or other liquors, and the imposition by the commissioner of penalties or assessments of every kind shall be subject to review by a board consisting of three members appointed by the Secretary of the Treasury: *Provided*, That no member of such board shall be connected with or employed in the Prohibition Bureau.

Such board shall designate one of its members chairman, and any interested person, firm, or corporation may file with the chairman an application for review of such regulations, decision, imposition of any penalty or assessment, and such application for review shall be heard and decided by said board within 30 days after filing, and the commissioner thereupon shall forthwith conform such regulation, decision, penalty, or assessments to the decision of said board: *Provided, however*, That a date for such hearings shall be fixed by said board, and not less than five days' notice of the time and place of such hearing shall be given to the applicant and the commissioner, both of whom may present evidence, oral or written, in person or by an attorney, or other authorized representative: *And provided further*, That the applicant or the commissioner may have a decision of said board reviewed by an appropriate proceeding in a court of equity which may affirm, modify, or reverse the decision of said board.

This new provision is quite unsatisfactory to some of the original friends of the bill. I cite as proof of this statement as well as my statement heretofore made that the friends of the bill themselves can not agree on its provisions, the following excerpt of a statement by the board of temperance, prohibition, and public morals of the Methodist Episcopal Church, 110 Maryland Avenue NE., Washington, D. C., in its clip sheet, February 16, 1925, under the caption "Amend the Cramton bill on the floor":

As it now reads the bill provides that appeals from the head of the industrial alcohol division will go directly to the board of review. Under this arrangement the commissioner will have no authority—only the privilege of taking the blame for things other men have done.

Under the bill it is provided that the members of the board of review shall be appointed by the Secretary of the Treasury, independently and directly, and that these members can not be members of the Prohibition Unit.

This board of review will have power to revise or revoke regulations—absolutely ignoring the commissioner if it so desires. Even regulations made by the commissioner and approved by the Secretary

of the Treasury himself could be changed by this board of review. Here once again is a decentralization of responsibility. The bill should be amended at this point.

If the writer of this criticism had given a more careful reading to the provision creating the board of review he would have noted that it applies to the appeals from the commissioner and the chief of the nonbeverage alcohol division the same as it applies to the chief of the industrial alcohol division.

Mr. President, I have received numerous protests from legitimate users of alcohol against the Cramton bill. One comes from Dr. Martin H. Ittner, chairman committee on industrial alcohol, American Chemical Society, and chief chemist for Colgate & Co., large manufacturers of soaps and toilet articles, New York City. Doctor Ittner is no stranger to me. I know him well and favorably. He appeared before the Senate judiciary subcommittee, January 7, 1925, and his testimony appears on pages 121 to 125, inclusive, of the Hearings, Part II. Doctor Ittner tells me industrial alcohol users are against the Cramton bill—not on a wet-and-dry basis—nor on political grounds—but because they fear it will prove inimical to legitimate business interests. His contention is that Congress should protect rather than embarrass the legitimate trade, and I quite agree with him. I asked him to submit a memorandum of his views on the bill to me for my information and consideration. He has done so. I have read it carefully, and my judgment is it is a real contribution to the discussion of the various provisions of the bill. To that end I ask the indulgence of the Senate while I read it. It follows:

DR. MARTIN H. ITTNER'S STATEMENT

The Cramton bill, H. R. 6645, would create a new Bureau of Prohibition in the Treasury Department. This bill would transfer to the new bureau thus created authority to administer the national prohibition act, all the various other acts pertaining to the manufacture, distribution, sale, and use of alcohol both pure and denatured and liquor, and the acts pertaining to narcotics. Its authority would permit it to ditch the various regulations which have gradually been built up by experienced men as an aid to the administration of these various laws, and to substitute new regulations of its own making.

The present Prohibition Unit has shown a strong inclination to disregard the long experience gained by the Internal Revenue Bureau by the issuance of many new and drastic orders which were aimed to correct a single evil but when put into force were found to be so unfair and objectionable that the Commissioner of Internal Revenue was forced, in the interests of justice, to rescind such orders.

The administration of the national prohibition act is at present vested in the Commissioner of Internal Revenue. The bureau over which he presides has for years administered all laws pertaining to alcohol pure and denatured and liquor. This bureau has always been one of the most efficient branches of the Government, both in the personnel of its officers and in the administration of the law. The national prohibition act is at present administered by a Commissioner of Prohibition who holds office as an assistant to the Commissioner of Internal Revenue. He is not now lacking any authority that should be conferred upon him or that is necessary to the proper enforcement of the national prohibition act, and all the powers necessary to such enforcement are delegated to him and have been exercised by him since the inception of prohibition. There is nothing in the present law which would limit the proper exercise of authority by the Prohibition Commissioner. In the present administration of the law the acts of the Prohibition Commissioner are subject to review and reversal by the Commissioner of Internal Revenue, an officer experienced in these matters and competent to pass upon them. From time to time, cases have been referred to the Commissioner of Internal Revenue which demanded his attention and a reversal of some of the acts of the Commissioner of Prohibition. There is not a single case on record where the Commissioner of Internal Revenue has exceeded his authority or where his action in so reversing the Prohibition Commissioner has been anything but an act of simple justice.

The Prohibition Unit, instead of seeking to enforce the law in the most efficient manner by taking full advantage of expert chemical advice in properly investigating permittees, in detecting diversions, in seeking to stop them and in prosecuting violators of the law, has continuously exercised carelessness in the granting of permits to new concerns which had never used alcohol before, has permitted alcohol to go out in large quantities to such concerns, has been lax in recognizing diversions which might in many cases have been prevented at the start or have been detected sooner had they utilized the expert experience of the bureau.

The long [statement of Prohibition Commissioner before House Committee on Appropriations] list containing hundreds of prohibition-enforcement officers whose services the bureau has been forced to dispense with owing to bribery, dereliction, and other forms of misconduct in office is evidence that many diversions are due not to a lack of authority of the Prohibition Unit but to improper enforcement of the law. Instead of going directly at these violators, the unit has sought to hamper them by indirect means. They have placed unnecessarily burdensome restrictions upon the legitimate users of alcohol and liquor and even on the users of denatured alcohol, going on the general principle that the nearer they come to stopping the use of alcohol entirely the closer they approach perfect enforcement. It is a notorious fact that some of the long-established, reputable manufacturers requiring alcohol in their business have met with unnecessary delay and restrictions. Only last summer the prohibition commissioner, in order to strike an indirect blow against a few suspected diverters of alcohol, sent orders to all collectors of internal revenue, who take orders from him, to require of all alcohol permittees that they demand of jobbers to whom they sold their manufactured articles made with the use of alcohol, as a condition of sale, that their books should at all times be open to inspection by any prohibition officer or State officer, and that failure to impose this requirement upon the manufacturer's customer might possibly lead to revocation of his permit to use alcohol. Congress has long sought by statute to prevent manufacturers from imposing conditions of resale on those to whom they sell their goods, and the Supreme Court has declared against such control by manufacturers. Yet the Prohibition Unit, knowing fully the illegality of such a measure, sought to impose this burdensome condition upon all manufacturers using alcohol legitimately. This is an illustration of one of the cases where the Commissioner of Internal Revenue was forced to step in and rescind the action of the prohibition commissioner by permitting noncompliance with the order.

Those most active in prohibition enforcement, instead of recognizing the rights of industry and working in harmony with them, to the advantage of both prohibition enforcement and industry, have continuously sought new legislation which would put as much authority as possible in the hands of a prohibition commissioner and have sought every means to avoid as far as possible appeal from his acts. It was only a short time ago that they tried through the Ernst-Wood bill to create an officer who might draw his regulations himself, without requiring the authority of any other officer, whose acts would not be subject to court review, and who would be subject only to the President of the United States, an officer manifestly too busy to review and reverse his acts or to give needed relief in the innumerable cases that would develop. The Cramton bill would be but little better in its operation. The Commissioner of Prohibition would nominally be under the Secretary of the Treasury, one of the busiest officers of the Government, instead of, as at present, under the Commissioner of Internal Revenue, who is the man most experienced in matters pertaining to alcohol and liquor. The provision in the Cramton bill for a review in a court of equity is entirely inadequate, just as the provision in the national prohibition act is inadequate. This act provides for court review only in cases pertaining to the action of the commissioner with regard to permits. There is no provision in the national prohibition act or in the Cramton bill which would give one relief by applying to the courts in numberless other cases of abuse which might arise, either due to an overstepping of authority or a failure in the performance of duty on the part of the commissioner or of any of his subordinates. In the present law the right of appeal to the experienced Commissioner of Internal Revenue makes up partly for the lack of court review.

The Prohibition Unit has thus far failed to fully recognize that the national prohibition act provides not only for prohibition enforcement, but with equal importance for the manufacture, distribution, sale, and use of alcohol, pure and denatured, and liquor for legitimate industrial and medicinal purposes. They have failed to recognize that they have no authority to neglect the proper enforcement of this portion of the law and to give greater weight to the prohibition enforcement portion of the law. All portions of the law should be enforced impartially. This has not been the case, and there has been heretofore an ever-present tendency in the Prohibition Unit to superimpose the needs, or supposed needs, of prohibition enforcement upon the needs of legitimate users. Although the prohibition enforcers and prohibition advocates tell us freely that they wish to encourage the industries, their unnecessarily burdensome restrictions often belie their statements.

The Cramton bill is a measure aimed to give added authority to the prohibition commissioner, and would enable him to make still more burdensome restrictions on legitimate operation, and would increase the difficulty of obtaining relief from such restrictions. There should be no attempt at prohibition legislation which does not recognize fully and unequivocally the fundamental rights of the industries and of all legitimate users of alcohol, pure and denatured, and of liquor, to obtain all of the alcohol or liquor which their proper needs may require without unnecessarily burdensome regulations or restrictions. There is no authority in Constitution or law for any other course. Hastily conceived attempts at legislation drawn to meet the demands of fanatical or one-sided advocates of prohibition, without the proper cooperation of all of the legitimate interests which would be influenced by such legislation, can only result in disaster to our industries and would not add a single effective step to real prohibition enforcement.

The Cramton bill is another such ill-conceived, one-sided attempt at strengthening prohibition enforcement. It would fail utterly in accomplishing its purpose. It is opposed almost unanimously by all legitimate users of alcohol. Representatives of industries have begged that legislation of this character and so important should not be hastily pushed through Congress. They have repeatedly offered services that would lead, through their cooperation, in valuable constructive suggestions. The history of attempts to pass prohibition enforcement legislation is replete not only with disregard of the needs of industry, but with attempts to rush such legislation so rapidly that the objections of the industries might not be heard. This very bill passed the House last summer after suspension of the rules and after an undebated amendment had been adopted contrary to the recommendation of the Judiciary Committee of the House and against protests of members of the House Judiciary Committee. It was only due to the protests of Senators that an even more hasty action on the part of the Senate was prevented at that time.

Amendments have been proposed to this bill which would establish in the newly created bureau of prohibition two divisions, dividing among them some of the authority over administration of alcohol, pure and denatured, and liquor for legitimate purposes. This would defeat some of the ends that this bill was originally aimed to accomplish, namely, the greater centralization of authority. Some legitimate users of alcohol use both pure and denatured alcohol and would therefore be forced to operate under two divisions. In some cases the character of their product would change so that during one portion of a process the operation would be under one division and during another portion of the same process would be delegated to another division. This would not lead to efficiency either in manufacture or in enforcement, but would add to confusion. Representatives of most of the alcohol-using industries met in Washington recently and carefully considered these amendments, which would place a divided authority over legitimate users in two separate divisions, and declared almost unanimously in favor of placing the administration over all legitimate uses under one direct, experienced head instead of in two or more divisions. It is time that some one should recognize that all laws bearing on this subject treat of one of two things: The legal, commendable use of alcohol pure and denatured and liquor for legitimate purposes, and the improper, illegal use of alcohol or intoxicating beverages. The enforcement of the two portions of the law are important, and neither should be permitted to override the other. Any administration of the law which would place the control over legitimate users of alcohol or liquor completely in the hands of prohibition enforcement officers will fail to accomplish any good purpose. The Cramton bill is aimed to do this.

An officer whose training and ability would make him a competent prohibition enforcement officer would, in the nature of things, not have the qualifications necessary to recognize the needs of the industries. He should be a competent police officer and should exercise police functions and should address himself entirely to seeking out and punishing infractions of the prohibition end of the law. He needs no authority over the legitimate industries. If these are carried out in compliance with the law, their acts are not matters of his concern. If, on the other hand, any act is committed which is not legal, or if any diversion of alcohol or liquor should occur, the act being illegal and an infraction of the prohibition end of the law, it becomes at once a matter of concern of prohibition enforcement officers and passes from the authority of the officer administering the legitimate features of the law to the prohibition enforcement officers.

The industries and scientific societies of the country have repeatedly urged that the control of alcohol and liquor for all legitimate users should be centered in an officer of technical experience, a trained chemist familiar with the manufacture, distribution, and uses of ethyl and denatured alcohol and liquor. He should hold office either under the Commissioner of Internal Revenue or the Secretary of the Treasury and not as a subordinate of a prohibition commissioner. A man of such experience, with the organization with which he would surround himself, would know better than anyone else the needs of the industries and legitimate users, to the end that he could readily detect improper requests for alcohol and liquor, would best be able to decide if unnecessarily large quantities were being drawn, and if it were going into legitimate channels. In the same way, industry would be encouraged and benefited by his being able to recognize its needs as no one else might.

The greatest obstacle that stands in the way of procuring efficient prohibition enforcement is the one-sided and unfair attitude of some of the strongest advocates of prohibition. Realizing their command of votes on a purely wet and dry issue, they seek to confuse all legislation to the end that advocates and opponents shall be arrayed on a wet and dry basis. This absolutely prevents the proper consideration of most features of such proposed legislation on their merits. This is most unfortunate and is to be deplored, as the strongest advocates of some ill-advised attempts at legislation have often arrayed themselves in support of such legislation because of the claim that it is a wet and dry issue and that otherwise prohibition enforcement would suffer. In spite of the fact that the Cramton bill does not involve the merits of prohibition and does not contain anything that would add to the efficiency of prohibition enforcement, its advocates seek support by making it a wet and dry issue.

If we admit, as we do, that drunkenness is bad and that diversion of alcohol to improper uses is also bad, we are really adding no argument for the adoption of the Cramton bill, yet this is the character of the argument most strongly urged for its adoption. In arguing for the bill, the attorney of a large prohibition body appeals to our emotions by saying that "many people are willing to gamble with their lives and health in order to satisfy a long-established thirst." He says "about 6,000,000 gallons of denatured alcohol have been withdrawn on Government permits under the control of the internal revenue collectors and reduced to whisky strength and sold for beverage purposes in violation of the law." He knows when he says this that he has no evidence that this is true. He knows that there are no Government records which show that any such quantity of denatured alcohol is diverted, that this figure was given as a guess by a Government officer who stated that any estimate could be not more than a guess, who gave a guess reluctantly, and who also said that the amount diverted "might be very much less." Assistant Prohibition Commissioner Jones testifying before the Judiciary Committee commented on this estimate and said he did not "believe anybody on earth could tell how much has been diverted," and that he believed the amount diverted was less. The diversion of denatured alcohol to illegitimate purposes is undoubtedly not so great as this, and the actual diversion is very much magnified in statements first quoted above for the purpose of influencing legislation.

It is true that some alcohol has been diverted to illegitimate channels. It is practically impossible that any large quantity could be so diverted without involving the collusion of one or more prohibition officers. Representatives of the legitimate industries have on a number of occasions called the attention of Government officials to the probability of diversion in specific instances, and the industries have at all times shown a willingness to cooperate with the Government in stamping out illegitimate practices. The correction of such abuses as exist lies in the proper enforcement of the law through the ample means already in the hands of the Prohibition Commissioner, and not in a complete upset of the law's administration involved in the transfer of important matters from the hands of a man of long experience to those bent on trying new experiments in administration. If the law sought only to change the manner of administration of prohibition the experiment would not be of vital importance and might even lead to improvement, as we will all admit that the administration of prohibition itself has not so far attained the high degree of success that has been claimed for it. The Cramton bill does not offer anything of advantage as a new experiment in prohibition enforcement, but serves only as the base for new and dangerous experiments in the administration of alcohol for legitimate business purposes.

In arguing for the necessity of this bill, prohibition enthusiasts tell us of the importance of placing authority over prohibition in the hands of the Prohibition Commissioner. They would have us believe that the Commissioner of Internal Revenue is continually putting obstacles in the way of the Prohibition Commissioner and that the latter is tied hand and foot for lack of authority to act. Exactly the reverse is the case. The Cramton bill would give no additional needed authority to the Prohibition Commissioner. The Commissioner of Internal Revenue delegated full powers to him for the administration of all parts of the national prohibition act, and these powers have been exercised by him from the beginning of prohibition. He has been responsible for the issuance of every basic permit to use alcohol, pure and denatured, and liquor. As a matter of fact, the Prohibition Commissioner has on more than one occasion taken extra legal action in issuing orders involving the rights of alcohol users. The Commissioner of Internal Revenue has not at any time interfered with the duties of the Prohibition Commissioner, and has only taken action with regard to acts which were recognized as illegal or unjust, and has given relief when appealed to and when the illegality or injustice of such acts had been pointed out to him.

The Commissioner of Internal Revenue, in order that he might be fully informed as to the needs of the industries and exercise the wisest judgment with regard to such needs in the best interests of the Government, surrounded himself with an alcohol trades advisory committee, drawn from the largest producers and users of industrial alcohol, both pure and denatured, representatives of the various drug making and selling industries, and representatives of the scientific societies, all of whom were familiar with the law and with its workings and with alcohol and its various legitimate uses, who gave freely their time and best thought and efforts to matters which he called to their attention for their opinion, and his acts have been largely guided by their judgment. The alcohol trades advisory committee, recognizing the importance of alcohol as a chemical raw material for manufacturers of this country and its need in the develpoment of fuel, dye, and other lawful industries, issued a statement and recom-

mendations showing the importance of avoiding any new regulation or legislation that would put unnecessarily burdensome restrictions on the manufacture and use of alcohol.

The argument for the Cramton bill that it would put the personnel of the Prohibition Bureau under the civil service is an extremely weak one. This is a most roundabout way to accomplish an end that may be accomplished better by direct means. Legislation is already pending which might effect the same result without the adverse effect on the industries that the Cramton bill would have.

Mr. President, this statement by Dr. Martin H. Ittner which I have just read into the RECORD was addressed to me personally, and does not appear elsewhere. I now want to direct attention to the statement made by Doctor Ittner on the 7th of January, 1925, before the subcommittee of the Senate Judiciary Committee, which appears on pages 121 to 125, inclusive, in Part II of the hearings. I shall content myself by quoting excerpts, though the entire statement is well worth a careful reading. It was, in part, as follows:

DR. MARTIN H. ITTNER'S STATEMENT BEFORE THE COMMITTEE

Colgate & Co.—

Doctor Ittner is chief chemist for that company—

have always stood unequivocally for law enforcement. They are opposed to the Cramton bill or any bill that would put the administration of alcohol for lawful manufacture completely in the hands of a prohibition enforcement officer.

I appear on behalf of the American Chemical Association, consisting of about 15,000 chemists engaged in manufacturing, scientific, and educational pursuits, being chairman of the committee on industrial alcohol of this society, and also on behalf of the American Institute of Chemical Engineers, embracing most of the leading manufacturing chemists of the country, being chairman of the committee on industrial alcohol of the institute.

Neither I nor any of those whom I represent have any interest in this bill other than a strictly lawful one. They are, however, all interested directly or indirectly in the lawful manufacture, sale, and use of alcohol for other than beverage purposes, including scientific research, the development of fuel, dye, and other lawful industries. They are all law-abiding men and favor enforcement of the laws. They have at stake not only their professional interests but financial interests aggregating in the millions. * * *

Those depending upon the lawful use of alcohol feel that all legislation affecting them, and alcohol for their use, should, so far as possible, divorce the permissive features of the law from the same kind of consideration which is accorded so-called wet and dry issues, which would involve prohibition. They feel that those who are operating legally under the permissive portions of the laws should meet with every encouragement and believe that this can not be brought about to the best interest of all if the permissive as well as prohibitive portions of the law are placed completely in the hands of a Prohibition Commissioner, whose prime end and viewpoint will be the detection and prosecution of violations of the law. For this reason the chemists are opposed to the Cramton bill, H. R. 6645.

In the present administration of the law, although the Prohibition Commissioner is directly charged with enforcement, he is under the Commissioner of Internal Revenue, who is charged by the law with the enforcement of the national prohibition act. The Commissioner of Internal Revenue is familiar with the provisions of the law and at present serves as a court of appeal from the rulings of the Commissioner of Prohibition when an appeal becomes necessary.

If any new legislation is passed with regard to the enforcement of the national prohibition act, the chemists and manufacturers of the country believe that the permissive features of the law as pertaining to ethyl and denatured alcohol for all nonbeverage purposes should be administered by an officer who shall be a graduate chemist and a person of knowledge in the manufacture, distribution, and use of ethyl and denatured alcohol, and who shall be appointed by the Secretary of the Treasury.

The chemists ask nothing that would lessen the authority of the Prohibition Commissioner in actual prohibition enforcement, but earnestly urge upon Congress to provide in all legislation proper means for the consideration of appeals from decisions that may be in error, such appeals to be in a properly constituted board the membership of which shall be quite apart from the Prohibition Unit and Internal Revenue Bureau. * * *

The chemists also urge upon Congress the desirability and necessity of making proper provision for court review, not only with regard to the issuance of permits by the commissioner but also with regard to all acts of the commissioner or those under him affecting the manufacture, distribution, and use, and use in manufacture of ethyl and denatured alcohol, liquor in accordance with the national prohibition act as amended.

The national prohibition act as at present in force is objectionable in some respects, but the proposed Cramton bill is very much worse. The trouble with this bill and some others that have been offered is that they seek to put alcohol and liquor for lawful purposes on a wet and dry basis and thus seek to control them with the same machinery that is organized to handle intoxicating liquors wrongfully used, rather than handle them as a strictly lawful proposition.

Mr. CRAMTON has told you here of Secretary Mellon's so-called advocacy of the bill. His letter to the House Judiciary Committee and the testimony of Assistant Secretary Moss before that committee are hardly to be considered as approval. I think it is not violating any confidence when I tell you that the Secretary granted a hearing to a few representatives of the industries interested in industrial alcohol and he told us that at the time he signed the letter referred to he had been assured that there was no opposition to the bill. As soon as the industries had an opportunity to assert their stand with respect to the bill they were practically all opposed to it. * * *

* * * The industries have been working hard to find a basis on which their interests may be equitably administered and the authority of the Prohibition Commissioner may be entirely devoted to prohibition enforcement.

These important matters require time for careful consideration. If legislation is not rushed and proper time is given I feel that the legitimate interests concerned will be able to make most valuable and helpful suggestions to Congress that will go a long way to solve some of the difficulties that now beset us.

The people I referred to who met yesterday afternoon and last night were doing everything possible to find some means that they thought would be helpful as suggestions to the committee. This is important legislation, and all of these interests and the proper enforcement of prohibition can not be arranged in a very short time; but the one thing that I want distinctly understood is that all of the interests with whom I have talked—and I have talked to a great variety of them—feel that the Cramton bill will not accomplish the purposes of prohibition enforcement properly, and that it is very much against these legitimate users of alcohol and alcohol products.

Mr. President, I now direct attention to the statement of Dr. L. H. Baekeland, president of the Bakelite Corporation, which has four plants, the chief of which is in Perth Amboy, N. J. This is one of a number of large industries requiring alcohol, that have factories or plants in the State which I have the honor, in part, to represent. Doctor Baekeland also is the retiring president of the American Chemical Society, the past president of the American Institute of Chemical Engineers, past president of the American Electrochemical Society, and honorary professor of Chemical Engineering, Columbia University. His statement will be found on pages 156 to 160, inclusive, Part II, of the hearings before the Subcommittee of the Senate Judiciary Committee, and is, in part, as follows:

DR. L. C. BAEKELAND'S STATEMENT BEFORE THE COMMITTEE

I do not come here to give an opinion. My main purpose is to furnish information. No man's judgment rises above his information. The overlooking of that fact has sometimes played havoc with our industries. * * * The Cramton bill is an effort to shift the administration of industrial alcohol from the Internal Revenue Department, where it belongs, to the notoriously inefficient Prohibition Department. Most people can not see in alcohol anything but its use or abuse as a beverage. And yet outside of such uses or abuses there is hardly a chemical susceptible of wider and more beneficial application in the arts, the industries, and the household economies. Its value as a solvent, its uses in varnishes, artificial leather, and smokeless powder is well known among chemists.

The public does not know that alcohol is an essential raw material for the manufacture of a number of articles—for instance, radio outfits, wireless equipment, electrical machinery and electrical parts for automobiles, airplanes, motor boats, silent gears, dies, moving pictures, kodak films, and for endless other purposes—not to mention the great use of it made at present as an antifreezing mixture in our automobiles. No wonder, then, that the consumption of industrial alcohol has increased 3,000,000 gallons since 1921. But the prohibitionists attribute this to the criminal bootlegging, notwithstanding the protests of the American Chemical Society and the American Institute of Chemical Engineers. Furthermore, a decidedly increased use is possible for industrial alcohol as a liquid fuel * * *. The fact that it is far less volatile than gasoline and mixes readily with water makes it not only cleaner but incomparably less dangerous, whether it be used in the household for heating or illuminating purposes, or whether it be used on a motor car or motor boat or in a stationary engine. Furthermore, its sources of supply embrace all inexpensive starch or sugar-containing vegetables, as well as the waste of our sugar refineries, all products of which this country has a prodigious supply. Molasses is getting scarcer and scarcer just on account of increased production of industrial alcohol.

Converting our perishable farm products into products like alcohol, which can be stored indefinitely and of which the transportation and handling are easy, is one of the ways of equalizing the uncertain

fluctuations of the yield of our farm crops. Long after every drop of petroleum or gasoline will have been extracted from our wells every yearly agricultural crop will insure us a new supply of this valuable liquid fuel obtained by fermentation of starch or sugar-containing liquids. I know of no country where there is such an abundant source of supply, as well as the industrial opportunities in conjunction with an extensive market within easy reach, provided industrial alcohol can be furnished to the consumer at a low enough price. This is one of the main points I beg to insist upon.

An unintelligent application of the prohibition act will offset all this, whatever good effect it may try to accomplish in other directions, by putting unnecessarily exaggerated restrictions or handicaps upon the manufacture or distribution of industrial alcohol. Very few people realize that the price at which industrial alcohol can be delivered to the consumer at a profit is considerably influenced by whatever unnecessary red tape impedes manufacture, transportation, or distribution. The well-intentioned manufacturer who is endeavoring to lower the cost of production feels his efforts rather futile when they are wiped out at the selling and distributing end.

I happen to be the president of the concern which exploits my inventions, and which is called the Bakelite Corporation. It so happens that we are large users of industrial alcohol * * *. A week or so ago it happened that one of our plants, our principal plant, in Perth Amboy—we have four plants—was shut up because a truck load of industrial alcohol, denatured alcohol, was arbitrarily held up by the prohibition officers, the driver of the truck was put in jail, newspaper reports were spread about the bootlegging, and all that sort of thing. Our factory had to shut down for a considerable period of time, which meant that $15,000 worth of solution of bakelite could not be delivered, not to speak of the fact that our whole staff of workmen was idle.

Senator OVERMAN. What do you mean by "bakelite"?

Mr. BAEKELAND. Here is a gear such as is used on your automobile. That is made with alcohol. Here is one of the timers which you use on your automobile, or such as is used on flying machines, which is made with alcohol. Here is a piece of a radio set. Every radio in use to-day has some parts made of bakelite. Here are some other things made with alcohol. Here are some pencils, such as you are using, probably, which are made with alcohol. Here is a pipe made with alcohol. Every flying machine has on it some of that stuff made with alcohol. Here are some more things made with alcohol. The buttons on your coat are made with alcohol. Here is a typewriter attachment that is made with alcohol.

Senator STERLING. To what extent is alcohol an ingredient in the manufacture of these things?

Mr. BAEKELAND. Fifty per cent of the bakelite used in this gear is made of alcohol.

Senator OVERMAN. What is the other ingredient?

Mr. BAEKELAND. The others are formaldehyde and phenol, or whatever it may be. These are various mixtures, all along the same line. Here is a little booklet giving the story of bakelite, how when a man gets up in the morning he uses a tooth brush made of bakelite, he lathers himself for shaving with a bakelite brush, and then he goes to his office and many of the things he uses in his office are made from it, and if he goes fishing he has with him things made of it, and all that sort of thing.

I do not want to take up more of your time. What I wanted to say was this, that I personally believe in the restriction of the use of alcohol for drinking purposes, and I believe that the prohibition act, if intelligently framed and intelligently enforced, would be a marvelously constructive law; but when it comes, as I have heard some fanatics explain to me, to the fact that any industry which needs alcohol must disappear from the earth I am against it, because I know that is against the best interests of the United States. I am a chemist. I have helped to build up new industries, have helped to originate industries in this country. I know alcohol is as necessary as sulphuric acid or the electric current, and any insane restrictions on the distribution of alcohol for industrial purposes will hit everybody in the United States and will stunt our national development.

Senator OVERMAN. Do you think this bill has in it any insane provisions?

Mr. BAEKELAND. If anybody can come around and hold up a shipment of denatured alcohol, even that which is unfit to drink, what are we going to have next? Those who did it in this particular instance were the prohibition agents who seized a truck load on a ferryboat; and are you going to give further power to a group of people who have blinders on and only see one thing in connection with alcohol, who can not think of alcohol but in connection with drunkenness? If we give authority to people who have blinders on and want to neglect all this complicated piece of machinery which we call the industries of the United States, I fear very bad rusults.

Senator STERLING. Have you suffered any inconvenience beyond that you have described and which was described by Mr. Rigney?

Mr. BAEKELAND. No, sir.

Senator STERLING. You have been successful in getting a sufficient supply of alcohol for your uses beyond that one instance?

Mr. BAEKELAND. Under the present administration; and that is the reason I fear any change would be to our detriment.

Senator OVERMAN. Are you now a professor in Columbia University?

Mr. BAEKELAND. Yes, Senator.

Senator OVERMAN. Do you think the enactment of this bill would restrict your ability to get the alcohol you need?

Mr. BAEKELAND. I have no doubt about it. It is a question of the temperament of the people enforcing the law that would bring in the restrictions.

THE 6,000,000 GALLON LEAK MYTH

Mr. President, one of the reasons advanced in behalf of the Cramton bill is that it will bring about better law enforcement. In support of this reason there has been broadcasted throughout the country a statement that during the past year 6,000,000 gallons of alcohol freed for industrial purposes have been diverted to illegal channels for bootlegging purposes. The statement has been attributed to Dr. J. M. Doran, head Industrial Alcohol and Chemical Division, Bureau of Internal Revenue. Because of Doctor Doran's official position and his many years' service in the bureau, the statement has been generally accepted as gospel truth. It is the direct opposite. Doctor Doran never said any such thing. The deception and viciousness of the statement will be clearly understood by anyone who will take the trouble to learn what Doctor Doran said about it in his testimony before the subcommittee of the Senate Judiciary Committee December 18, 1924. In that statement Doctor Doran testified that his estimate was "purely a guess," and that it could be "nothing but a guess." Further along Doctor Doran testified:

> Some of that 6,000,000 gallons, I believe, is used illegally; not a great amount, however, in my judgment.

Still further along Doctor Doran testified that "one of the large sources of this 6,000,000-gallon leak" was the use of alcohol in the manufacture of artificial silk by the old Du Pont nitrate plant at Hopewell, Va., which has been converted into a large artificial-silk manufacturing plant, and similar plants of which there are a number. I take it that these facts—we can not go back of the hearings for facts—will be highly instructive, if not pleasant, to those Woman's Christian Temperance Union organizations, women's clubs, and churches that have been industriously circulating fiction for fact during this session of Congress, so far as this famous 6,000,000-gallon leak is concerned. Doctor Doran's testimony is so informing that I am going to read a part of it for the benefit of those Senators who have not had time to read the hearings on the Cramton bill. I am convinced beyond the shadow of a doubt that if every Senator could find time to read these hearings the Cramton bill would not get a dozen votes in the Senate. Doctor Doran's testimony begins on page 14 of the hearings for December 18, 1924, and is sandwiched between the beginning and the end of Mr. CRAMTON'S testimony given that date. I shall now read from the official record of the hearings:

WHAT DR. J. M. DORAN ACTUALLY SAID

Senator REED of Missouri. Speaking about the necessity for a change in the personnel and in the plan of enforcing prohibition, have you any figures or estimates of the amount of whisky that has been put out illicitly or illegally—taken out of the warehouses in various places?

Mr. CRAMTON. Doctor Doran, who is here and will be at the service of the committee, will probably have more information on that subject than I would.

Senator REED of Missouri. Have you any information as to the amount of alcohol that has been diverted from legitimate uses to the manufacture of booze, to use a common expression?

Mr. CRAMTON. The information that I have on that subject comes from Doctor Doran. About a year ago, before the House District Committee, he made the statement, which has never been questioned by anyone, as far as I know, that while 60,000,000 gallons is issued under permits, at least 10 per cent was diverted to unlawful uses.

Senator REED of Missouri. Sixty million gallons of what?

Mr. CRAMTON. What would that 60,000,000 gallons include, Doctor Doran?

Doctor DORAN. That is the entire alcohol production of the then fiscal year.

Mr. CRAMTON. Can you give, roughly, the items into which it would be divided?

Doctor DORAN. Mr. Chairman, that so-called estimate or statement that I made was made at the request of Mr. Graham that I make a guess. I told him that it could be nothing but a guess, as there were no figures available on the amount diverted, and in arriving at that amount I had in mind the completely denatured alcohol, the various formulas of special denatured alcohol, and the quantity of pure alcohol that is drawn by the various druggists in the manufacture of flavoring extracts. I got at that from my general knowl-

edge of cases that had arisen and also analyses made by our chemical laboratories that are under my direction, which indicated, to some extent, the probable sources. I had used all that data in making the guess. It was purely a guess.

Senator REED of Missouri. I suppose you can make as good a guess as anybody else. Now, what is your guess?

Doctor DORAN. I guessed at that time that probably not over 10 per cent of the gross production was diverted to illegal uses. I subdivided that. I have not got the exact figures here. I could get the data for you.

Senator REED of Missouri. Doctor Doran, just one question about that. Of course, the alcohol that is made primarily goes into these various uses—that is, for the manufacture of perfumes, extracts, etc. Can you tell us about how many uses it is put to? I mean commonly and generally.

Doctor DORAN. There are thousands of common uses covering all ranges of industrial products.

Senator REED of Missouri. What proportion of that alcohol is used and sold pure; that is, that can be legitimately used in its pure state?

Doctor DORAN. I understand your question. About 1,000,000 gallons is drawn for the use of the United States in its various scientific activities, the use of the States in their various institutions, sanitariums, hospitals, municipal hospitals, dispensaries, State universities, colleges, and privately conducted hospitals. An additional 10,000,000 proof gallons, which would be about 6,000,000 wine gallons, have been distributed for use in the manufacture of flavoring extracts, pharmaceuticals for internal purposes, such as put out by the large drug manufacturers and distributed through jobbers to the retailers, and also by some 60,000, I believe, retail druggists throughout the United States who must all use, to a greater or lesser extent, pure alcohol in their prescription compounds, in their tinctures, and the putting up of what is known as extraneous preparations; that is, the use of pure alcohol, undenatured alcohol.

Senator REED of Missouri. And that embraces the two items together, about 11,000,000 gallons?

Doctor DORAN. Ten million proof gallons and 1,000,000 wine gallons, which would be about 6,000,000 wine gallons.

Senator REED of Missouri. You are applying that to the 10,000,000 you spoke of or to the 11,000,000?

Doctor DORAN. That is a revision of that 11,000,000 figure.

Senator REED of Missouri. Which brings it down to 6,000,000?

Doctor DORAN. Six million in actual measure gallons.

Senator REED of Missouri. That is all the pure alcohol that the druggist, then, is entitled to have? I mean that amount would be about the amount that he has drawn for legitimate purposes and is entitled to draw?

Doctor DORAN. Yes; that is correct, Senator.

Senator REED of Missouri. And that embraces in the calculation the alcohol that goes into the hospitals for direct use there?

Doctor DORAN. Yes; that is correct.

Senator REED of Missouri. You said there were 60,000,000 gallons. In order that we may get the figures on the right basis, are those wine gallons or proof gallons?

Doctor DORAN. Wine gallons.

Senator REED of Missouri. Then that would leave us about 54,000,000 gallons of alcohol, and that is used in making these various compounds, is it?

Doctor DORAN. That is used for all industrial purposes, purely technical industrial processes, and also pharmaceuticals that are used externally, such as liniments and toilet preparations of all classes, perfumes, toilet waters, and various lotions.

Senator REED of Missouri. You say that some 10 per cent of this amount, which would be 6,000,000 gallons, you think gets out and is used for illegal purposes?

Doctor DORAN. Some of that 6,000,000 gallons, I believe, is used illegally, not a great amount, however, in my judgment; particularly that quantity that is withdrawn by the various municipalities, State institutions, universities, and hospitals. I doubt very much if there is any diversion of that to any extent. There were never any cases that came to my notice. The class of permittees are all very high grade.

Senator REED of Missouri. Where does this 6,000,000 gallons that gets out to the people come from?

Doctor DORAN. It is all produced in these registered industrial alcohol plants that are under the supervision of the Internal Revenue Bureau, and in order to procure this alcohol, be it a State institution or a United States department, formal application must be made, and in some cases a bond must be furnished, and various data required by the regulations furnished to the officer, in this case the collector of internal revenue.

Senator REED of Missouri. You did not get my question, Doctor. You have stated that there are about 60,000,000 gallons of alcohol manufactured and put out. Primarily, it is put out legitimately. I can assume that, can I not?

Doctor DORAN. I certainly think you can, Senator.

Senator REED of Missouri. Six million gallons of that alcohol gets into use for beverage purposes. Where does that leak occur?

Doctor DORAN. I get your question. I will not try to give you an expression of opinion on that. I do not know. That is just an expression of opinion.

Senator REED of Missouri. If you do not know, I think I am safe in saying that nobody knows. Is not that correct?

Doctor DORAN. I would not say that. I have been a good many years in the bureau and I am trying to give you the result of my experience, but I am not infallible. About 30,000,000 gallons was produced and withdrawn as completely denatured alcohol. That has been to a large extent used legitimately, although we know that there has been some completely denatured manipulated into very dangerous and low-grade liquors. Our laboratories have received numbers of samples showing the use of completely denatured alcohol with the wood alcohol and kerosene and paridin still present.

Senator REED of Missouri. How much of that?

Doctor DORAN. I had estimated that of the total completely denatured alcohol production possibly 1,000,000 gallons went astray. All of it did not go through the use of the completely denatured product. The bureau has had cases reported to it where alcohol has been taken out of industrial alcohol plants and denaturing plants presumed to be completely denatured alcohol, but through error, or possibly connivance, the denaturants were not present.

Senator REED of Missouri. How much?

Doctor DORAN. I had estimated that from completely denatured alcohol all together there were probably 1,000,000 gallons that got on the market in that way. It may be very much less.

Senator STERLING. Is that your best judgment?

Doctor DORAN. Yes; it is.

Senator REED of Missouri: That is one-sixth of the total of the alcohol which you think got out. You think 6,000,000 gallons got out and this is 1,000,000 of the 6,000,000, and that was alcohol which was presumed and intended by the department to be completely denatured?

Doctor DORAN. Yes.

Senator REED of Missouri. Very well; that leaves 5,000,000 gallons. Now, where did that leak occur?

Doctor DORAN. In providing denatured alcohol that might be used in the many specific processes and products, many of which have developed in this country since the war, it was found necessary and advisable to extend the list to assist these new industries to secure a denatured alcohol that was wholly unfit for use for beverage purposes and would be relieved of hazard in transportation, that would be secure as far as storage goes, and not subject to attack such as pure alcohol was and still be useful in their products. We have now authorized almost 70 special formulas covering the entire industrial field. Some 25 of them, I believe, Senator, have been authorized since prohibition for two reasons: First, to take care of some of our new and rapidly growing industries that are a postwar development in this country; others to enable the older industries theretofore using pure alcohol to avail themselves of the denatured alcohol and thus be subject to less industrial and commercial hazard.

Senator REED of Missouri. But that is completely denatured?

Doctor DORAN. No; that is special denatured.

Senator REED of Missouri. You say new industries that have come up. What is the character of the new industries?

Doctor DORAN. I will cite you one example. The old Du Pont nitrate plant at Hopewell, Va., was converted into a large artificial silk manufacturing plant. As you are probably aware, artificial silk uses as its basis cotton fiber. I understand they use some low-grade materials that were prior to that time an industrial waste. This large corporation secured the nitrating plant of the Du Pont Co. where nitrocellulose, which is the basis for smokeless powder, could be manufactured. It is nitrated to a less degree than the explosive nitrocellulose, and when so nitrated to this less degree is dissolved in a mixture of alcohol and ether, making what we know as a collodion. That is then spun out into fine fiber and is used as a basis for all the artificial silk products that we now have. That industry has developed wonderfully, and the extent to which artificial silk is used I think is one of the most astonishing developments in the textile industry.

Senator REED of Missouri. Do they use alcohol?

Doctor DORAN. Alcohol and ether, ether being made from the alcohol. It is essential absolutely in the manufacture of artificial silk. That is a new industry in this country.

Senator STERLING. May I ask just this question there? Are there other industries of that kind than the one at the Du Pont powder plant?

Doctor DORAN. There are a number of such plants on that very identical line.

Senator REED of Missouri. Am I to understand that the good temperance folks of this country will wear clothing that is made from alcohol?

Doctor DORAN. You are talking to a chemist, Senator, and I do not see anything immoral in that.

Senator REED of Missouri. Well, speaking now about this new use of alcohol; you have given us to understand that the alcohol just used is specially denatured, I suppose, so that its properties will not be interfered with in the uses to which it is to be put. How much of that character of alcohol is put out?

Doctor DORAN. There was somewhat less than 30,000,000 gallons for the fiscal year about which I was talking at that time. It is slightly over 30,000,000 for the past fiscal year, the figures of which have just been compiled.

Senator REED of Missouri. How much of that 30,000,000 gallons has gone astray?

Doctor DORAN. I believe of that 30,000,000 gallons probably between four and five million gallons have gone astray.

Senator REED of Missouri. So that is one of the large sources of this 6,000,000-gallon leak?

Doctor DORAN. Yes.

Senator REED of Missouri. Now, what is your remedy for that; to quit making the silk or to quit making the alcohol?

Doctor DORAN. My remedy is a continued effort to arrive at better control of enforcement. I have no immediate remedy to suggest.

Senator REED of Missouri. I, perhaps, ought not to have asked that question, because I do not think you are the sponsor of this bill; you are just here to give the information you possess. But let me ask you now as to the character of this partially denaturization that you employ in this special grade of alcohol. Are the denaturing substances more easily extracted from this character of alcohol than they are from what you call the fully denatured?

Doctor DORAN. Yes; and I think I can explain very briefly why that is so. I mentioned the perfume and toilet water industry. There has been a rapid development of that industry, absolutely legitimate, since the war. Our people are exporting perfumes and toilet waters, taking, I think, some of the French market. That is my information. I even understand that we are selling some of our products in Paris that are made with American alcohol. Undoubtedly there has been a large legitimate use in this country as well in devising a formula for specially denatured alcohol to be used in the perfume and toilet water industry that must obviously get some denaturing substances that will not only not react chemically with the various blends of perfume materials but that will be odorless. It would be futile to use an off-smelling alcohol in a great product of that sort, where odor is the chief consideration. The formulas that we have devised for that, which we have worked out in cooperation with the leading chemists and scientists in that industry, have met that requirement. They are wholly unfit for beverage purposes, but they are inodorous and of a very high quality and furnish a very inviting field to an illicit distiller.

Senator REED of Missouri. Are they poisonous?

Doctor DORAN. They are, in a layman's sense.

Senator REED of Missouri. You say they offer an inviting field to an illicit distiller. By that you mean that these foreign substances you put in the alcohol are easily extracted?

Doctor DORAN. I mean this: A completely denatured alcohol has kerosene in it and benzol and paridin, very foul-smelling substances not readily separated by distillation or even fractional distillation. These perfume formulas are devised so they will not contain any of these volatile, foul-smelling substances. Of course, they would be absolutely of no use to these men.

Senator REED of Missouri. I understand. I am not criticizing it, Doctor.

Doctor DORAN. It is the aim of the illicit operator to secure a material that is the cheapest thing he can get at the time that will produce the most salable potable liquor.

Senator REED of Missouri. I understand that; but what I am trying to get at is this, and you have made it plain in part: Your fully denatured alcohol contains, among other things, kerosene or benzol.

Doctor DORAN. And wood alcohol.

Senator REED of Missouri. The latter being a deadly poison?

Doctor DORAN. Yes.

Senator REED of Missouri. But when you come to alcohol that can be left suitable for use in perfumery you leave your wood alcohol out, do you not?

Doctor DORAN. Yes.

Senator REED of Missouri. And you leave out the kerosene and benzol?

Doctor DORAN. Yes, sir.

Senator REED of Missouri. What I am inquiring about is what you do put in.

Doctor DORAN. Take one formula, what we know as formula 40, which contains a certain quantity of brucine sulphate.

Senator REED of Missouri. Is that poisonous?

Doctor DORAN. No; it is not toxic. It is one of the chemical allied substances of strychnine. It is found in strychnos nux vomica. Strychnine sulphate is an intensely bitter substance. A drink or a swallow of formula 40 in which strychnine is used as a denaturant is so extremely bitter as in my judgment to be absolutely impossible for beverage use. Nevertheless, that strychnine is effective to produce this nonpotability and yet is of itself a nonvolatile chemical alkaloid substance.

Senator REED of Missouri. Do not get these terms too technical. I am a farmer.

Doctor DORAN. I think I can explain it to you.

Senator REED of Missouri. I want you to get it so I can understand it.

Doctor DORAN. When a man puts this material in a still and applies heat to it, he vaporizes the alcohol and this strychnine remains behind in the still. The illicit distiller takes that and puts water in it, gives it a caramel color, puts a Scotch label on it, and sells it for whisky.

Senator REED of Missouri. Does he get this strychnine out by the process?

Doctor DORAN. He tries to, but he does not get it entirely out.

Senator REED of Missouri. But it can be taken out by a skillful chemist, can it not?

Doctor DORAN. Undoubtedly.

Senator REED of Missouri. Well, that is reassuring. You use that in perfumes?

Doctor DORAN. That is used as one of the chief alcohols in perfumes. There are other denaturants.

Senator REED of Missouri. So that a lady who now uses perfume has the sweet consolation of knowing that she is getting a little strychnine along with it?

Doctor DORAN. It is in such small quantities as to be wholly negligible in perfumes.

Senator REED of Missouri. It is not less than one-half of 1 per cent?

Doctor DORAN. Very much less.

Senator REED of Missouri. What else do you use?

Doctor DORAN. There are two or three other formulas similarly devised containing similar denaturant substances.

Senator REED of Missouri. What are those?

Doctor DORAN. One is a chemical known as diethylthalia. That is used in the proportion of 2½ per cent in one of the formulas known as our 39–B. Diethylthalia as a constituent was used in the manufacture of perfumery a long time prior to prohibition. It is one of the materials or fixatives that the industry has employed. Hence in taking one of their own materials we have added no extraneous matebials. We have not disturbed their plans of perfume constituents.

With reference to diethylthalia, if a drink of that formula is taken into your mouth it will not only produce an intensely bitter taste but will also produce the same effect as a bite into a green persimmon and as you spit it out you will think somebody has shot a charge of cocaine into your tongue.

Senator REED of Missouri. How does a skillful chemist employed by one of these illicit distillers get that out?

Doctor DORAN. That may be removed by this same distillation that I am speaking of; not perfectly, however. It is possible if you have skilled chemical knowledge available to undenature almost every formula, given money and time.

Senator REED of Missouri. Is this substance poisonous?

Doctor DORAN. I would not say that diethylthalia is a toxic poison. It has this effect: A drink of that would absolutely prevent a man from taking any more. It would not have the insidious effect that wood alcohol has. When wood alcohol is taken it is frequently unknown to the drinker because it is tasteless and colorless.

Senator REED of Missouri. Do not let us get into the subject of wood alcohol. You say it will stop a man from drinking any more. I am interested.

Doctor DORAN. What I am saying is that if a man drinks this formula untreated as the Government prescribes it and as it is released, he will never take another drink, in my opinion.

Senator REED of Missouri. I suggest that you refer that to Doctor Wheeler. I think that is what he has been looking for for a long time. But when they treat it and remove that element so it does not treat your mouth like a green persimmon, you do not notice what remains there of a poisonous nature?

Doctor DORAN. In the distillate?

Senator REED of Missouri. No; not in the distillate, but in what goes over.

Doctor DORAN. That is distillate, Senator. To the extent that there is some present in the distillate it may produce harm.

Senator REED of Missouri. What kind of harm?

Doctor DORAN. It is hard to tell.

Senator REED of Missouri. You say it is not a poison.

Doctor DORAN. Well, it is not a poison, but, as is well known to all of us, aged liquor has certain activities that are different from new liquor. Sometimes very little quantities of these extraneous substances in distillated liquors produce very marked deleterious effects. It is impossible for me to say just how much you would have to

have in the distillate before you would receive harm. Some very probably would not be harmed at all, while others would have just a sufficient quantity to disturb their digestive functions and possibly produce violent illness.

Senator REED of Missouri. And that would be true even when it would not be detected by taste or smell?

Doctor DORAN. I think it could be detected by taste if a person would stop to taste. I say that seriously, Senator.

Senator REED of Missouri. I am speaking seriously. We are speaking on a very serious question.

Doctor DORAN. When people take a drink of a product that contains a high percentage of alcohol there is a certain action of the alcohol itself. It passes down rapidly, and the matter of tasting a distilled spirit is very difficult. The only way to taste it is to take a very little in your mouth with a little water, roll it around and spit it out, and then try to analyze the sensation produced.

Senator REED of Missouri. Must you spit it out to get that sensation correctly? Now, I am not joking about this, after all. I want to know if this substance which you put in the alcohol is of such a character that it can be extracted so that it will not readily be detected by taste or smell and yet have a poisonous or deleterious effect upon the person who takes it.

Doctor DORAN. That will be true in some cases, Senator, but not in all cases.

Senator REED of Missouri. Do you not think that it is a very wicked thing when you know that 10 per cent of your products are getting out to the people to put in poison or substances that are so subtle that people will drink them without knowing and destroy their health and life? Do you not think that is about the nearest approach to murder that a man can commit?

Doctor DORAN. I can not agree with that, Senator, for this reason: Our laboratories, of which I am the head, have from time to time made public through the press, through the channels of the department, the character of liquors seized, pointing out these various things.

Senator REED of Missouri. Certainly, and we used to have liquor sold in saloons and drug stores and other places, and we were asked to pass a prohibitory law because people with their eyes open went up and bought this substance and drank it in such excessive quantities as to injure them; whereupon we had prayer meetings and every other kind of meeting and wept over the terrible condition of this creature who for 20 or 30 years probably had been drinking the substance and with his eyes open had been proceeding toward a drinker's grave. Now, with full knowledge that 10 per cent of your product is being drunk just the same, you have substituted for that a subtle poison which can be taken into the system by the victim without any knowledge. He is getting that poison with only the general notice that you send out that everything may be poison. We always had that notice. Do you not think now that you are doing the same thing as the fellow who puts out poison all over the country for wolves and kills all the good dogs?

Doctor DORAN. No; I do not agree with that. That experience of drinking denatured alcohol is not at all confined to the United States. I have discussed this matter with Canadian officials, and no less than two months ago with a very learned gentleman from London who occupies under the British Exchequer somewhat the same position that I occupy in the Treasury Department. They are having a very great deal of trouble over the taking of denatured alcohol where it is purely an excise question and where the excise tax is so high that it has led to these difficulties.

Senator REED of Missouri. The fact that they are having trouble in England does not meet this question. You know and I know that one of the cheapest products in the world is approximately pure alcohol that can be made for a few cents a gallon. Leaving out the question of any revenue laws, if it were put out in that form and people drank it it would only have the ordinary injurious effects which are said to come from long-continued use. You take that and you put into it a substance that is poisonous and you know that 1 gallon out of every 10 is going to go out and be drunk by human beings, and you know that these human beings, many of them, are legitimate users—I mean within this law—for whiskies or alcohols; that they may buy them at a drug store under a doctor's prescription.

Doctor DORAN. That is entirely apart from this. That is good whisky.

Senator REED of Missouri. I do not think you have had as much experience as I have had. I think there is a lot of it that is not good whisky that goes out through the drug stores.

Doctor DORAN. I would hate to think so, Senator.

Senator REED of Missouri. Now, you get this substance out. Whether the people get it in the drug stores or elsewhere, they all think they are getting good whisky. You put out 1 gallon in 10 that is poisonous, and you say that is justifiable.

Doctor DORAN. I want to just say that I do not think that is chargeable to the administrators of this law.

Senator REED of Missouri. You put the poison in it, and you know that 1 drop out of every 10 is going to be drunk by some human being.

Doctor DORAN. These formulas are devised for the legitimate industry of this country. They accord with the uses and needs of legitimate industry, and it is released on bona fide prima facie cases where legitimate use is demanded.

I believe a great deal of the difficulty arising from, I will say, the unlawful sale and use of liquors nowadays comes from moonshine straight, be it produced by glucose, moldy corn, or molasses.

Senator REED of Missouri. That is another question. We are discussing what you people do.

Doctor DORAN. I believe it is more harmful than these other products.

Senator REED of Missouri. That is what the people do down in the mountains.

Doctor DORAN. It is not confined to the mountains, Senator.

Senator REED of Missouri. No; every hill and valley has one, has it not?

Doctor DORAN. Not every one.

Senator REED of Missouri. No; but enough to supply the demands of the people. But, sticking to our own question, that is done by a man who starts out to violate the law, and you gentlemen are officers of the law, paid by the public, and you tell me that you take 60,000,000 gallons of alcohol and render it poisonous and of the 60,000,000 gallons 6,000,000 gallons are going to be drunk by human beings, the effect being deleterious in some instances and poisonous in others. Now, even if this unfortunate creature who drinks knows that he is getting it from a bootlegger, are not you after all doing something that can not be justified in morals or anything else?

Doctor DORAN. I can not agree with that, Senator. I want to say this much in justification of the department's administration of these formula matters: It has been our consistent and sustained endeavor to get away from denaturants that are lethal, wood alcohol, for example. We are trying to avoid the use of wood alcohol wherever possible for the reason that a man gets no notice of that. If we can arrive at the same result of unfitting this alcohol for beverage purposes and avoid use of lethal denatured——

Senator REED of Missouri. If you can not do that, you put the thing in and let it kill them anyhow?

Doctor DORAN. There is only one way to get about the condition with which we are dealing. If we want to distribute this alcohol for legitimate commercial enterprises we have to put it in shape where they can use it.

Senator REED of Missouri. Why do you not send it to them without any denaturization?

Doctor DORAN. You either have to stop the whole thing or attempt to improve your control of enforcement, or give everybody pure alcohol.

Senator REED of Missouri. Let us take this factor that you spoke of, making this artificial silk. Why do you not give them pure alcohol?

Doctor DORAN. They do not want it.

Senator REED of Missouri. They would be glad to have it if there were no law to interfere?

Doctor DORAN. No.

Senator REED of Missouri. They prefer to have these denaturants in it?

Doctor DORAN. They do.

Senator REED of Missouri. Why?

Doctor DORAN. I believe it is shipped at a less commodity rate.

Senator REED of Missouri. That is because of the conditions of the law that it is shipped that way.

Doctor DORAN. I get your point. If there were no law to deal with, naturally everybody that uses alcohol would want to get the purest alcohol.

Senator REED of Missouri. If there is a law—let us leave out the question of shipping rates—you could deliver to this concern pure alcohol, and it would be legitimate for them under the law to use that alcohol in their business?

Doctor DORAN. Except for this reason, Senator: Pure alcohol can not be used in this country unless they pay a very high commodity tax. It is $4.18 per gallon. It was only when Congress in 1906 provided for the remission of internal-revenue taxes on alcohol used industrially that these industries were able to build themselves up.

Senator REED of Missouri. They can use it industrially and use it pure without paying this enormous tax, can they not?

Doctor DORAN. No, sir; not under our revenue laws.

Senator REED of Missouri. Then, while we are amending the law all we need do is to strike out the clause that taxes pure alcohol excessively and let them have it in the pure state.

Doctor DORAN. That would overcome that economic feature, of course.

Senator REED of Missouri. They would rather have it, and it would serve their purposes as well, if not better, than a mixed product.

Doctor DORAN. Not under the present hazards of shipping.

Senator REED of Missouri. I am leaving that out.

Doctor DORAN. Yes; if you wipe out the law they would want the purest alcohol at the least tax.

Senator REED of Missouri. Why can not you furnish them the pure alcohol—we will leave out the question of tax—and then see to it that they actually use that; that they do not sell it or let it get away? Why is not that possible?

Doctor DORAN. Well, that is what the Treasury is endeavoring to do, Senator, with the means at hand.

Senator OVERMAN. The provisions of this bill are very interesting. Do they remedy the evils that you have been talking about?

Doctor DORAN. The Secretary believes, and it is indicated in his letter, that this provides for a better organization.

Senator REED of Missouri. That is, you are going to have a better organization to administer the present law. You will still put poison in the product. The illicit distiller will still try to get it out and there will still be a part of it get out to the public. Now, I am dealing with this question of poison. I think you are poisoning the American people. I think it is wicked; I think it is infamous; I think it is damnable. If there is any other adjective you can think of, put it in the record. And I want to know if there is not some way you can enforce this prohibitory law without enforcing it by poison?

Doctor DORAN. Not under the present laws.

Senator REED of Missouri. What do we need to change in the present law in order to accomplish the results I have indicated?

Doctor DORAN. Tax, for one thing. It is wholly impossible for these industries to pay commodity tax equal to 10 times the value of the product with which it is dealing and compete with European manufacturers.

Senator REED of Missouri. If we were to provide in the law that alcohol that is used in good faith in the manufacturing processes should be released at the same rate of taxation that is now paid upon the poison product, then these factories would take the pure alcohol?

Doctor DORAN. Undoubtedly.

Senator REED of Missouri. So that if you had a law that was perfectly administered and which prohibited the use of this liquor for anything except these specific purposes for which it was released, you would not interfere with the manufacturing, and if any of that did by peradventure get out it would not kill human beings. That would be the situation?

Doctor DORAN. If that ideal condition could prevail, I would be very glad to see it.

Senator REED of Missouri. Do you mean to tell me that you can not organize in this department down here men with sufficient knowledge to act as inspectors in these plants and see to it that the alcohol does not escape?

Doctor DORAN. I do not believe there is as much of it due to dishonesty in the plants, Senator, as after it is withdrawn on a bona fide prima facie showing on permits. It will be taken out. Some of it will be used in the products which the men propose to make. Possibly another part will be disposed of to some legal operator. The Government officer does not stay at that man's place.

Senator REED of Missouri. Where does the leak occur?

Doctor DORAN. The leak occurs in the hands of the man who gets this ostensibly for legitimate purposes and diverts it to illegitimate uses.

Senator REED of Missouri. Let us take this plant you have spoken of.

Doctor DORAN. They are not diverting an ounce of alcohol.

Senator REED of Missouri. I am going to use it now to illustrate my thought. You said it used 10,000,000 gallons a year.

Doctor DORAN. No; I believe it uses one and one-half million gallons a year.

Senator REED of Missouri. Can you tell me why that alcohol can not be transported to that factory and checked as it goes into the factory, so you will know how much it is, and why a man can not stand there and check it out and see to it that none of it escapes, just the same as we have always done with whisky in the past, and with alcohol and wine?

Doctor DORAN. We still maintain our men at the distilleries where this is produced in no way differently from the days when we collected a large tax on whisky. We never supervised a manufacturer, and there are in existence 130,000 permits of all classes, from large manufacturers down to retail druggists. There are, I believe, something like 1,500 prohibition agents, and they have various duties, such as going after smugglers, moonshiners, etc. They can not stand at each man's door.

Senator REED of Missouri. I have been unfortunate in putting my question. I am not asking you what you can do with your present force. I am asking whether it is not a fact that a force could be organized and a system devised that would guard this alcohol from the time it was made in the plant on to the delivery, either to a druggist or to a manufacturer, so that no considerable quantity, nothing like 10 per cent of it or 5 per cent of it, would ever get out. Is not that a feasible thing to do?

Doctor DORAN. It is possible; but whether it is feasible depends upon whether Congress is disposed to let us have a sufficient number of men to look after all these details. Senator, each one of these men who gets alcohol, each manufacturer, keeps a record of everything he gets and makes monthly reports, etc., and is subject to the inspection of all these men. But to answer your question as to whether it is possible to follow each barrel of alcohol from its manufacture to its final use is merely a matter of the number of men.

Senator OVERMAN. This Du Pont Co. gets 100 gallons of alcohol, we will say. They get a permit to withdraw it. When they get that who puts in these poisonous substances?

Doctor DORAN. They are added at the denaturing plant which is in the distillery premises. This alcohol, we will say, is entered in Baltimore and it is to be shipped to Hopewell, Va. The distiller does this denaturing under the supervision of the Government officers.

Senator STERLING. When it gets to Hopewell, Va., it is a denatured product?

Doctor DORAN. Yes.

Senator OVERMAN. When it goes out of the warehouse the distiller has all these substances to put into it?

Doctor DORAN. Exactly.

Senator REED of Missouri. All right. Now, will you tell me why it is not possible if a man orders 100 gallons of alcohol to put it in a sealed receptacle, put it in charge of an express company that is made responsible for delivering it without the breaking of the seal, and when it arrives at the plant where it is to be used have a man in that plant or a check of some kind on that plant so you know that has been used, without putting the poison in?

Doctor DORAN. That is a factor of having a sufficient number of men. I do not want to say this as a positive thing, Senator, but my understanding is that they follow that same system that you suggest in France. With what success I do not know.

Senator REED of Missouri. You say that 10 per cent of the alcohol, 6,000,000 gallons a year, approximately, gets away? That is your estimate?

Doctor DORAN. Yes. It may be very much less, sir.

Senator REED of Missouri. I am not trying to hold you to an absolute figure, but we are dealing now with such information as we have, and you are here to give us the best that you possess, and I suppose you possess as much knowledge as any other man on the subject. That alcohol, if it gets out to the public, could be delivered at what price?

Doctor DORAN. Pure alcohol is worth—that is, without tax—55 to 60 cents a wine gallon.

Senator REED of Missouri. What is it worth when you have denatured it?

Doctor DORAN. The cost is very little greater. It is merely the cost of the added material, a few cents, 15 or 20 cents, maybe.

Senator REED of Missouri. And that alcohol when it gets out, this 6,000,000 gallons, is worth how much a gallon? What do these people who make it up get out of it?

Doctor DORAN. I have no figures on that.

Senator REED of Missouri. Do you not know anything about bootlegging prices?

Doctor DORAN. No; I do not know anything about bootlegging prices.

Senator REED of Missouri. I am not asking that in the way of a joke.

Doctor DORAN. I only know what I see in the public press.

Senator REED of Missouri. I supposed you knew something about what liquors sold for. You must be watching this situation.

Doctor DORAN. In my particular work, I do not.

Senator REED of Missouri. It is something like $20 a gallon, is it not?

Doctor DORAN. I do not know.

Senator STERLING. It varies, I suppose, in different localities?

Doctor DORAN. Yes.

Mr. REED of Missouri. Well, it runs about $15 or $20 a gallon. Would not a very small addition to the tax on pure alcohol be sufficient to raise a revenue that would employ the very large number of men you need?

Doctor DORAN. The tax now on pure alcohol is $4.18 a gallon. Do you speak in addition to that?

Senator REED of Missouri. Well, it runs about $15 or $20 a gallon, that goes out substantially tax free.

Doctor DORAN. It is tax free under the law.

Senator REED of Missouri. If you were to not denature alcohol, but were to levy a small tax on all alcohol that went out, would it not make a revenue great enough that you could have a very large number of inspectors and guard this material so that it would not get out as badly as it does now?

Doctor DORAN. I believe that question almost answers itself, Senator. If you apply the revenue tax to denatured alcohol and apply the receipts to the employment of officers, you would undoubtedly get better surveillance.

Senator REED of Missouri. Suppose we cut out denatured and put a small tax on all alcohol that went out, could we not then raise a revenue great enough so that the force that is to be employed by the Government to compel obedience of the law could be very largely increased without expense to the Government?

Doctor DORAN. Probably that is true. I do not see any flaw in that.

Senator REED of Missouri. Do you not think if that were done that that force of men guarding this would get you better results than by poisoning this alcohol so that it is not fit for a man to even use in a bath?

Doctor DORAN. I should not like to express an opinion on that.

Senator REED of Missouri. Have you not any opinion about it?

Doctor DORAN. I have a personal opinion, but that would be a matter of departmental policy which I would not care to speak of.

Senator REED of Missouri. I want to get your personal judgment.

Doctor DORAN. I have had many ideas on how to improve this thing and that suggested itself to my mind a time or two, then I went on something else. I have laid awake nights trying to think something out on this. That has suggested itself to me at times.

Senator STERLING. What effect would it have on the industry itself in which industrial alcohol is used?

Doctor DORAN. It would be a burden on the industry.

Senator REED of Missouri. We might as well burden the industry a little as to kill human beings wholesale, might we not?

Doctor DORAN. I do not know how the industries would look at that.

Senator REED of Missouri. They would look at it from a dollar-and-cents standpoint.

Doctor DORAN. Some of these industries are vital to our national welfare, and we are all concerned in them even though we may not have investments in them. They are very essential industries.

Senator REED of Missouri. I know they are, but we are confronted with the situation here of putting out poisons to prevent people from using this alcohol for any purpose except that of manufacture. If there is another method, even though it costs a little, by which the result can be obtained and the public protected—the unfortunates of the public, if you please, for that is all the provision was ever passed for, to look after the fool; it was never necessary for the man who had any sense—if we are engaged in that business, and if we can protect it without killing him or destroying his health, we ought to do it. Now, I want to get your thought, if you will express an opinion. You say you can not speak for the department. I am not asking that. The department can not be summoned here as a department, and you are an expert on these matters.

Doctor DORAN. Not on matters of policy.

Senator REED of Missouri. Well, regardless of policy, what is your judgment, from your experience, as to whether or not, if there was a small tax levied, a revenue could be created sufficient to enable you to have a force great enough to substantially enforce the law and keep alcohol designed for manufacturing purposes from getting into the beverage usee

Doctor DORAN. I think a larger force would produce better results, and if Congress saw fit to tax the product with which it is dealing to secure that revenue I would say that would be a good thing.

Senator REED of Missouri. How much of an additional force do you think you would need to keep this alcohol from getting out in any greater quantity than 10 per cent? We are losing 1 gallon out of 10 now. To keep it at that same level, striking out the denaturing process and substituting for it a force to compel obedience, how much of an additional force do you think you would need?

Doctor DORAN. I could not express an opinion on that.

Senator REED of Missouri. You have no idea about that?

Doctor DORAN. No, sir.

LETTER FROM MR. G. G. GREEN, WOODBURY, N. J.

Mr. President, I have received numerous letters from legitimate users of alcohol protesting against the Cramton bill, and I want to quote several paragraphs from one which is typical of all. It was addressed to me by Mr. G. G. Green, sole manufacturer of Boschees German Syrup, Green's August Flower and Ague Conqueror, Woodbury, N. J., with branches in Toronto, Canada, Sydney, Australia, and Barcelona, Spain, and reads in part as follows:

* * * * * * *

We oppose this bill which seems to be intended to concentrate into one organization the entire administration of the present prohibition laws, subject only to the supervision of the Secretary of the Treasury.

The passage of the Cramton bill would deprive legitimate alcohol users and dealers of the right of appeal to the Commissioner of Internal Revenue of any unnecessary rulings and regulations promulgated by the Prohibition Commissioner. Experience has shown the value of the Internal Revenue Commissioner's knowledge of the law and his familiarity with the technical problems of the manufacturing chemical and drug trades using alcohol. These qualities have enabled him on many occasions to protect legitimate interests when threatened with an abuse of power on the part of the Prohibition Commissioner.

The enactment of this bill would give a free hand to officials whose chief concern is the pursuit of law violators, and who, as demonstrated by experience, give very little consideration to the needs of manufacturers who employ alcohol as an essential raw material.

Our experience has been that the Prohibition Department officials are inclined to stretch their authority beyond that contained in the law; for instance, something over a year ago they brought forth a form of bond required of all those holding "H" permits, containing a clause for 25 per cent liquidated damages in addition to the penalties prescribed by the act itself. This bond was strongly objected to by the drug trade, and on appeal to the Commissioner of Internal Revenue T. D. 3398 was revoked, and the objectionable clause eliminated from the bond.

Further, within recent weeks a prohibition memo has been issued by the Prohibition Commissioner to collectors of internal revenue throughout the United States directing them to surcharge upon permits already issued additional conditions by which we would be required to exact from all persons to whom we sell proprietary medicines containing alcohol (which medicines have been examined and declared by the United States Prohibition Department to be unfit for beverage use) a pledge that they keep certain records and make certain reports if called upon to do so under penalty of forfeiture of our manufacturing permit to use alcohol.

It is our opinion that the Prohibition Department has no authority of law for imposing such conditions, and while we are entirely willing to assist enforcement of the prohibition act, we object to waiving any of our privileges or surrendering any of our rights in the legitimate use of nonbeverage alcohol in the manufacture of proprietary medicines which we have marketed for more than 50 years. We therefore take the liberty to ask that you will oppose this unnecessary and unjust legislation.

LETTERS FROM THE A. P. BABCOCK CO.

Mr. H. Henry Bertram, president of the A. P. Babcock Co., perfumers, whose executive offices and sales department are at 501 Fifth Avenue, New York City, and whose general offices, laboratory, and works are at No. 50 Paterson Avenue, Rutherford, N. J., has written me a letter, from which I quote this paragraph:

You probably know that this bill (the Cramton bill) provides that the supervision of all users of alcohol, whether nonbeverage or denatured, shall be transferred from the collectors of internal revenue and their experienced field assistants, who are familiar with the needs of industry, to the prohibition directors and their aids, many of whom have been demonstrated to be incompetent, fanatical, and dishonest. The bill further expands the authority of the Prohibition Commissioner and, if enacted, would empower him to impose the most drastic restrictions upon the operations of all manufacturers using alcohol.

LETTER FROM MERCK & CO.

Merck & Co., manufacturing chemists, with main offices at No. 45 Park Place, New York City, branches at St. Louis and Montreal, and works at Rahway, N. J., write, in part, as follows:

Past experience has pretty well demonstrated that manufacturers like ourselves would be compelled to depend for their supplies of essential chemical raw material upon prohibition officials in whose minds the liquor question is always paramount to the consequent detriment of the users of alcohol in proper industrial development.

The PRESIDENT pro tempore. The question is upon agreeing to the motion of the Senator from South Dakota [Mr. STERLING].

Mr. KING. Let the motion be stated.

Mr. CARAWAY. Mr. President, I am not going to interfere with this agreement with the Senator from South Dakota, but I am going to say that I think it is a mistake on his part. There is complaint as to the manner in which prohibition is being enforced by certain people now in the service. What we are actually asked to do now is to give those people a lifetime status. The Senator is not changing anybody. He is proposing to strike out all of the bill providing for a reorganization of the bureau and trying to get an efficient enforcement of the law, and merely covering into lifetime positions every man against whom some complaint has been heard.

Mr. STERLING. Mr. President, I regret very much the circumstances under which I am compelled to make a statement concerning the bill, consideration of which was moved by myself. That was my motion, and from the decision of the Chair that it was the pending motion there was an appeal, which is the pending question.

Mr. President, I do not want now, at this late hour in the session, to be put in the attitude of working here for an object which it is very apparent can not be attained at this session of Congress. I am very much in earnest in regard to the so-called Cramton bill, creating a bureau of prohibition and providing that employees in the prohibition bureau shall be under the civil service; but I have become convinced during the last

hour of the utter futility of proceeding further with the discussion of this bill as an entirety. So I desire to say that if the appeal from the decision of the Chair is withdrawn and the bill is permitted to be laid before the Senate, I shall propose amendments to the bill which will strike out all of the provisions of the bill save section 3, which pertains to the civil service and the putting of employees of the Prohibition Unit under the civil service.

Mr. REED of Missouri. Mr. President, with the indulgence of the Senator from New Jersey——

Mr. EDWARDS. I yield to the Senator from Missouri.

Mr. REED of Missouri. I understand the request of the Senator from South Dakota is that he be permitted now to ask to amend the bill by striking out all of the bill except section 3, and that he proposes in that form——

Mr. STERLING. Except two or three minor amendments, of course, that must necessarily be made if the rest of the provisions of the bill are stricken out except section 3, because section 3, as the Senator will recall, refers to the "commissioner of prohibition." If the rest of the bill is stricken out, there will be no commissioner of prohibition, and we will have merely the Commissioner of Internal Revenue, as under existing law. In the body of section 3, line 13, occurs the expression "bureau of prohibition." There will be no "bureau of prohibition" if the rest of the bill is stricken out, and we will want to change that to "Prohibition Unit," the name by which the prohibition division is now known.

Mr. REED of Missouri. With those two exceptions or those two amendments made to section 3 of the bill, the Senator proposes to adopt section 3 and withdraw all other parts of the bill?

Mr. STERLING. Yes. There is one other slight amendment. We should change the number of section 3 to section 1.

Mr. REED of Missouri. Yes. That will, of course, carry the bill to conference if it is passed in that form.

Mr. STERLING. Yes.

Mr. REED of Missouri. Now, I want a further understanding that the Senate conferees are going to stand by the bill as here passed, and that they are not going to come back here with this bill again in the form of a conference report.

Mr. CURTIS. I would suggest that instead of asking for a conference, we make the amendments suggested and send the bill back to the House and let them ask for a conference if they want it.

Mr. REED of Missouri. But if there is a conference I want to know that our conferees are going to stand by the action of the Senate.

Mr. STERLING. I will say to the Senator from Missouri that if the matter goes to conference and if I am one of the conferees, as I probably shall be, I shall stand by the action of the Senate.

Mr. REED of Missouri. I suggest, if the Senator will do so, that he move to adhere to the Senate bill. That will remove any danger. We have this matter beaten. To put it plainly, the bill is just as dead as Julius Caesar right now if we simply stand here and fight it. I do not want to delay the business of the Senate, but if we now concede the advantage we have, I want to know that in good faith the próposition as now submitted by the Senator from South Dakota will be adhered to and we will not be distressed by having to renew the conflict.

Mr. STERLING. If there were no other considerations, I would realize the uselessness of bringing back here the original bill.

Mr. REED of Missouri. Very well. I can not agree for the Senate; I can only agree for myself. If I may have the further indulgence of the Senator from New Jersey——

Mr. EDWARDS. I yield further to the Senator from Missouri.

Mr. REED of Missouri. I am willing for the considerations that have been put forward, but particularly, in order that the other business of the Senate may proceed, to withdraw the appeal from the decision of the Chair. I do want to say, however, in withdrawing it that I am not conceding the correctness of the decision. I say that not because I am concerned in this particular decision, but because I fear its effect as a precedent. That I have discussed. I am very sure that if the present occupant of the chair, who is as good a lawyer as I know, will examine the question with a little more thoroughness he may have occasion to modify his ruling. When the bill gets in the form that the chairman of the committee has suggested I want to have the privilege of saying a very few words about it. I shall take but very little time.

The PRESIDENT pro tempore. The Chair understands that the appeal is withdrawn. Is there objection? The Chair hears none, and the appeal is withdrawn.

Mr. STERLING. The Senator is in error when he says they are covered into the service.

Mr. CARAWAY. No; I am not in error.

Mr. STERLING. Those in the service will have to take a competitive examination within six months.

Mr. CARAWAY. The Senator need not go into that. We are not fooling each other. It means that every man in the service now is going to remain in the service with a lifetime job. There is complaint about the manner in which some of them are enforcing the law, and we are simply surrendering the right for the Senate to express its opinion about whether or not prohibition shall be honestly enforced, as all of us believe it should be, and saying that we will merely cover into lifetime positions those men against whom complaint has been made.

If the Senator from South Dakota wants to surrender in that way, I am going, under protest, to let him do so. I would much rather see the whole matter fail. Everybody knows that there are not a dozen men in the Senate who oppose the enforcement of prohibition under some kind of law that will make it effective, but the Senator is going to surrender to those dozen and take a compromise which means to put into service for life the very men against whom complaint is being made now because they do not enforce the law.

Mr. STERLING. The Senator from South Dakota takes exactly the contrary view in regard to that matter. I think we will have a higher type of men in the service, just as we have in every other department of the Government.

Mr. CARAWAY. The Senator knows that we are merely getting the same men, but putting them into life positions.

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

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

Mr. FESS. Do I understand that the Senator from South Dakota has withdrawn his unanimous-consent request?

Mr. STERLING. The Chair was about to put my motion. Why not let it be decided?

Mr. BORAH. For the reason that it would displace the unfinished business.

Mr. STERLING. Mr. President, the suggestion has been made that if the motion is not withdrawn and is agreed to it might displace the unfinished business. So I ask unanimous consent to withdraw the motion, and that the bill be placed before the Senate.

Mr. KING. I object.

The PRESIDENT pro tempore. The Senator from South Dakota withdraws his motion to proceed with the consideration of House bill 6645.

Mr. KING. A parliamentary inquiry.

The PRESIDENT pro tempore. And the Senator asks unanimous consent to proceed to the consideration of that bill.

Mr. KING. I object.

The PRESIDENT pro tempore. Objection is made.

Mr STERLING. Then, Mr. President, I move that the Senate proceed to the consideration of the bill, with the understanding that the amendments shall be offered which I have already suggested.

Mr. ASHURST. Mr. President——

Mr. KING. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Utah will state it.

Mr. KING. Is the motion of the Senator from South Dakota debatable?

The PRESIDENT pro tempore. The Chair has already held that the motion is debatable.

Mr. KING. I yield to the Senator from Arizona.

Mr. ASHURST. Mr. President, I am not at all pleased to see my honorable friend, the Senator from South Dakota, surrender at this juncture. I do not believe in surrendering before the bill is defeated; I believe in surrendering only after we are defeated. I wish the able Senator from South Dakota had pressed forward with this important bill, the Cramton bill, and at least held it here for 24 hours more. I heard the able speech of the junior Senator from Arkansas [Mr. CARAWAY], in which he pointed out the importance of this bill, and it is a matter of regret to me that such important legislation, after a brilliant "gesture" of this sort, should be abandoned. I would not wish to be a private in a regiment led by such a colonel as the Senator from South Dakota; he surrenders so easily. But he is the commander on this legislation.

Mr. BORAH and Mr. STERLING addressed the Chair.

Mr. ASHURST. I yield, of course, to the Senator from Idaho.

The PRESIDENT pro tempore. The Senator from Arizona yields to the Senator from Idaho.

Mr. BORAH. I understand that there is very little now left of the bill calculated to excite anybody's interest or enthu-

siasm. I shall not oppose, however, the program of the Senator in charge of the bill, provided we do not pay the high price of displacing important bills. If this matter may be taken up by unanimous consent, perhaps, that is the best way to dispose of it, and get it out of the way so that we may consider another matter, but if the motion is to be made to displace a very important bill I shall oppose it and vote against it, because I do not think that which is left in the bill is of any considerable moment or value or is sufficient, at least, to justify such a procedure.

Mr. ASHURST. Mr. President, I yield the floor.

Mr. PEPPER. Mr. President, before the vote is taken, I should like to call attention to the fact that if the motion of the Senator from South Dakota [Mr. STERLING] shall prevail it will displace the business which is now before the Senate and will make it doubtful as to just which measure will then come before the Senate for consideration. The result will be that, for an emasculated bill, which can excite the enthusiasm of nobody, we shall have sacrificed the orderly procedure of the Senate, and the attention of the Senate will be distracted from matters of real importance which follow in one, two, three order. I very much hope the motion will be defeated.

Mr. STERLING. Mr. President, the reason for my statement and for my asking that the course I have just suggested be taken, was not because I was willing to surrender, as intimated by the Senator from Arizona [Mr. ASHURST], but I saw the absolute futility of proceeding with the discussion of this bill.

Moreover, we might discuss this bill until to-morrow night and the effect would be to prevent action upon other important business before the Senate. Those were the motives that induced me to make the statement which I did with reference to the agreement that I was willing to enter into.

I very much regret that my request for unanimous consent was objected to, because I did not know but that agreeing to take up the bill on motion might have the effect of displacing the unfinished business, and above all things, at this juncture, I do not wish to interfere with the orderly business or procedure of the Senate.

I hope the Senator from Utah [Mr. KING] may withdraw his objection to my unanimous-consent request. I do not believe there is another Senator here but appreciates the situation right now and the uselessness of trying to proceed with the so-called Cramton bill. I would be willing to stay here throughout the night and all day to-morrow and to-morrow night if I thought we could get this bill through, but I know, in the face of the determined efforts to defeat it, there is no chance of getting it through. The statement was made weeks ago that it would never get through the Senate, but I had hoped that the opposition then manifested would give way to the sentiment of the Senate and to what the majority of the Senate would be willing to do, the action on the bill it would be willing to take. It is evident, however, that the opposition is not giving way but still continues and is determined to continue until the end of the session for the purpose of defeating this bill. I think the civil-service provisions constitute a very important feature of the bill which is retained, although there are Senators who say that it is proposed to eliminate all the provisions of the bill which will arouse any enthusiasm. The putting of the employees and agents in the Prohibition Unit under the civil service will undoubtedly lead to better enforcement of the law.

Mr. BORAH. I do not agree with the Senator.

Mr. STERLING. The Senator may not agree with me.

Mr. BORAH. If there is any thoroughly well-organized fraud in the Government of the United States, it is the civil service as it is now administered.

Mr. STERLING. Oh, well, the Senator from Idaho would like to go back to the old spoils system.

Mr. BORAH. I undertake to say that the civil service is so administered as to get and keep everybody into the service that politics wants to keep in and to get everybody out that they want to get out. It is the spoils system in the name of civil service.

Mr. STERLING. The people of the United States will never return to the spoils system of appointment to office.

Mr. BORAH. I am not assuming to speak for the people of the United States now; I am expressing my individual views.

Mr. STERLING. Yes; but the Senator's views are contrary to the views of the great majority, and to a growing opinion that will never abolish the civil service.

Mr. BORAH. We all make mistakes about majorities sometimes.

Mr. STERLING. Yes.

Mr. KING. I think that the vote——

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

Mr. STERLING. I yield.

Mr. KING. I think the vote in the Senator's own State recently would rather negative the contention which he is now making.

Mr. STERLING. Oh, Mr. President, it seems to me a little far-fetched—and I would in ordinary parlance use the word "small"—to refer to political conditions in South Dakota at a particular time last year—I speak advisedly when I say "a particular time"—and under peculiar cirmumstances and under peculiar influences. I had hoped not to say a word in regard to political conditions in South Dakota, but Senators here have led to the statement.

Mr. REED of Missouri. Mr. President——

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

Mr. STERLING. I yield.

Mr. REED of Missouri. I think it was ungenerous to refer to the result in South Dakota, because I agree that the political conditions in South Dakota are almost as bad as the moral conditions in the Prohibition Unit [laughter]. I beg to suggest to my friend from Idaho, however, that I think for once he has overlooked an important fact. He declaims against the civil service; I agree with him that it is a most outrageous fraud; but, nevertheless, I insist that it would be a purifying agency if applied to the frightful conditions that now exist in the Prohibition Unit.

Mr. BORAH. Then I understand the Senator wants the civil service applied to the Prohibition Unit?

Mr. REED of Missouri. Yes; because——

Mr. BORAH. In the belief that it will more thoroughly enforce the law?

Mr. REED of Missouri. No; but in the belief that any change in the Prohibition Unit would be beneficial.

Mr. BORAH. What I say is that the civil service, as it is being administered, is a total failure. I believe it will be a failure when applied to Prohibition Unit.

Mr. REED of Missouri. I agree with the Senator.

Mr. BORAH. I do not know whose fault it is, but they cover all of the incompetents that they seem to be able to get hold of.

Mr. REED of Missouri. That would only afford them a little more raw material.

Mr. CARAWAY. Very "raw."

Mr. STERLING. Mr. President, consent to my request for unanimous consent having been refused, I must insist on my motion.

Mr. KING. Mr. President——

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

Mr. STERLING. I yield.

Mr. KING. Mr. President, the bill before us in its original form was very bad; it has been made worse, if possible, by the elimination. I think it should be discussed; I do not want to displace, however, the banking bill. So I withdraw the objection to the unanimous-consent consideration of the bill; but then I understand that the parliamentary situation is that it is subject to debate?

The PRESIDENT pro tempore. The Chair understands the Senator from South Dakota withdraws his motion?

Mr. STERLING. No; the Senator from Utah withdraws his objection.

The PRESIDENT pro tempore. The question, then, is on the motion of the Senator from South Dakota.

Mr. STERLING. The Senator from Utah has withdrawn his objection to the request for unanimous consent.

The PRESIDENT pro tempore. But the motion of the Senator from South Dakota must be disposed of before the request for unanimous consent can be presented to the Senate.

Mr. STERLING. I ask unanimous consent to withdraw the motion.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. STERLING. Now, I ask unanimous consent that the bill may be laid before the Senate.

Mr. KING. A parliamentary inquiry. With the consent being granted it would not displace the banking bill? I ask that in the interrogative form.

The PRESIDENT pro tempore. The Chair is of the opinion that the banking bill is the unfinished business. It was temporarily laid aside, and then resumed, and at that point the Senator from South Dakota made his motion to proceed to the consideration of this bill.

Mr. KING. And, of course, it would follow obviously that, with the disposition of this bill, the banking bill would automatically come before the Senate?

The PRESIDENT pro tempore. That is correct. Is there objection to the request of the Senator from South Dakota?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6645) to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties.

Mr. STERLING. Mr. President, I offer the following amendments:

First, strike out all of the bill after the enacting clause down to line 4 on page 5 of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from South Dakota.

Mr. BRUCE. Mr. President——

The PRESIDENT pro tempore. The Senator from Maryland.

Mr. BRUCE. I do not want to interfere unduly with the course of procedure that the Senator from South Dakota is pursuing; but if I understand him correctly to have offered this amendment, I should like to make just a few observations on it.

Mr. STERLING. Very well.

Mr. BRUCE. May I ask the Senator whether he proposes to offer any other amendments?

Mr. STERLING. Yes; I propose to offer an amendment striking out all of the bill after section 3, and there are two or three minor amendments that must be made in section 3.

Mr. BRUCE. Mr. President, to this bill in its original form I was irrevocably opposed; but now, of course, I find myself faced with the simple question as to whether, with these proposed amendments, I am or am not prepared to waive my objections.

I would not have supposed that any situation could possibly arise in which I could for one moment hesitate to vote for a proposition extending the merit system of appointment. Unlike the Senator from Idaho [Mr. BORAH] and the Senator from Missouri [Mr. REED]—for whose opinions upon every question I have a very high degree of respect—I am a believer in the merit system of appointment, whether applied to the National Government or to the States or to the municipalities of the country. I took occasion some time ago to say that upon that subject my convictions are hardly less enthusiastic than those which the late Rev. Henry Ward Beecher voiced in the latter part of his life. He had become interested in the great movement which contemplated the substitution of the merit system of appointment for the old spoils system of appointment, and on one occasion in the course of a speech he said that he had become so profoundely wedded to the former system that he was inclined to believe that even entrance into the kingdom of heaven should be regulated by competitive examination.

I had supposed that it was impossible for so able, so enlightened, and so public-spirited a Senator as the Senator from Idaho [Mr. BORAH] at this late day in the history of the United States to say that he thought that the civil-service system of the Federal Government was a highly inefficient one. I do not recollect the exact words that he employed. Then, pray why is it that every man who is elected by the suffrages of the American people to the exalted office of President feels that an imperious obligation rests upon him, before he goes out of that office, to extend the Federal merit system of appointment to thousands and hundreds of thousands of additional offices?

Somebody has said—and it is a fine thing to be said of any part of our common country—that when a rich New Englander dies it is thought that his reputation is in some measure discredited unless he leaves a legacy to Harvard College; and so, for a long time past, every President of the United States, whether it was Ulysses S. Grant or Grover Cleveland or Theodore Roosevelt or William Howard Taft or Woodrow Wilson or Calvin Coolidge, has felt that his reputation would be in some sense dishonored were he to surrender his great office without giving still another extension to the merit system of appointment in the sphere of the National Government. Not only has this system been broadened until it includes now the great mass of the subordinate offices under the Federal Government, but almost every year witnesses the extension of that system to the public service in the different States or cities of the Union also.

It is no new thing, this thing of decrying the merit system of appointment, of saying that it is a humbug, a farce; that it does not work practically. I have heard that talk ever since my boyhood. Sometimes when I hear it I am reminded of the Turkish proverb. Strange as it may seem, the Turkish proverbs are the best of all popular proverbs. It is "The dog barks, the caravan passes." So it is with the enemies of the merit system of appointment. From time to time they snarl and howl, but most of them fail to face a roll call.

When the proposition is fairly put up to the Senate or to the House to repeal any part of the civil-service system, that proposition usually meets with defeat. So I say that it is a source of sincere regret to me when I see some Members of Congress for whose talents, for whose abilities, for whose public spirit I entertain the highest degree of admiration giving countenance to assaults upon the merit system of appointment that would not stand the slightest chance of success but for their conspicuous influence.

All the same, I am bound to confess that I have just a little misgiving when I come to vote for the pending proposition to extend the merit system of appointment to the prohibition service. I think that it is a wise thing that the bill should make no provision for covering into the civil service of the country the existing incumbents of offices in the Prohibition Unit; but I even feel disposed to say of the bill, despite that fact that I dread the Greeks even when they come with gifts in their hands.

As I look at it, prohibition has no real moral sanction behind it; and in my judgment that is the reason why up to this time it has proved absolutely unenforceable and will always continue to be so. Having no such moral sanction there is always the danger of its exerting a more or less demoralizing, not to say corrupting, influence over any public servant, whether of low or high degree, who is in any way associated with its practical workings.

A short time ago I was told a story of a man coming back into the United States—I will not say at what point—and bringing back with him three or four bottles of whisky in his bag. When he reached this country he placed one of these bottles on the top of the contents of his bag and turned away, after leaving a card on the bottle on which he had penciled the words "This bottle is for the inspector." When he returned to his bag the bottle was gone, and the card had been reversed, and on the other side of it the individual who had taken the bottle away had scribbled, "You are a gentleman."

About the same time I was told of another citizen of the United States who arrived on our soil with two or three bottles of whisky under the heavy overcoat that he was wearing. He took his seat in a motor car and thought that he was entirely safe, when he looked up and, to his consternation, saw that he had been followed. He supposed, of course, that he might be arrested, but, very much to his relief, his official pursuer said, "You can not take all those bottles of whisky away with you; you must give me one."

Those are trivial things in themselves, but they are simply two of the many cases that I could mention showing how demoralizing any personal contact with the operations of the prohibition system must be.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield to me for an observation?

Mr. BRUCE. Certainly.

Mr. WALSH of Massachusetts. Confirming what the Senator has said about there being no moral sanction behind this law, I want to say that I heard an address a few nights ago by a justice of one of the higher State courts of this country, in which he stated that he had just finished the trial of 22 jury cases for violations of the prohibition law; that there had been 22 acquittals, and that in his opinion every juryman sitting in those 22 cases had violated his oath. He was deploring the attempt to enforce a law which was bringing about violations of oaths by public officials and jurors.

Mr. BRUCE. Precisely. I recollect that some time ago the United States district attorney in Wisconsin said that it was idle for him to secure any more indictments against violators of the Volstead Act, because he could not obtain any convictions from juries. That is the fatal defect, of course, of absolute prohibition—there is no moral sanction behind it, and it is impossible, as I see it, to make any thoroughly rational man feel that there is any real criminality in disobedience to such a purely arbitrary and artificial thing.

Some time ago I took occasion to recapitulate the recent incidents in the history of the country demonstrating the unenforcibility of prohibition, and if I had the time it would be interesting to bring that recapitulation down to date. Only in the last few days my attention has been called to the fact that every year, or practically every year, since the passage of the Volstead Act there has been a steady increase in the

number of arrests for drunkenness in the City of New York, 1920 being a possible exception, when the bootlegging industry had not become thoroughly organized as it is now.

Mr. REED of Missouri. And when some of the old whisky was left over.

Mr. BRUCE. Yes; and when some of the old whisky was left over, though by no means enough to supply the present demand for drink, and when the people had not yet learned to any degree the art of brewing and distilling in their own houses.

The same thing is true of the city in which I live. Every year, or practically every year, since the passage of the Volstead Act there has been a steady increase in the number of arrests for drunkenness in Baltimore. Not only that, but every year, or practically every year, since the enactment of the Volstead Act in many communities in the United States there has been a steady increase in the number of deaths from alcoholism. In 1918 in the city of New York the total number of deaths from alcoholism was 16. Last year—1924—it was 499. Of the eight persons who died in the Baltimore City jail last year, six died from alcoholism. In a large portion of the United States there is not only little heed paid to the Volstead Act but a growing disrespect for laws of all sorts.

It was stated in the Washington Post only a day or so ago that the foreman of the grand jury here in the city of Washington had just been arrested for driving his motor car while under the influence of liquor. I am sure that there is more than one man in this body who could tell of instances in which even judges in this country, after sitting on the bench in the morning and committing batches of hapless wretches to prison, have sat down at night at tables on which there was wine or spirits. The whole thing is an abomination in its practical results.

Mr. EDGE. Mr. President——

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

Mr. BRUCE. I yield.

Mr. EDGE. I do not want to take the time of the Senator, but in connection with the proposed bill I have a letter from a representative of Colgate & Co., a very well-known firm of manufacturers of soaps and perfumery in New Jersey—in fact, internationally known—expressing his opposition to the Cramton bill as it was first before the Senate. This correspondent is likewise an official in various chemical associations. If the Senator does not object I should like to have the letter inserted in the RECORD.

Mr. BRUCE. I yield for that purpose.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Jersey?

There being no objection, the letter was orderer to be printed in the RECORD, as follows:

COLGATE & COMPANY,
New York, February 25, 1925.

Hon. WALTER E. EDGE,
United States Senate, Washington, D. C.

DEAR SENATOR EDGE: I have just received a copy of proposed amendments to the Cramton bill, H. R. 6645, submitted by Senator BAYARD on the calendar day February 20.

These amendments are very much better from all standpoints than the Bigelow amendments which were written into the bill, and I earnestly request that when this bill comes before the Senate you will urge the adoption of the Bayard amendments, although I still submit that the administration of alcohol for legitimate industry should not be carried out by a prohibition commissioner or anyone under him, and that only prohibition matters should come under the authority of the Prohibition Bureau.

Very truly yours,

MARTIN H. ITTNER,
Chairman Committee on Industrial Alcohol, American Chemical Society,
Chairman Committee on Industrial Alcohol, American Institute of Chemical Engineers.

Mr. EDGE. If the Senator will further permit me at this time, while on my feet, presuming there will not be a record vote on the measure, in its proposed amended form, to say that I am heartily in sympathy with and in favor of the provision which will place prohibition officers under the civil service.

Mr. CARAWAY. Mr. President, may I ask the Senator from Maryland a question?

Mr. BRUCE. Certainly.

Mr. CARAWAY. Did I understand the Senator from Maryland to say that judges sat on the bench and sent people to jail for violating the prohibition law, and then themselves went out and got drunk?

Mr. BRUCE. I did not say they got drunk. I did not say that, with due regard to the Senator.

Mr. CARAWAY. What did the Senator say?

Mr. BRUCE. I said I had heard of instances in different parts of the United States where judges, after condemning prisoners for violations of the Volstead Act in the morning, from the bench, sat down at dinner in the evening at tables at which the Volstead Act was being violated.

Mr. CARAWAY. Does the Senator understand those to have been Federal judges?

Mr. BRUCE. The Senator can readily understand the reason why nobody would want to go too closely into details with regard to a matter of that sort.

Mr. CARAWAY. With all due deference to the Senator—and I am not criticizing him—I do not believe in an indefinite charge being made against the judiciary, that judges themselves are conniving at a violation of the law which they have been sworn to enforce. If any judge does that, I think any good citizen ought to call attention to that fact and let him be impeached. It is unthinkable that a judge shall send a man to jail for doing what he himself does. Any judge who does that should not be permitted to remain upon the bench.

Mr. BRUCE. Then, if the ideas of the Senator from Arkansas were carried out strictly, a judge would simply have to eschew social life altogether.

Mr. CARAWAY. Does the Senator imagine——

Mr. BRUCE. Take the city in which I live. I can say that I know of few persons in that city who had wine on their tables before the adoption of the eighteenth amendment who do not have it on them to-day, or who were in the habit of offering a cocktail to their guests before dinner who do not do so to-day. A judge has no choice about sitting down at a table on which there is wine unless he is ready to renounce social life altogether.

Mr. CARAWAY. Does not the Senator think that under such circumstances a judge should renounce social life, or else get off the bench, if there is no alternative?

Mr. BRUCE. The Senator said to me this morning that he was afraid that I was too stern a moralist. I come back at the Senator from Arkansas and say that I am beginning to form that apprehension about him.

Mr. CARAWAY. I am losing all fear that the Senator has become too stern a moralist.

Mr. BRUCE. I will not reply to that by saying that I, too, have lost confidence, perhaps, in the Senator from Arkansas in some particulars. I will not say that, because I have not. I am not going to indulge in any needless personalities when it comes to the Senator, because we are very good friends. Any judge in the United States, in any community where rigorous ideas about the enforcement of prohibition do not prevail might well say with Edmund Burke—the Senator from Missouri [Mr. REED] was quoting the observation to me only a few days ago—"I know not how to frame an indictment against a whole people."

Mr. GLASS. Mr. President, the Senator has done just that. He has framed an indictment against all the people of Baltimore. The Senator says nobody can enter the social life of Baltimore without violating a Federal statute.

Mr. BRUCE. I am sorry to say that we are so hopelessly unregenerate that we do not feel that we are so vile after all. The feeling in Baltimore City, and to no little extent in other communities in the United States, is not unlike the feeling that the old abolitionists and free-soilers had about the guaranties of slavery in the Federal Constitution. They simply could not be made to see that there was anything sacred about those guaranties or the fugitive slave law.

Mr. CARAWAY. Mr. President, may I interrupt the Senator a moment? Of course, I do not pretend to be criticizing the Senator, for I have the greatest of liking for him.

Mr. BRUCE. That is heartily reciprocated.

Mr. CARAWAY. Seriously, does not the Senator think that national prohibition has brought a great measure of sobriety to America?

Mr. BRUCE. Senator, how can I think that, as far as the community in which I live is concerned, when, as I have said, practically every year since the enactment of the Volstead law has seen an increase in the number of arrests for drunkenness in Baltimore and in the number of deaths from alcoholism?

Mr. CARAWAY. May I just say this to the Senator, without interrupting him further, that my observation has been to the contrary. I see comparatively no drinking now. I have not seen an offensively drunken man in the District of Columbia in a year. If I may be permitted to interrupt the Senator, in former days, when I would walk down Pennsylvania Avenue, I would be importuned, by some who were already drunk

and wanted to get drunker, for a nickel or a dime to buy an additional drink. I have not seen a drunken man on a train, I have not seen one in a hotel, I have not seen one in any public place who was at all offensively drunk—and I mean by that so drunk that he did not understand what he was doing and therefore made a spectacle of himself—in so long that I do not recall the last instance, and it used to be a common sight. I honestly do not believe there is one-tenth as much drunkenness now as there was when the Volstead Act went on the statute books.

Mr. BRUCE. Has the Senator any idea how many people were arrested in Washington last year for drunkenness? If he has not, I will give him the exact statistics.

Mr. CARAWAY. I know that now the authorities frequently arrest a man for being drunk when he would have been thought almost sober under the old order of things.

Mr. BRUCE. I find it impossible to agree with that. On the contrary, I think that under existing conditions there is much less likelihood of arrests for drunkenness being made so frequently as under the old system, for this reason: Formerly a man would go down to a saloon and drink too much, and stagger homeward, and be arrested by the police on the street. Now he brews his liquor in his own house, or gets it from a bootlegger, and he drinks it in his own house, and therefore when he becomes drunk he is not so likely to be brought under the scrutiny of the police.

Mr. CARAWAY. The Senator actually thinks, then, that people are drinking now just to show that they have no respect for the law?

Mr. BRUCE. I think that some people at present are, to no small degree, led to drink to excess simply out of a spirit of adventure, merely because it is an illicit thing to do. One of the very worst features of prohibition is the appeal that it makes to what after all within legitimate limits is one of the most beautiful features of the youthful character—the love of excitement, of adventure. Only yesterday I picked up a newspaper and saw that the Soviet Government of Russia had resolved to put an end to the prohibition of the use of vodka, among other reasons because it found that the attempt to suppress the sale of vodka was having a most unfortunate effect on the youth of both sexes in Russia.

Mr. CARAWAY. Of course, I can not speak of the morals in Russia. I have never been there, and until they change their form of government I am not going.

I am not talking about the Senator now, but those in high places, as the Senator said, who are discrediting the law, judges and so-called society people who insist on ignoring it, and some people in other places that give them prominence are discrediting the law—mind you, I am not speaking of the Senator—by saying "We can not enforce it." I have no doubt at all if we would amend the law, if the majority that sit here ready now to support the so-called Cramton bill were permitted to express themselves, it would to a very large extent put an end to the agitation for the repeal of the eighteenth amendment and the weakening of the Volstead Act. The agitation comes from people who have not the right to know or have not the opportunity to know and to judge of public opinion and who are misled by people in high places saying that the law is a failure and that they believe it will be repealed, and therefore they keep on with the agitation.

If the Congress would but say that the eighteenth amendment is a part of the Constitution and every good man must obey it, and that this law is the law of the land and it is the duty of everybody to respect it, if they would do that by passing the Cramton bill to strengthen that law, I have not any doubt at all that within a very considerably less time than will now happen the people would respect the law and obey it. They are going to do that anyhow. There is no doubt about that. Prohibition has come to stay, and we have seen the last generation that are going to insist upon the right to get drunk and destroy themselves in order to assert their personal liberties.

Mr. BRUCE. How can the Senator say that when the undeniable facts are that in many portions of the United States there is an increase in the number of arrests for drunkenness from year to year and also a great increase in the number of deaths from the use of alcohol? In the face of those facts I do not see how he can indulge in such roseate dreams. We see the Government calling, or about to call, into service no less than 332 armed vessels of one sort or another for the purpose of putting down the smuggling of liquor into the country, and yet unable to put it down. We see year after year the appropriations of the Government for the purpose of enforcing prohibition enormously increased, but apparently without any real effect. We see a close alliance, dislike it as we may, in many communities in the country—I am not speaking by any means of all—between the most reputable and the most disreputable members of human society, an alliance such as has never been known before in the history of morals in the United States.

Mr. GLASS. How can there be an alliance, if the Senator will permit me, between reputable people and disreputable people?

Mr. BRUCE. Oh, the Senator might just as well have said to the old free soiler, "How can you set up any profession of exalted moral feeling when you are violating the Federal Constitution and the fugitive slave act?"

Mr. GLASS. I think there is a very great difference between the moralist who wants to abolish slavery and the moralist who wants to get drunk and let other people get drunk.

Mr. BRUCE. But there is the fatal infirmity in the Senator's reasoning. There are thousands and thousands, hundreds of thousands and hundreds of thousands, millions and millions of men and women who can drink in moderation without the slightest injury to themselves or others, and that is the true reason why prohibition can not be enforced.

Mr. CARAWAY. Does the Senator seriously believe that drinking promotes morality?

Mr. BRUCE. No; but——

Mr. CARAWAY. Does it destroy morality?

Mr. BRUCE. Drunkenness is far more due to the weakness of the drinker than to the strength of the drink. A man who is weak enough to become a miserable toper or drunkard would probably be weak enough to fall into some other form of sensual indulgence that is equally as injurious, or even more so.

Mr. CARAWAY. Does the Senator think that none but the weak get drunk?

Mr. BRUCE. I think that there must be a streak of weakness somewhere in the human character for any man to get drunk; a thing that is abhorrent to me.

Mr. CARAWAY. If it is abhorrent to the Senator for people to get drunk, why would not the Senator be willing himself to abstain and encourage others to do it, and let us enact a law to make others refrain, so that the man who is too weak to resist shall not be destroyed by his own weakness?

Mr. BRUCE. The Senator might as well ask me why the pleasure car should not be altogether abolished, because it is often made an instrument of immorality or criminality by somebody else than myself?

Mr. CARAWAY. We have abolished a great many things that are not inherently wrong, but their abuse by society has become evil, and therefore we say that society has surrendered some of its so-called rights in order that it may protect itself as a whole.

Mr. BRUCE. I can imagine such a case.

Mr. CARAWAY. Most of the criminal acts are criminal acts merely by reason of the enactment of a statute which society thought was necessary.

Mr. BRUCE. They are not. My conscience tells me that it is wrong to steal. My conscience tells me that it is wrong to murder. My conscience does not tell me that it is wrong to take a drink.

Mr. CARAWAY. Perhaps the Senator's conscience tells him a great many things that are now against the law are not inherently wrong, but he would respect them because they were the law.

Mr. BRUCE. One of the curses of modern legislation, I think, is the creation of innumerable artificial crimes and offenses even outside of the domain of prohibition.

Mr. CARAWAY. Does the Senator feel that every good citizen has the right to set up his own conscience as the test and say "This law is valid because I approve of it"?

Mr. BRUCE. I do not. I respect the judge, no matter what my convictions may be about prohibition, who sits on the bench and sternly enforces the prohibition laws.

Mr. CARAWAY. Is there any more obligation upon the judge to respect the law than there is on every other citizen in America to respect the law? We can not set up our individual opinions and say, "This law is good and that one bad, and I shall respect this one and disregard that one," and expect to have society respect the law.

Mr. BRUCE. Abstractly that reasoning may be sound, but the Senator knows as well as I do that neither all law nor all government is on paper.

Mr. CARAWAY. I have discovered that.

Mr. BRUCE. As I have said, coming back to the analogy furnished by the provisions of the Federal Constitution in relation to human slavery and the fugitive slave act, the Consti-

tution guaranteed to the slave owner the property in his slaves. Nothing could be clearer; yet as the Civil War came on, we all known that the most moral, upright, and righteous men and women in the northern and western portions of our common country ceased to entertain any respect whatsoever for the Constitution or the acts of Congress so far as they related to slavery.

The PRESIDENT pro tempore. The Chair desires to make an observation at this point. We are in the last stages of the present session. There is a rule of the Senate which forbids a Senator speaking twice upon the same subject upon the same day; and it has been uniformly held that when a Senator yields to a brother Senator for a discussion of a subject, when he resumes he then begins his second speech. The Chair hopes the Senators will observe that rule during the remainder of the session.

Mr. BRUCE. Then, Mr. President, I shall be compelled to refuse to yield. The Senator from Arizona can imagine how loath I am not to be courteous enough to yield, but in view of what the Chair has stated I can not do so.

Mr. ASHURST. I think the Chair is correct, and I thank the Senator from Maryland for offering to yield.

Mr. BRUCE. Mr. President, I am very glad that the Senator from Arkansas [Mr. CARAWAY] asked me some of the questions which he did because it gave me the opportunity to say some things that I might otherwise have failed to say.

Before referring to just one or two comments of the Senator, I should like to add that the Senator from Missouri [Mr. REED] has just called my attention to a table of statistics which shows that between 1910 and 1923 arrests for drunkenness in the United States increased 121 per cent. The Senator from Arkansas suggests the idea that perhaps it is only the so-called higher social classes that violate the Volstead Act; that they are setting a bad example; and that if they had set a better example others would have followed in their footsteps.

Mr. CARAWAY. Oh, no; I did not quite say that.

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Arkansas?

Mr. BRUCE. I yield for a question, Mr. President; but for nothing more than a question.

Mr. CARAWAY. That is all right.

The PRESIDENT pro tempore. The Senator from Maryland yields for a question only.

Mr. BRUCE. I should be glad to yield to the Senator, but he sees how I am tied up.

It is not the people who belong to the wealthier classes who figure so much in the police statistics of prohibition. They are able to buy and to have delivered under their own roofs the best spirits and the best wines, or even to have what they drink made to the best advantage in their own homes; and it is only fair to them to say that the overwhelming majority of them, as is true of all men, are free from excess; but these figures that I have cited showing such a marked increase in arrests for drunkenness and in deaths from alcoholism are drawn mainly from different social sources from those that the Senator from Arkansas seems to have in mind.

I am happy to say that I see evidences that the general reign of demoralization and deep-seated disrespect for law of which I have been speaking may come to an end. I was intensely gratified the other day to notice that the senate of the State of Nevada had adopted a resolution calling for a repeal or modification of the Volstead Act. So far as I recall, that is the first time that any legislative body in the Union has adopted such a resolution. I trust that it may be but the beginning of the end.

Mr. DIAL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from South Carolina?

Mr. BRUCE. I yield merely for a question.

Mr. DIAL. I want to ask the Senator a question. What would be his remedy; what solution would he suggest of the liquor problem?

Mr. BRUCE. My remedy is this: Until this artificial stimulus was given to drunkenness by prohibition, men in the United States were from year to year becoming more and more temperate. Advancing civilization is simply another term for increasing self-restraint; that is all. Men in the United States were becoming more and more self-restrainful, more and more temperate in the matter of drink.

Mr. CARAWAY. Mr. President, may I ask the Senator from Maryland one question?

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Arkansas?

Mr. BRUCE. I yield for a question.

Mr. CARAWAY. Then why not just repeal all laws and reach complete civilization by that one leap and bound?

Mr. BRUCE. Not at all. Law should be adjusted, of course, to actual social and economic conditions, just as a glove is adjusted to the fingers of the hand.

Mr. CARAWAY. Who is going to be the judge of the matter? If one man, like the Senator, may say, "I will not respect this law, because it does not appeal to me," and another man may say, "I will reject that law," then where is the process to end, and when does it not become the mark of the good citizen to respect the law?

Mr. BRUCE. No law is worth talking about that has not the moral sanction behind it; unless it is in harmony with the convictions and the sentiments of the people for whom it is intended.

Mr. CARAWAY. Does the Senator have any doubt that prohibition is in harmony with the sentiment of the majority of the American people?

Mr. BRUCE. It is impossible to answer that question. In some communities in the United States the majority of the voters are unquestionably in favor of prohibition, I should say. In other communities in the United States they are overwhelmingly against it. Take the last gubernatorial election in the State of Maryland. Our Democratic candidate for governor did not carry the 23 counties of the State; the Republicans secured a majority of the votes in those counties; but in the city of Baltimore, where there is a powerful sentiment against the Volstead Act, the present Governor of Maryland, who is a pronounced enemy of prohibition, received a majority of not less than 40,000 votes, the largest majority, if I am not mistaken, that anyone has ever received in the history of the city for many years. However, the point I am making is that law is always for all practical purposes ineffective unless it is sustained by the convictions of the people.

Mr. DIAL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from South Carolina?

Mr. BRUCE. I yield merely for a question.

Mr. DIAL. Is it not true that the great preponderance of the sentiment of the people in the rural sections of the country favors prohibition?

Mr. BRUCE. One reason for that is that the farmer under existing conditions is getting all that he wants; he is the only man in the United States who is. He never did drink much of anything in my time except cider and home brew, and he is drinking those things to-day, and if I were to allow myself to fall into a slang expression I would say th + he is doing it "to beat the band," or, as a Senator near gests to me, "to beat the law."

I hear the statement often made, "Well, prohibition is working all right in my State." It reminds me of the statement that I used to hear very often as a boy in Virginia, "Oh, there is no malaria on my place; it is only on the next plantation," but there was malaria on the speaker's plantation all the same.

I happen to be familiar with a typical southern community in southern Virginia; I know what conditions prevail there; and I call the attention of the Senator to the fact that one of the recent reports of the Prohibition Unit shows that in 12 Southern States there were more illicit stills destroyed last year by the Prohibition Unit than in 32 of the other States of the Union. And did not the Senator from North Carolina say only a few days ago that the need for an additional judge in his State was due to violations of the Volstead Act? The only or principal reason for the request that we have been making at this session of Congress for an additional judge for the State of Maryland is the immense number of violations of the act. So I must say when the statistics are brought to my attention it is hard for me to believe that there is any community——

Mr. DIAL. Mr. President, possibly in the other States those engaged in the practice could hide their stills better than they could in the South.

Mr. BRUCE. From what I have seen here I believe that there is not a shrewder people in any part of the United States than in the southern section of the country.

Take the State of the Senator from Utah. Unquestionably, notwithstanding all the irrigation that has been carried on there, it is one of the most arid communities in the United States, so far as drink is concerned. Yet what are the latest facts. Harvey H. Cluff, the attorney general of that State, who I am assured by the Senator from Utah [Mr. SMOOT] is a man of the highest standing, has recently made the following statement:

MADE FLASK POPULAR

It [prohibition] has made popular the hip-pocket flask it has caused the bootlegger to flourish and the illicit still to spring up in all sections. And while I believe Utah is freer from these things than most

any other State in the Union, because of the diligent efforts of the officers and because of the training of our people, yet I am frank to confess that prohibition in Utah is a farce, and is developing a citizenry of sneaks and lawbreakers.

The same story comes to us from every part of the country. I do not imagine, for instance, that the Senate of the State of Nevada would be calling for a repeal or modification of the Volstead Act if that body had not become deeply impressed with the evils and abuses of the present system. Certainly all those stills would not have been broken up in 12 of the Southern States unless illicit liquor was being manufactured there on a very great scale.

Mr. REED of Missouri. Mr. President——

Mr. BRUCE. I yield for a question.

Mr. REED of Missouri. Mr. President, I think the position taken by the Senator is well illustrated by the two Irish ladies who had been cleaning out their houses. One of them, who had a very much larger pile of dirt than the other in front of her broom, insisted that her house was cleaner than the house of the other because she had gotton more dirt out of it, but the other one very naturally replied that the fact that she had swept so much dirt out of her house was not pretty good evidence of the kind of a housekeeper she was.

Mr. HEFLIN. Mr. President, regular order!

Mr. BRUCE. I thank the Senator from Missouri for his apt illustration.

And there is the State of Michigan. I have no doubt that it is in a general sense just as moral and reputable a State as there is in the Union; but I saw a few days ago in a newspaper the allegation that there are not less than 15,000 "blind pigs" and bootlegging joints in the city of Detroit. A short time ago 3,000 stills were confiscated by Federal agents on a single day in Chicago.

I recollect that at the last session of Congress when there was some talk about having a demonstration against prohibition in Congress, a certain Member of Congress—I will not say in which body—from California was approached; for it was well known that he was a strong opponent of prohibition, but what was his reply? It was, "I do not know about that; we are making far more from our grapes as material for drink now than we ever made before.

I am going to conclude. Nor had I any idea that I might be drawn into such a lengthy speech as I have been. I shall vote for this bill in its present shape notwithstanding the misgivings of which I speak. I shall take my chances on prohibition agents, after they have come in under the civil-service system being corrupted by prohibition. All I hope is that every one of them when he gets up in the morning to engage in his public duties will say the Lord's prayer with far more fervor than he ever said it before he became a Federal agent, and particularly that part of it which says "Lead us not into temptation." I can only trust that the blighting, demoralizing effects of prohibition on the character of these agents, when selected under the merit system of appointment, will not be such as to bring discredit on the whole civil-service system.

Just one word more. As I said, not only do I see evidence in the action of the State of Nevada, to say nothing of other evidences of the same sort, of the fact that the people of the United States are gradually awakening to the true results of prohibition, but I see in the defeat of this very measure, the Cramton bill, another illustration of the same thing.

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

Mr. BRUCE. Yes.

Mr. CARAWAY. Does the Senator believe that a majority of the Senators are in favor of defeating the Cramton bill?

Mr. BRUCE. I do not know whether they are or not.

Mr. CARAWAY. If the Senator does, if he will just get them to withdraw their filibuster we will disclose the fact that they do not exceed a tenth of this body, or at least not more than 17 per cent of it.

Mr. BRUCE. That may be. I do not know. Of course, one of the sad things about the workings of prohibition is that it makes hypocrites of so many men who are not naturally hypocrites. How many men have I seen in public life who get up on the floors of legislative bodies and prate about the virtues of prohibition and then wander off a few minutes afterwards to take a drink? Often the very breath with which they insist upon the merits of prohibition is tainted with what prohibition was intended to destroy.

Mr. CARAWAY. I am perfectly willing for the Senator to take the witness stand and name them.

Mr. BRUCE. Oh, no; oh, no!

Mr. CARAWAY. I am, indeed.

Mr. BRUCE. It is not necessary. The Senator knows many of them himself.

Mr. CARAWAY. No; I disclaim that, and I want to say that this way of standing up and trying to indict the courts as a lot of drunkards who send people to jail——

Mr. BRUCE. Oh, no; I have not done that.

Mr. CARAWAY (continuing). And then get drunk themselves, and then standing here and saying that men in this body vote for prohibition and then get drunk, is not fair. Just let the Senator name the people he has in mind.

Mr. BRUCE. Of course, the Senator knows, and I know, and every one of us know, members of legislative bodies who speak for prohibition and vote for prohibition and drink until they are drunk.

Mr. CARAWAY. I wish the Senator would name them. I would not make a blanket charge against men and then say I would not tell whom I was talking about.

Mr. BRUCE. Again, as Edmund Burke said, I am not going to bring an indictment against a whole people.

Mr. CARAWAY. The Senator did not hesitate to indict everybody in Baltimore, and then he will not give the names.

Mr. BRUCE. Everybody knows that the sort of hypocrisy of which I have been speaking is one of the most odious, squalid, and sordid manifestations of prohibition.

The PRESIDENT pro tempore. The Chair has asked the Senator from Maryland a question. Does he yield to the Senator from Michigan?

Mr. BRUCE. I crave the pardon of the Chair. I did not hear the question. I yield to the Senator.

Mr. FERRIS. I wish to ask the Senator if he believes that the industrial world, the business world, would like to have a return to the so-called old-time American saloon prior to the enactment of the Volstead law?

Mr. BRUCE. I do not know. I have never seen the evidence on that subject presented in such a way as to enable me to form an opinion. I do not know. I take it for granted that a workingman, of course, experiences much more difficulty in getting something to drink than a man of wealth, a man of means, who is differently situated in many respects; and for that reason, if for no other, perhaps, the laboring man of the country is not drinking so much; but the fact remains that the American Federation of Labor, which is certainly better authorized to speak for labor in the United States than any other association of men known to me, is bitterly hostile to prohibition.

That is my answer.

Mr. NEELY. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from West Virginia?

Mr. BRUCE. Yes; I yield.

Mr. NEELY. As the Senator declines to express an opinion as to what business desires about a return——

Mr. BRUCE. I will lose the floor, under the ruling of the Chair, if I submit to that.

The PRESIDENT pro tempore. The Senator will lose the floor.

Mr. BRUCE. I will say to the Senator from West Virginia that I am very sorry——

Mr. NEELY. I was simply going to ask the Senator if he would not express his own preference.

Mr. BRUCE. How can I believe but one thing, when, as I tell the Senator, I see the steady increase in the number of arrests for drunkenness that is going on from year to year? I know that the people arrested are not the people who drink merely at their own tables, in the quietude of their own homes. I know that. I know that among them there must be at least a vast number of laboring men.

Mr. NEELY. Mr. President, is the Senator personally in favor of reestablishing the saloon?

Mr. BRUCE. Indeed, I am not! The very suggestion of it suggests to my mind the idea of a dog returning to his vomit. No; I am not. The saloon is gone, and gone forever; but I am in favor of some enlightened system, such as prevails in the Canadian provinces, in Belgium, and in some other civilized parts of the world, under which a man can have, under proper regulation by the State, his wine or his beer, and can have even ardent spirits in small quantities, provided it is taken away from the Government store and drank in his own home.

Mr. McKINLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Illinois?

Mr. BRUCE. I can not be continually yielding, I am sorry to say. In other words, I do not believe in any legislation——

Mr. WARREN. Mr. President, will the Senator allow me to present a report? Will he yield for the consideration of a conference report?

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. BRUCE. Provided I am not displaced. I am not quite ready to be displaced. I thought I was, but I am not. I can not allow any risk of that. Otherwise, I should gladly yield.

Mr. WARREN. I do not wish to interfere with the Senator, but of course——

The PRESIDENT pro tempore. It depends upon what the Senator from Wyoming wants to ask the Senator. If the Senator from Wyoming wants to make a conference report, the Senator from Maryland will not lose the floor.

Mr. BRUCE. Then I do so, gladly.

Mr. ROBINSON. I understand that the Senator from Wyoming desires to have the conference report considered.

Mr. BRUCE. Oh, well, I can not do that. I shall be through in a few minutes.

Mr. WARREN. There are only two items in disagreement. Do I understand the Senator to decline to yield?

Mr. REED of Missouri. I ask unanimous consent that if the Senator shall yield for that purpose he shall not lose the floor.

The PRESIDENT pro tempore. The Senator has a right to yield for the presentation of a conference report without losing the floor.

Mr. ROBINSON. Mr. President, the Senator from Wyoming asks for the present consideration of the conference report; and it ought to be considered as soon as practicable, because it is one of the important general appropriation bills. The Senator from Maryland had stated that he had about concluded his remarks; and I was just about to ask him, in view of that fact, if he did not feel willing to yield the floor at this time in order that the conference report might be taken up.

Mr. WARREN. If it will accommodate the Senator better, I will wait.

Mr. BRUCE. Never mind. I have been a little long in saying what I have said, and I suspect that I have said about all that I should say. My old friend, Mr. Wallis, of Baltimore, used to say that a man very often runs on because he does not know that he has run out, and perhaps I am doing that.

I said that I am not in favor of returning to the saloon, nor am I. I could not possibly have expressed myself in stronger language, for I expressed myself by using one of the most vigorous and trenchant expressions that is to be found anywhere between the four corners of the Scriptures. What I am in favor of, first of all, is the repeal or modification of the Volstead Act so that each State in the Union may for itself, within the limitations of the eighteenth amendment to the Constitution, determine whether it will or will not allow to its people the use, so far as it can be lawfully done, of wine and beer. I will not stop to say whether I think that it would be a good thing to repeal the eighteenth amendment to the Federal Constitution. At the present time that is beyond the pale of practical politics; but I do think that if the Volstead Act were repealed or modified, and the question as to whether the use of wine and beer, so far as it is possible to permit their use within the limitations of the eighteenth amendment, were left to the different States of the Union to determine for themselves, that would be the wisest and best solution that could be made of the matter.

I understand—my friend the Senator from Texas [Mr. SHEPPARD] can correct me if I am in error—that at the present time there are some thirty-odd States that have prohibitive provisions in their constitutions.

If they want to continue those, even if the eighteenth amendment were repealed, I should be entirely in favor of their doing so. I believe that every community in the United States should be allowed to decide for itself what its attitude toward drink should be; and, as I look at it, there could be no better illustration possible of the hopeless, ruinous impolicy of transferring to the Federal Government the functions that really belong to the States than is to be found in the practical results of prohibition throughout this country. Some communities it may suit very well. I am willing to admit that; though I do not actually know whether it would suit any, because my personal knowledge on the subject is pretty limited; but there are other communities that it does not suit at all, and where instead of doing good it does nothing but infinite mischief and harm to human character and human morals.

The community in which I live is one of those communities. New York is another, Philadelphia is another, and Chicago is another. The matter should never have been taken out of the hands of the States. Everywhere the people of the States were becoming more and more temperate and more and more self-restrainful, and they should have been let alone. If they had been let alone, to-day we would have prohibitory systems in the communities to which it is adapted, and we would have systems of regulation merely in communities to which the prohibitory system is not adapted.

I have expressed my sentiments, perhaps, too amply, but I have expressed none except sincerely and honestly, and I cherish the belief that my views will be more and more generally adopted in the course of the next 5 or 10 years. I may not live to see the policy of prohibition reversed, but that my children will live to see it I entertain no doubt whatsoever.

BATTLE FIELDS OF THE SIEGE OF PETERSBURG, VA. (S. DOC. NO. 228)

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the President of the United States, which the Clerk will read.

The communication was read, as follows:

THE WHITE HOUSE,
Washington, February 28, 1925.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of Congress a supplemental estimate of appropriation for the fiscal year ending June 30, 1925, to remain available until June 30, 1926, for the War Department, $3,000.

The details of this estimate, the necessity therefor, and the reason for its submission at this time are set forth in the letter of the Director of the Bureau of the Budget transferred herewith, with whose comments and observations thereon I concur.

Respectfully,

CALVIN COOLIDGE.

The PRESIDENT pro tempore. The communication and accompanying papers will be referred to the Committee on Appropriations and printed.

HOUSE BILL REFERRED

The bill (H. R. 11633) to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, was read twice by its title and referred to the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes; agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee were appointed managers on the part of the House at the further conference.

The message also announced that the House had passed the joint resolution (S. J. Res. 102) authorizing the Secretary of War to modify certain contracts entered into for the sale of boats, barges, tugs, and other transportation facilities intended for operation upon the New York State Barge Canal, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were thereupon signed by the President pro tempore:

S. 1707. An act appropriating money for the relief of the Clallam Tribe of Indians in the State of Washington, and for other purposes;

S. 1934. An act to amend, revise, and reenact section 549 of subchapter 4 of the Code of the District of Columbia relating to the appointment of deputy recorder of deeds, and fixing the compensation therefor;

S. 1935. An act to amend, revise, and reenact subchapter 3, sections 546 and 547, of the Code of Law of the District of Columbia, relating to the recording of deeds of chattels;

S. 2719. An act to authorize the payment of an indemnity to the British Government on account of losses sustained by the owners of the British steamship *Baron Berwick* as the result of a collision between that vessel and the U. S. S. *Iroquois* (now *Freedom*) and a further collision with the U. S. destroyer *Truxtun*;

S. 2935. An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives;

S. 3162. An act authorizing the Postmaster General to make monthly payment of rental for post-office premises under lease;

S. 3633. An act to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes;

S. 3641. An act granting the consent of Congress to the State of Washington to construct, maintain, and operate a bridge across the Columbia River at Vantage Ferry, Wash.;

S. 3721. An act authorizing the Secretary of the Treasury to exchange the present customhouse building and site located in Denver, Colo.;

S. 4032. An act authorizing the Department of State to deliver to the Hon. Henry D. Clayton, district judge of the United States for the middle and northern districts of Alabama, and permitting him to accept the decoration and diploma presented by the Government of France;

S. 4156. An act to authorize the establishment and maintenance of a forest experiment station in California and the surrounding States;

S. 4207. An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes;

S. 4224. An act to amend section 2 of the act of June 7, 1924 (Public, 270), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes," in order to promote the continuous production of timber on lands chiefly suitable therefor;

S. 4225. An act to extend the times for commencing and completing the construction of a bridge acsoss Detroit River within or near the city limits of Detroit, Mich.;

S. 4229. An act granting the consent of Congress to the State Highway Commission of North Carolina to construct a bridge across the Chowan River at or near the city of Edenton, N. C.;

S. 4264. An act authorizing the Secretary of War to convey certain portions of the military reservation of the Presidio of San Francisco to the city and county of San Francisco for educational, art, exposition, and park purposes;

S. 4284. An act granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River, at or near the city of Dardanelle, Yell County, Ark.;

S. 4289. An act authorizing the construction of a bridge across the Colorado River near Blythe, Calif.;

S. 4301. An act authorizing any tribe or band of Indians of California to submit claims to the Court of Claims;

S. 4306. An act granting the consent of Congress to R. L. Gaster, his successors and assigns, to construct a bridge across the White River;

S. 4307. An act to authorize the States of Indiana and Illinois, in the States of Indiana and Illinois, to construct a bridge across the Wabash River at the city of Mount Carmel, Wabash County, Ill., and connecting Gibson County, Ind.;

S. 4317. An act granting the consent of Congress to the County of Jackson, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of Newport in the county of Jackson, in the State of Arkansas;

S. 4320. An act to extend the time for constructing a bridge across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky.;

S. 4352. An act to create an additional judge in the district of Minnesota;

S. J. Res. 28. Joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol;

S. J. Res. 124. Joint resolution to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers;

S. J. Res. 178. Joint resolution to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay;

S. J. Res. 184. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925;

S. J. Res. 186. Joint resolution authorizing the sale of the old Federal building at Toledo, Ohio; and

S. J. Res. 187. Joint resolution providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes.

PERSONAL EXPLANATION—COTTON CONTRACTS

Mr. SMITH. Mr. President, I rise to a question of personal privilege. I want to take this occasion, while the matter is right before me, to make a statement. It will not take very long. This is the first time in my experience as a Member of the Senate, for 16 years, that I have risen to a question of personal privilege.

A paper published in New York, known as the Journal of Commerce, has taken occasion in an editorial, with the facts before it, to entirely distort what I said on this floor, and what I attempted to say for what is perhaps the greatest single industry in this country. I am going to read the editorial and then read what I said, as both the statements are very short, and then I shall make a statement, and I believe every man in the Senate will agree with the position I take, that our servants in the Agricultural Department are duty bound now to see that this matter is sifted to the bottom.

I want to read the editorial. It is not only a misstatement of the situation, but it is an attack on me that is not warranted. It is as follows:

> Unless Senator SMITH can now give chapter and verse to sustain the charges he has recently made concerning the official classification of certain cotton now held at New York he has been placed in a very embarrassing position by the Department of Agriculture. This latter Government office has called for facts to substantiate the Senator's recent statements from the floor and further has offered to exhibit the samples of any supposedly off-grade cotton that Senator SMITH or anyone else has reason to believe exists in New York. To put the situation in the vernacular of the street, it now appears that Senator SMITH must either "put up" or "shut up."

Notice the peculiar phraseology:

> Meantime the Department of Agriculture expresses strong belief that its inspection service is adequate and that no such condition as that alleged by Senator SMITH is easily possible. If this proves to be the case, the complaining Member of the upper House will be revealed as simply one of those irresponsible trouble makers and vote seekers who are constantly making a nuisance of themselves at Washington. Is it possible that such tactics endear them to the people "back home"? It is hard to believe that they do.

In other words, that editorial attempts to make it appear that I made the charges and that I was called upon to substantiate them. Before I comment on that, let me read what I did say and why I demanded then, and demand now—and I believe that I have the support of every man on this floor—that the Agricultural Department, charged with seeing that the proper kind of cotton is put in the warehouses in New York under the law to tender on contracts, should perform its duty; that if any reputable citizen, or a number of them, believe that they have not done their duty, or have made an honest mistake, and it is alleged that the cotton is not up to standard, they are in duty bound to themselves and to us to see that the law is complied with. I will read now what I said and state why I said it, and this is all there is to it.

On Wednesday, February 25, I took the floor and made a statement; I ask Senators to mark this language:

> Mr. President, I have here several communications practically in the form of petitions. It is sufficient for me to call attention to the character of them. It is alleged that the New York Cotton Exchange is holding cotton stocks which cotton does not come up to the standard required by the cotton futures act.

It will be noted I said "It is alleged." I read further:

> I have, among others, a letter from a party in New Orleans. This correspondent of mine in New Orleans says that "although the New Orleans contract market is actually higher in New York there are thousands of bales of cotton being shipped from here every week to New York to depress the contract market." He claims that the staple of this cotton is not as long as that required under the cotton futures act, that it is shy of the necessary length, and that other qualities make it nontenderable. I have also a letter from the president of the American Cotton Association alleging that there are perhaps 150,000 bales of specificated cotton in the warehouses to be tendered on, perhaps, March contracts which are of such character that the mills and the purchasing public do not care to stop the contracts and take up the cotton.
>
> Under the law the Agricultural Department is charged with examining this cotton, sampling and stabilizing it, and thereby protecting the purchaser of contracts from the delivery of such cotton as does not come under the regulations of the law.
>
> I have asked the Agricultural Department about this stock of cotton, which is alleged from three very reputable sources to be not

such cotton as the law contemplated should be delivered. I want to take this occasion to call the attention of the holders of March contracts to the facts stated, to ask them to take up the cotton, and after taking it up notify me or the Agricultural Department and have them then grade and sample cotton so as to prove whether or not these allegations are true.

The cotton futures act was passed because it was shown by Mr. Herbert Knox Smith, the agent of the department, that there was a practice of taking undesirable cotton and putting it into warehouses and tendering it on contracts. We have amended that law so as to provide that only certain grades may be tendered, all of which can be spun readily by the mills of the country, and if there be any infraction of that law it will necessarily bring about the very condition to prevent which the cotton futures act was passed.

Mr. President, I am going to ask the privilege of having certain letters which I hold in my hand, or a part of them, which I shall indicate, printed in the RECORD, so that the public may be notified that these March contracts which they have taken up will be sampled by the Agricultural Department in order to ascertain the truth.

Then I had the letters printed in which it was specifically charged that this condition existed, affecting perhaps hundreds of millions of dollars' worth of property, reaching perhaps to a billion dollars' worth of property, a matter of the greatest concern to our domestic as well as to our foreign trade.

What I stated was that these allegations were made, that the Department of Agriculture, which is charged with the enforcement of the law, should not allow any suspicion to exist. They have the machinery; they can go to New York and examine that cotton, classify it, and set all these rumors at rest.

Subsequent to my putting this in the RECORD, officials of the department met me here, and we were of opinion that the best thing to do was to reclassify that cotton, and now, since this scurrilous attack has come out, I am going to ask the Senate to back me up, if it is necessary—though I do not believe it will be necessary—in demanding of the Department of Agriculture that the complaints of reputable citizens as to the character of cotton in New York shall be set at rest once and for all by our servants in the Department of Agriculture going and classifying that cotton, and seeing whether, according to length of staple and grade, it is what the law contemplates.

I have made no allegations; I was not in a position to make any, but I am in a position to represent the mills, the producers, and the honest traders of cotton, and they have a right to demand that when these allegations come from reputable citizens, the officials of the department shall investigate and give the public the facts, and I shall not be deterred from my duty by any such unworthy attack from a paper that calls itself decent.

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

Mr. SMITH. I yield.

Mr. SIMMONS. I suggest to the Senator that the importance of the matter which he has brought to the attention of the Senate is such that he should introduce a resolution requiring the Department of Agriculture to make this investigation and report the results.

Mr. SMITH. Mr. President, I want to state now that when I asked the Department of Agriculture, they said that they believed the cotton was up to standard, both as to grade and staple, but when there is doubt from those who are vitally and financially interested, there should be more than a belief; there should be a certainty. I did not charge them with a dereliction of duty. I simply said a mistake might have been made, affecting, as it does, the whole cotton industry, and that it was a simple matter for them, our servants, to go to New York and classify the cotton.

Now that I am put in the attitude of making charges which I can not substantiate, and when it is suggested that perhaps I had better "put up" or "shut up," I propose to ask the officials if they intend to reclassify the whole certificated stock in New York, and if not, I will ask my colleagues on this floor to-morrow to back me up in a Senate resolution demanding that they go to New York and reclassify that cotton and set these matters at rest.

INDEPENDENT OFFICES APPROPRIATIONS

Mr. WARREN. I ask the Chair to lay before the Senate the action of the House on the amendments of the Senate to the independent offices appropriation bill.

The PRESIDENT pro tempore. The Chair lays before the Senate the action of the House, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,
February 27, 1925.

Resolved, That the House recedes from its disagreement to the amendment of the Senate numbered 2 to the said bill (H. R. 11505) entitled "An act making appropriations for the Executive Office and sundry independent Executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes," and concurs therein.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "*Provided*, That no part of this appropriation shall be used to pay the salary of any member of the United States Tariff Commission who shall hereafter participate in any proceedings under said sections 315, 316, 317, and 318 of said act, approved September 21, 1922, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative."

That the House insists on its disagreement to the amendment of the Senate numbered 5.

Mr. WARREN. There are two matters between the House and the Senate to be settled. As to amendment numbered 11, the Senate conferees recede. That involves a change of only two or three words, and in no way affects the subject matter.

Mr. GLASS. To what does the amendment relate?

Mr. WARREN. It is in relation to changing two or three words in the matter of the Tariff Commission. In other words, we take in place of ours what the House undertook to put in and forgot to put in. There are only two or three words added.

Let the clerk read the proviso as it was agreed to by the Senate, and as it will read if we recede as I have proposed.

The PRESIDENT pro tempore. The clerk will read as requested.

The Chief Clerk read as follows:

Senate amendment No. 11, page 25, line 11, after "Columbia" insert: " : *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the United States Tariff Commission who shall participate in any proceedings under said sections 315, 316, 317, and 318 of said act approved September 21, 1922, wherein he or any member of his family has any special, direct, and pecuniary interest, or in respect to the subject matter of which he has acted as attorney, legislative agent, or special representative."

The House recedes from its disagreement to the amendment of the Senate No. 11 and concurs therein with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: " : *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the United States Tariff Commission who shall hereafter participate in any proceedings under said sections 315, 316, 317, and 318 of said act approved September 21, 1922, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative."

Mr. ROBINSON. What is the distinction between the two provisions?

Mr. WARREN. The word "hereafter" is put in between "shall" and "participate," so as to read "shall hereafter participate," that having reference to taking part in any subject in which a member of the commission may hereafter be interested. Further down where we provided "or in respect to the subject matter of which he has acted as attorney, legislative agent, or special representative," the language reads:

Wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

Mr. ROBINSON. Is the agreement unanimous?

Mr. WARREN. It is on that point.

Mr. ROBINSON. I have no objection to the Senator's motion.

The PRESIDENT pro tempore. The Senator from Wyoming, as the Chair understands it, moves that the Senate concur in the House amendment to the Senate amendment. The question is on that motion.

Mr. SIMMONS. I understand the House amendment to refer to the provision with regard to the Tariff Commission?

Mr. WARREN. Yes. I read it a short time ago.

Mr. SIMMONS. Mr. President, I desire to say briefly that I think the change proposed by the House amendment is a very substantial one and one that ought not to have been made. As I understand, the change consists in the elimination of certain words in the present law which were embraced in the bill as it passed the Senate.

Mr. WARREN. The Senator, I think, is mistaken in that. We found that we had inserted matter which was not contained in the law.

Mr. SIMMONS. The provision as it passed the Senate, as I understand, was identical with the present law.

Mr. WARREN. The Senator thought that, and so did I, but when we investigated we did not find it in the law.

Mr. SIMMONS. As I understand, the only change made is to strike out certain words.

Mr. WARREN. It is a change of language which, in my humble judgment, does not affect injuriously it one iota. That is my opinion about it. I appreciate what is sought to be accomplished by the provision; I am in sympathy with the idea; and it has been guarded as closely as I felt it was necessary to be guarded.

Mr. SIMMONS. I understood—and the Senator from Utah confirms me in my opinion—that the conference committee adopted word for word the House provision.

Mr. WARREN. Yes.

Mr. SIMMONS. I understand the conferees have proposed a change in the present law. The present law reads:

Provided, That no part of this appropriation shall be to pay the salary of any member of the United States Tariff Commission who shall hereafter participate in any proceedings under said sections 315, 316, 317, and 318 of said act approved September 21, 1922, wherein he or any member of his family has any special, direct, and pecuniary interest, or in respect to the subject matter of which he has acted as attorney, legislative agent, or special representative.

The conference report strikes out, after the word "or," the words "in respect to the subject matter of," and also strikes out the words "legislative agent."

Mr. WARREN. Let me ask the Senator if he desires to have the provision in such form that no member of the legal fraternity, no lawyer, who years ago may have participated in some suit, shall be precluded from being in a position where he may have an opportunity to do his duty as a member of the commission?

Mr. SIMMONS. No; but the present law provides that no person shall hereafter participate in any of these proceedings if he was a legislative agent, if he represented any interest as a legislative agent.

Mr. WARREN. What does the Senator mean by that? Suppose he represented some interest 20 years ago, should he be excluded?

Mr. SIMMONS. No; I do not mean that.

Mr. WARREN. That is exactly what the effect would be under the original wording.

Mr. SIMMONS. The present law incorporates the word "hereafter."

Mr. WARREN. I understand it does.

Mr. SIMMONS. That does not apply to the past, but refers to any person who hereafter shall act as a legislative agent.

Mr. WARREN. The word "hereafter" comes in before the words "participate in any proceedings under said sections," and so forth.

Mr. SIMMONS. The present law reads:

who shall hereafter participate in any proceedings under said sections * * * wherein he or any member of his family has any special, direct, and pecuniary interest, or in respect to the subject matter of which he has acted as attorney, legislative agent, or special representative.

Mr. WARREN. The word "hereafter" is so far away from the words which prescribe the disqualification that it does not apply to them, in my opinion.

Mr. SIMMONS. I do not see why the conferees struck out the words "legislative agent."

Mr. GLASS. The words "legislative agent" are not stricken out.

Mr. SIMMONS. They are stricken out.

Mr. GLASS. The amendment is broad enough to cover them, as the Senator can see for himself.

Mr. ROBINSON. Mr. President, if the Senator will yield to me, the language of the provision is:

That no part of this appropriation shall be used to pay the salary of any member who shall hereafter participate in any proceeding under said sections—

Specifying the sections—

wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

Mr. SIMMONS. The words "or legislative agent" have been eliminated.

Mr. ROBINSON. The words "legislative agent" have been stricken out and the words "in respect to the subject matter" have been stricken out, but the amendment would prevent any member of the Tariff Commission sitting in either one of two classes of cases: First, where he or any member of his family has a special, direct, and pecuniary interest in the question to be determined or in the subject matter of the inquiry; and, second, where the issue involved is one concerning which he has acted as attorney or special representative. Whatever the words "special representative" may mean, they probably include "legislative agent."

Mr. WARREN. They certainly cover that.

Mr. ROBINSON. Or an agent of any other character; and the words "special representative" are probably broader than the words "legislative agent."

Mr. SMOOT. That is the position which the House took.

Mr. SIMMONS. That is the position which the House took, but it is a position in which I do not concur, Mr. President.

Mr. WARREN. Let me say to the Senator from Arkansas [Mr. ROBINSON], who, I understand, has the floor, and who originated the law on the subject with which we are now dealing, that it is endeavored by the amendment to give full effect to the existing law. Still I believe that the House amendment gives the statute full effect, and I am sorry that the Senator from North Carolina, or any Senator, takes a contrary view. I think it completely accomplishes the object sought to be accomplished.

Mr. ROBINSON. The provision, in so far as it substitutes the words "special representative" for "legislative agent," and so forth, in my judgment, broadens and improves it.

Mr. SMOOT. Absolutely.

Mr. ROBINSON. It is narrowed in another respect, however, for under the existing law——

Mr. WARREN. The provision contains fewer words but will have a better effect.

Mr. ROBINSON. The House amendment narrows the effect of the provision to this extent, that under the existing law if a member of the commission had appeared in any case in which was involved the subject matter of a particular inquiry before the commission he could not sit on that inquiry as a member of the Tariff Commission. The effect of this provision, however, is analogous to the rule that applies in cases of judges or jurors; so that a member of the Tariff Commission will not be permitted to sit, in any event, if he has acted as attorney or special representative in connection with the question which the commission is hearing.

Mr. SIMMONS. Mr. President, the Senator from Arkansas is the author of the original proviso, and, of course, ordinarily I would defer to his judgment with respect to the meaning of the language employed by him in the original provision as compared with the language used in the House amendment; but the language in the present law, to my mind, is very much broader than that in the House amendment and very much more inclusive. The amendment strikes out the words "in respect to the subject matter," that is, the subject matter which the Tariff Commission is investigating. With those words in, the prohibited person must not have had any connection, by way of interest, with the subject matter that is under investigation, either as attorney or as legislative agent or as special representative.

I do not know whether the words "special representative" would include service in connection with lobbying at the Capitol. I know that the words "legislative agent" were intended to reach the case of a professional lobbyist with respect to a particular subject; and it was the purpose, as I have always understood, of the original amendment to exclude any member of the Tariff Commission who had been a lobbyist before either House of Congress with respect to a subject matter being considered by the commission.

Mr. ROBINSON. The Senator is correct about that; and if the words "special representative" do not include "legislative agent" then his criticism of the amendment in that particular is meritorious. My impression is that the words "special representative" would include a "legislative agent" or any other kind of agent.

Mr. SIMMONS. But the Senator from Arkansas, when he originally drafted the provision, took the precaution to say "as attorney, legislative agent, or special representative." He used the words "special representative" in the original provision and he added to them the words "legislative agent."

Mr. President, I am very much afraid that this will not embrace the case of a lobbyist, and I know that this amendment was aimed at lobbyists. I know that certain gentlemen who have been for years lobbyists of special interests, affected by tariff investigations have found their way upon the commission, and I had hoped that the law might be made so stringent that hereafter those gentlemen who infest these corridors and lobbies when tariff bills are under consideration will not as soon as such tariff bills have been passed secure positions

upon the Tariff Commission. I am afraid if this language is left out that the door will be wide open as to them.

I recognize that the conferees have done what they could to retain the language of the bill as it passed the Senate. My colleague [Mr. OVERMAN], who is a member of the committee, advises me that he has done what he could and that, in his opinion, the other conferees on the part of the Senate have done what they could to retain the language as it passed the Senate, but that the House was unyielding and they had been forced to agree to this change in the bill as it passed the Senate. I am not going to make any further contention about it. I am not going to attempt to obstruct or delay concurrence in the House amendment; but I wanted to register my protest, and I wanted to say emphatically that I think this section of the bill is very much weakened by the elimination of the words "in respect to the subject matter" and the words "legislative agent."

Mr. ROBINSON. Mr. President, I desire to ask the Senator from Wyoming a question respecting the proceedings in the body at the other end of the Capitol.

I saw in the press a statement that a motion had been made to concur in the Senate amendment, and that upon a record vote in that House concurrence was had.

Mr. WARREN. Mr. President, we made a report on the Senate side as to what we should do first, under the rules, with all of the amendments and reported these disagreements. That liberated the report, and it went to the House, and the House took up the report and agreed upon all the amendments but this particular one, which smacks of legislation, and they sent it back here in that form, and the other one modified, from which I shall move to recede.

Mr. ROBINSON. I do not think the Senator understood my question.

Mr. SIMMONS. Mr. President, I can answer the Senator's question.

Mr. ROBINSON. I will address it, then, to the Senator from North Carolina. My question is, Did not the body at the other end of the Capitol vote to concur in the Senate amendment respecting the salaries of tariff commissioners?

Mr. WARREN. They did.

Mr. ROBINSON. Then, after the House had already concurred in the amendment, how does it happen that the conferees changed it?

Mr. SIMMONS. I think I can explain the matter to the Senator.

Mr. ROBINSON. I shall be glad to have some Senator do it.

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Arkansas yield to the Senator from North Carolina?

Mr. ROBINSON. Certainly; I have asked an explanation.

Mr. SIMMONS. Mr. President, the House committee reported out the bill carrying substantially the provision as it is now embodied in the conference report. Upon the floor of the House that provision was stricken out, and the bill came here with this entire proviso stricken out.

Mr. WARREN. That was before the passage of the bill here.

Mr. SIMMONS. That was before the passage of the bill in the Senate.

Mr. ROBINSON. I understand that.

Mr. SIMMONS. When the Senate took up this matter I requested the Senator from Utah——

Mr. WARREN. One moment, please. It went out entirely over there.

Mr. SIMMONS. It went out entirely; that is what I said, and the bill came here without that proviso in it. When it came over here I requested the Senator from Utah to reinstate that provision, and handed him——

Mr. ROBINSON. If the Senator will pardon me, I understand the matter now. Let me state it, and see if I do understand it.

The provision having gone out in the House, and the Senate having inserted the Senate provision——

Mr. WARREN. As legislation.

Mr. ROBINSON (continuing). An agreement was reached in the conference, and the House concurred in the agreement of the conference respecting the amendment. Is that correct?

Mr. SIMMONS. No. That is correct, and it is not correct.

Mr. WARREN. Let me say to the Senator from Arkansas that he has not served lately, I believe, on one of these conferences——

Mr. ROBINSON. It is not necessary to go into the details of general conferences. I understand perfectly. If the House of Representatives concurred in the Senate amendment as the Senate wrote it, then it ought not to come back here.

Mr. WARREN. But they did not.

Mr. ROBINSON. That is the question I asked the Senator from Wyoming, and he said it did.

Mr. WARREN. We can say "Yes," or "No," either one; but I did not like to take the time to go into it at length.

Mr. SIMMONS. The answer is both "Yes" and "No."

Mr. WARREN. Somebody has to take the time to explain it, however.

In the first place, this bill came over without any legislation whatever. Under the rule of the House, we find that we have to send a great many things back to the House after we have agreed together, although we do not report. The matter goes back. The fact of this matter being legislation took it back there under any circumstances; but before the House conferees took it there they demanded that we make this agreement which was made in conference. They took it back in that way. Their first disagreement, of course, was that it was legislation, and that is all that came up over there.

Mr. GLASS. Mr. President——

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

Mr. SIMMONS. I was right in the midst of my explanation, and I should like to be allowed to conclude it.

Mr. ROBINSON. I beg the Senator's pardon. I thought I could terminate the matter.

Mr. SIMMONS. No; the Senator did not catch my statement, and therefore did not have my thought at all.

The bill came over here, Mr. President, without that proviso in it. The proviso had been reported to the House by the committee and on the floor of the House it was stricken out; but the proviso that was reported to the House and stricken out in the House was not exactly as it is written in the present law. When it came over here I took the House proceedings and I requested the Senator from Utah to restore what the House had stricken out.

Mr. SMOOT. No; the present law.

Mr. SIMMONS. No; first I handed the Senator the bill showing the House provision and requested him to have that amendment restored. The Senator from Utah did have it restored just as it was reported by the House committee but stricken out in the House. Upon examination of the law I discovered that the provision which had been stricken out in the House, and which the Senator from Utah had put in the bill, was not the exact provision of the law; that it differed from the law just to the same extent that this conference provision differs from the law. I then showed the Senator from Utah the law and asked him if he would not amend the provision so as to include the words in the law which had been stricken out and the words which I have just read and alluded to, and the Senator from Utah said he would do it; and as the bill passed the Senate it was an exact copy of the proviso in the law, but not a copy of the proviso as it was passed by the House.

Mr. ROBINSON. I understood that perfectly from the beginning.

Mr. SIMMONS. Now, the committee brings in the proviso as it was presented to the House by the committee and stricken out.

Mr. ROBINSON. Yes; and the Senator from North Carolina has not yet answered my question. There being no provision in the bill, my question is, Did the House upon motion concur in the Senate amendment?

Mr. GLASS. With an amendment.

Mr. SMOOT. Yes; with an amendment.

Mr. ROBINSON. Very well.

The PRESIDING OFFICER. The question is upon agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

The CHIEF CLERK. The House insists on its disagreement to the amendment of the Senate numbered 5.

Mr. WARREN. I move that the Senate recede from its amendment numbered 5.

The PRESIDING OFFICER. The question is upon agreeing to the motion of the Senator from Wyoming.

Mr. ROBINSON. Mr. President, during the last session of the Congress this body passed unanimously a bill forbidding the collection of the Pullman surcharge by carriers. It went to the House of Representatives. There were introduced in the body at the other end of the Capitol 22 bills, some of them identical in language with the bill which passed the Senate, all of them having for their object the elimination of the Pullman surcharge. No action was taken either upon the House

bills or upon the Senate bill by the House committee having jurisdiction of the measure.

When the independent offices appropriation bill was under consideration in the Senate some days ago we suspended the rules and by a vote of 56 to 8, after some hours' debate, incorporated in the independent offices appropriation bill language identical with that in the Senate bill which had passed during the last session, and identical with some of the House bills which I have already mentioned.

A widespread demand for relief from the Pullman surcharge had manifested itself before the Senate took any action concerning the subject. Representatives from the following States introduced bills: Rhode Island, Tennessee, Texas, Arkansas, California, Florida, Georgia, Illinois, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New York, and Carolina.

Twenty-two bills in all were presented to the body at the other end of the Capitol; but the Committee on Interstate and Foreign Commerce was so constituted that no action was had until after it became apparent that some extraordinary effort must be made to prevent the enactment of legislation through the amendment to which I have referred, incorporated by the Senate in the independent offices appropriation bill.

In my judgment the amendment has not been defeated on its merits. Its rejection in the other body was accomplished by one of the most powerful lobbies that ever assembled in the city of Washington. Not only were hundreds of special representatives, legislative agents, and railroad attorneys brought here for the purpose of defeating the measure, but powerful influences were employed to induce newspapers and other publicity agencies to publish misleading information and statements concerning the purpose and effect of the amendment which had no foundation in fact and which some of those publishing them must have known were untrue.

No action was taken on the amendment until the lobby had satisfied itself that it was powerful enough to cause the defeat of the amendment, and when that condition arose a vote was taken and the amendment was rejected, as I recall it, by a vote of 123 to 255. The singular and interesting feature of the matter is that many of those who had introduced the identical bill incorporated as an amendment to the independent offices bill voted against it—voted against their own bill.

I have said there were 22 bills introduced by Representatives from 16 States. Ten out of the 22 introducing the bills to which I have referred voted for the amendment. It may be interesting, although perhaps it is not important, to state that of the 10 voting for it, 3 were Republicans and 7 were Democrats. Five of the Representatives who presented the identical provision rejected were absent and one had passed away. Five voted against the repeal of the Pullman surcharge, when in the files of the body in which they sit were bills introduced by themselves identical in language and purpose with the amendment against which they voted.

One Representative on the 21st of April, 1924, made a brilliant speech in support of his bill to repeal the Pullman surcharge, which was a literal copy of my own bill which was agreed to by the Senate as an amendment to the independent offices bill, in which he said, analyzing the arguments that were presented against the measure, that there was neither justification nor excuse, sounding in any interest which he was called to promote, for the retention of the arbitrary, vexatious, and unnecessary charge; but he voted against the bill he introduced.

It was shown, during the debates in the Senate on this amendment, that the surcharge originated in a desire to discourage travel. It was first levied in the form of a tax on persons riding in Pullman cars, the idea being to reduce the number of persons traveling, that the equipment, facilities, and the employees who would otherwise be engaged in Pullman service might be devoted to the supreme necessities of the hour—the rushing of troops to embarkation points in order that we might successfully carry on the war.

In 1920, as a temporary measure, the Pullman surcharge was levied for the purpose of obtaining additional revenues for the railroads, no one anticipating that it was to become a part of the permanent system of the carriers, and everyone realizing then, as the Interstate Commerce Commission in its opinion a few days ago said, that it was an unpopular and a vexatious charge, and that it was founded upon a doubtful premise.

When the commission passed upon the matter, its decision in fact was against the validity of the Pullman surcharge as it is now levied. If the burden of proof had been on the carriers to sustain the charge, as it ought to have been, the result of the commission's opinion would have been to abolish and prevent the collection of the Pullman surcharge.

Mr. SMITH. Mr. President, if the Senator will allow me——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. ROBINSON. I yield.

Mr. SMITH. The subcommission that was appointed, who did bring before them representatives of the railroads, reported unanimously in favor of its repeal.

Mr. ROBINSON. Yes; and the Interstate Commerce Commission itself, in passing upon the matter a few days ago, held—4 of them—that the charge is unreasonable in every respect and should not be levied; 2 more expressly held that it is unreasonable to the extent of one-half, which makes 6, and there are only 11 members of the Interstate Commerce Commission. At the time this decision was rendered there were only 10 acting, so that, as a matter of fact, the decision of the commission was—4 against it, 4 for it, and 2 against it to the extent of one-half.

One of the objections to the Pullman surcharge is that it is a charge for which no service is rendered. The only pretense for it is that Pullman cars are heavier than day coaches, and that it costs more to haul Pullman cars than it does to haul day coaches; but the finding of an expert of the commission was that it costs less to haul a passenger in a Pullman car than in a day coach, for the reason that the Pullman haul is about ten times as long, on the average, as the haul in day coaches; and for other reasons which are set forth in the minority opinion of Mr. Commissioner Campbell and those who concurred with him. So that, as a matter of fact, there is not a single logical basis upon which this charge can be rested.

Then it was said, and it was suggested here by some one, that the legislative repeal of the Pullman surcharge would affect detrimentally the revenues of the railroads, and that it would be necessary to make adjustments which would increase the burdens on other classes of traffic if the surcharge were eliminated. The facts are that $20,000,000 of the $37,000,000 collected in 1924 goes to railroads that are already earning the standard return, and which therefore do not need the revenues in any sense.

An examination of the facts also shows that under contracts with the Pullman Co., the railways are receiving $12,000,000 additional from the Pullman charge proper. The Pullman charge is intended to compensate the Pullman Co. for the service it renders the passenger. Yet it is yielding to the railroads $12,000,000 a year, and the only justification that has been offered for the Pullman surcharge itself is that the railroads perform a service to the passenger riding in the Pullman car that is greater than the service performed to a passenger riding in the day coach.

Mr. President, everyone knows that modern steel coaches, up-to-date railway equipment, are heavier than old wooden cars, but no distinction is made in passenger rates on that account. They make no distinction between the heavy steel coach and the wooden car in passenger fares.

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

Mr. ROBINSON. I yield to my colleague.

Mr. CARAWAY. The Senator made a statement just a few minutes ago that the railroads, or some one for them, contended that they rendered services to a person riding in a Pullman car that were superior to those they rendered to a person riding in a day coach. What service is it the railroads render to the one riding in the Pullman car?

Mr. ROBINSON. They say, principally, that the car, which they do not own and in which they have no capital invested, is heavier than the ordinary day coach, and therefore it is more expensive to them to haul it than it is to haul the day coach.

Mr. CARAWAY. But they have no investment in it.

Mr. ROBINSON. None whatever, as a general rule.

Mr. CARAWAY. And the passenger pays to the Pullman Co. a very handsome sum for whatever extra service he gets.

Mr. ROBINSON. Yes; and, as I have just said, the railroads having contracts with the Pullman Co. are receiving, in the aggregate, $12,000,000 a year out of the sums that go to the Pullman Co. to pay them for the service they perform for the passengers who ride in Pullman cars.

Mr. GLASS. Mr. President, the weight of the car must be a matter of adjustment between the Pullman Co. and the railroad company when the charge is made for the haulage of the car.

Mr. ROBINSON. Beyond any question.

Mr. GLASS. And it is.

Mr. ROBINSON. It is. The only foundation upon which the validity of this charge has been rested fails utterly. It is a pretense. The next ground of opposition, and the one which, in my opinion, has received most credence, is that the enactment of the amendment forbidding the collection of Pullman surcharge constitutes an unwarrantable interference on the part

of Congress with the rate-making duties of the Interstate Commerce Commission. It is said that the Congress has created the Interstate Commerce Commission and it ought not to have anything whatever to say about the rates which shall be imposed, and yet in the Esch-Cummins Act, which I supported and for which, as many Senators know, I was largely responsible, we told the Interstate Commerce Commission that they must make rates in conformity to certain rules. We said then, "Your rates must be such that when the earnings of the railroads, considered as a whole or in groups, shall aggregate a certain percentage of the value of the properties of the railroads actually engaged in transportation."

The Pullman surcharge is not a rate. It has only a remote relation to the question of rate making. It is an arbitrary charge. To deny the carriers the right to collect it is not an interference with a rate-making power that ought to be exercised by the administrative tribunal created by this body for the purpose of making rates. The majority opinion rendered by the commission—it is improperly styled the "majority opinion," but for convenience of argument we will call it that. The opinion of Commissioner Lewis concurring recognizes that the charge ought not to exist. He said that some changes and adjustments would be necessary, but that the Pullman surcharge ought to be made to disappear; that it is exceedingly unpopular and is regarded by the public as oppressive.

It can not be justified as a permanent part of the rate structure of the railway companies. Many of the railway executives recognize that fact. It was never intended to be permanent, and the commission indicated in their opinion that it ought not to be permanent. But it has been left in force when there is no necessity for it. It is probably true that readjustments should be made in the arrangements between the Pullman Co. and the carriers, but there is not a legal excuse, and there is not an excuse founded on public policy, for the retention of a charge which is so unpopular and which at the same time is without service to support it.

The lobby was able not only to get Representatives to vote against their own bills, but it called to its aid some who are in the habit of posing as the champions of the interests of the farmer. Many mistakes have been made and some crimes have been committed in the name of the farmer. It was asserted in this connection that if the surcharge was repealed it would be impossible to reduce freight rates, and that the real interest of the farmer required that those who ride in Pullman cars pay for it as a luxury—in the hope that the carriers would reduce the rates on products grown and consumed on American farms. Everyone with sufficient intelligence to comprehend the issue knows that Pullman service is not a luxury. He knows and must recognize that it is a necessity for those on long journeys. When a passenger has paid for the service that he has received he has done all that good conscience requires of him.

The Representative who made the speech to which I referred a while ago, and who finally voted against his own bill, showed that the profits now derived by the railroads from the Pullman surcharge are approximately ten times what they were in the period immediately preceding the war. He showed conclusively, too, that there was an enormous falling off in the number of Pullman-car miles operated by the railroads immediately following the imposition of the Pullman surcharge. There is not the slightest doubt that if the Pullman service were placed upon a reasonable basis and the passengers were permitted to pay the railroads for the service they receive and the Pullman Co. for the service performed by it, then the total number of persons traveling in Pullman cars would more than compensate for any loss which might at first result by reason of the removal of the charge. In many parts of the country the rates imposed by the carriers are such and the conditions of service which they perform are so unsatisfactory that trucks and automobiles are being resorted to, and that system is growing and will continue to grow. It is a short-sighted policy in railroad management to perpetuate a charge which is both unpopular and unreasonable.

To the man who says that the repeal of the Pullman surcharge by law is oppressive to the railroads, I point out the fact that the railroads of the United States are more prosperous than they have ever been, except, perhaps, in 1923. I want them to be prosperous. Thousands of people have investments in railroad securities, and by no vote of mine would I deprive them of a fair opportunity to earn a reasonable return upon their investments when the properties are honestly and economically operated. But the railroads are inviting an attack upon the present system which may result in a reduction of their earning capacity. The recent policy of Congress has been to safeguard in every possible and reasonable way investments in railroad securities, and it is a wise policy; but the railroad managements ought to recognize some obligation to respond to public necessity and public opinion. They ought to have removed or asked permission to remove the Pullman surcharge long ago. If Senators will read the opinion of the Interstate Commerce Commission, they will find little support in well-considered conclusions for the perpetuation of a charge which, when it was imposed, was intended to be temporary and which was not justified by anyone as a part of the permanent revenue structure.

The vote of the House of Representatives in refusing to concur in the amendment under the circumstances indicates that little or nothing would be accomplished by asking the Senate to further insist upon its amendment.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate No. 5.

The motion was agreed to.

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 bills of the Senate:

S. 99. An act authorizing the President to appoint two additional circuit judges for the eighth circuit; and

S. 1042. An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia.

The message also announced that the House had passed the bill (S. 4191) to permit the merger of street railway corporations operating in the District of Columbia, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a joint resolution (H. J. Res. 365) to provide for the expenditure of certain funds received and to be received from the Persian Government for the education in the United States of Persian students, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 365) to provide for the expenditure of certain funds received and to be received from the Persian Government for the education in the United States of Persian students, was read twice by its title and referred to the Committee on Foreign Relations.

HOSPITALIZATION OF WORLD WAR VETERANS

Mr. FERNALD. From the Committee on Public Buildings and Grounds, I report back favorably without amendment the bill (H. R. 11633) to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, and I ask unanimous consent for its present consideration.

Mr. WALSH of Massachusetts. What is the amount involved?

Mr. FERNALD. The authorization is $10,000,000.

Mr. WALSH of Massachusetts. The same amount that the House provided?

Mr. FERNALD. The same. The bill passed the House about half an hour ago.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, communicated to the Senate messages in writing and announced that on March 2, 1925, the President had approved and signed the following acts:

S. 970. An act for the relief of the De Kimpke Construction Co., of West Hoboken, N. J.;

S. 1016. An act for the relief of Augusta Reiter;

S. 2100. An act authorizing the sale of the United States Veterans' Bureau hospital at Corpus Christi, Tex.;

S. 2534. An act for the relief of J. E. Saucier;

S. 4087. An act to revive and reenact the act entitled "An act to authorize the construction of a bridge across the Sabine River at or near Orange, Tex.";

S. 4178. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Hudson River between the States of New York and New Jersey;

S. 4179. An act to authorize the Port of New York Authority to construct, maintain, and operate bridges across the Arthur Kill between the States of New York and New Jersey;

S. 4203. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Kill Van Kull between the States of New York and New Jersey; and

S. 4325. An act authorizing the construction, maintenance, and operation of a bridge across the St. Louis River between the cities of Superior, Wis., and Duluth, Minn.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. SMOOT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 37.

Amendment numbered 27: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 27 with the following amendment: In lieu of the third proviso in the matter inserted by the said House amendment insert the following: "*Provided further*, That the Secretary of the Interior is authorized to enter into such contract or contracts as may be possible whereby the State of Nevada, or local interests, shall aid in promoting the development and settlement of the project after completion by the securing and selection of settlers and the financing of them to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive"; and the House agree to the same.

Amendment numbered 30: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 30.

Amendment numbered 34: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 34 with an amendment as follows: In the matter inserted by the amendment of the House to the amendment of the Senate strike out the following: "subject to the conditions hereinbefore set forth in connection with the appropriation for said unit"; and the House agree to the same.

Amendment numbered 38: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 38.

Amendment numbered 50: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 50.

REED SMOOT,
CHARLES CURTIS,
WM. J. HARRIS,
Managers on the part of the Senate.
LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

Mr. SMOOT. I will state to the Senate what the conferees have agreed on. This is a final agreement.

Amendment numbered 27, for the Spanish Springs project, was agreed to with an amendment which was submitted to both the Senators from Nevada and they have agreed to the amended provision.

Amendment numbered 37 was disagreed to. It provided for compensation for the Commissioner of Reclamation in the sum of $10,000. That amendment goes out of the bill.

Amendment numbered 38 is simply a change of total. Amendment numbered 50 provides an appropriation for Howard University. The House made an amendment to the Senate amendment providing an appropriation for beginning the construction of a medical school for that institution. I wish to say that the Senator from Georgia [Mr. HARRIS], who was one of the conferees, signed the report with the distinct understanding that he disapproved of that particular item.

The appropriation for the Vale project, I will say, has been agreed to with an amendment that was satisfactory to the Senators from Oregon.

On the amendment affecting the reclamation project in Washington the House yielded, and the provision stands exactly as it passed the Senate.

Those are the amendments which were in disagreement; they have all been agreed to and the report has been signed.

Mr. PITTMAN and Mr. COPELAND addressed the Chair.

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Utah yield? And if so, to whom?

Mr. SMOOT. I yield to the Senator from Nevada.

Mr. PITTMAN. I simply wish to confirm what the Senator from Utah has said particularly with regard to the Spanish Springs amendment. The House insisted on about seven or eight amendments to the Senate amendment, but the House conferees have finally modified their various amendments in a manner which will not nullify the appropriation, and I therefore consented to the amendment.

I ask to have printed in the RECORD at this point some correspondence touching the subject, so that it will not be necessary to say any more.

Mr. SMOOT. The Senator from Nevada refers to the correspondence between himself and Representative CRAMTON?

Mr. PITTMAN. Yes; between myself and Mr. CRAMTON.

The PRESIDING OFFICER. In the absence of objection, the correspondence referred to by the Senator from Nevada will be printed in the RECORD.

The matter referred to is as follows:

UNITED STATES SENATE,
Washington, February 5, 1925.

ON CONFERENCE ON INTERIOR DEPARTMENT APPROPRIATION BILL

Hon. REED SMOOT,
Chairman of the Managers on behalf of the Senate.

DEAR SENATOR: You asked me if I would have any objection to having a provision such as Senate amendment 32, page, 77, of H. R. 10020 inserted as a part of amendment 27, page 75, Spanish Springs project.

I have reviewed the correspondence from my State on this subject. I have examined the statutes of Nevada, and in addition thereto I have just had a personal conversation with Doctor Mead. The Spanish Springs project has a dual purpose:

1. It is to supply additional water for 7,000 acres in the Truckee-Carson irrigation district.

2. It is to furnish water for irrigation on between 20,000 and 30,000 acres of land outside of the Truckee-Carson irrigation district.

There is no doubt that a new irrigation district would have to be organized. The only people under our statute who can organize a district are the owners or entrymen upon land within the proposed district. On the public land in question to be embraced in the new district there are no entrymen and can not be any entrymen until the preliminary work on the project has been done, estimates of costs made, notice given, and actual entry accomplished by the homesteaders. In the very nature of things this could not be accomplished under several years.

When the project is completed and estimates of costs are made the department may then require the organization of a district by the proposed entrymen and impose such joint terms upon them as the laws of the State of Nevada will permit under the district organizations.

From the correspondence with those informed in my State, and from an examination of the statutes of Nevada, and from my correspondence with Doctor Mead, I am compelled to resist indefinitely any such conditions being attached to the Senate amendment for an appropriation for Spanish Springs.

Sincerely,

KEY PITTMAN.

FEBRUARY 27, 1925.

Hon. LOUIS C. CRAMTON,
Chairman, Subcommittee of Appropriations Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. CRAMTON: I have been studying your contemplated amendments to Spanish Springs, Nev., Senate amendment 27, contained in the appropriation bill for the Interior Department. Your first proposed amendment is as follows:

"NEWLANDS PROJECT

"(27) Spanish Springs division, Nevada: For continued investigations, commencement of construction, and necessary expenses in connection therewith, $500,000: *Provided*, That no water shall be delivered to irrigators on this division until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided."

The chief objection to this amendment is this: Seven thousand plus acres of the land for which water is to be furnished under the project is within and a part of the Truckee-Carson irrigation district. This 7,000 acres of land is already obligated as other land in such district. It would be difficult therefore to segregate this 7,000 acres and place it in a new district. Practically all of this land is in a state of cultivation and is already under contract with the Government for the water now being supplied to it. Therefore the amendment under no circumstances, in my opinion, should extend to lands within the Truckee-Carson irrigation district. I presume, however, that such was your intention by the amendment. I take it that in the use of the word "division" you intend this to distinguish the

land outside from the land inside of the boundaries of the Truckee-Carson irrigation district, but it is indefinite. I therefore can not consent to the amendment in the form in which it is in.

It might be cured if the amendment was in this form:

"NEWLAND'S PROJECT

"(27) Spanish Springs division, Nevada: For continued investigations, commencement of construction, and necessary expenses in connection therewith, $500,000: *Provided*, That no water shall be delivered to irrigators on this division outside of the limits of the Truckee-Carson irrigation district until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as provided by law."

Your second contemplated amendment reads as follows:

"*Provided further*, That no part of the sum provided for herein shall be expended for construction on account of any lands owned by the Southern Pacific Co. until an appropriate contract in accordance with the terms of this act and in form approved by the Secretary of the Interior shall have been properly executed by the said company fixing the price and conditions of sale of said lands to actual settlers."

I think that the words "this act" found in your contemplated amendment are too limited in their scope. It would appear to me to be better to substitute for the words "this act" "reclamation acts."

Your third contemplated amendment provides for the restraint on the sale of the land until one-half of the construction charges against said land shall have been fully paid. This is general legislation that has never had the consideration of the Senate. I have had no opportunity to study the suggestion. It might be that a quarter or a third or two-thirds of the construction charges should be paid before the alienation of the land is permitted. I am unable to advise with regard to this matter and therefore can not consent to it.

Your fourth contemplated amendment provides for a contract between the United States Government and the State of Nevada looking to the financing of settlers on the proposed project by the State. This question is general legislation which has not received the consideration of the Senate. It is a matter that should be carefully considered with relation to the constitutional powers of the various States, and, again, the attitude of the various States where these projects are to be located should be ascertained and their recommendations with regard to the matter considered. I can not therefore consent to such contemplated amendment.

Your fifth contemplated amendment is also general legislation for changing the time and manner of payment of construction charges. This is a matter that has not had the consideration of the Senate nor have I had an opportunity to consider it.

Your sixth amendment is as follows:

"*Provided further*, That the existing water rights of the present water users of the Newlands project shall have priority over the water rights of the proposed Spanish Springs division."

This is but a declaration of existing law and my only objection to it is that it is unnecessary.

Your seventh amendment reads as follows:

"*Provided further*, That the lands on the existing project below the Lahontan Reservoir shall not be liable for any part of the construction costs of the Spanish Springs division."

I have no objection to this amendment. I never did believe that such homesteaders should be required to pay any part of the Spanish Springs project.

Your eighth suggested amendment reads as follows:

"*Provided further*, That all net revenues from any power plant connected with the Spanish Springs division of the Newlands project shall be applied to the repayment of the construction costs incurred by the Government on said division until such obligations are fully repaid and all net revenues from any power plant connected with the Lahontan Reservoir of the Newlands project shall be applied to the repayment of the construction costs incurred by the Government on the existing project until such obligations are fully repaid."

I have no objection to this amendment, although it does seem that you are limiting the discretion of the Reclamation Service in this matter.

I believe that it is advisable for us to give careful consideration at the next session of Congress to the general legislation that you suggest, and also to the many suggestions coming from water users, the Department of the Interior, and the Reclamation Service. We haven't time to consider them now. We haven't had the opportunity or time to consider them at this session.

I am very desirous of meeting the views of the House and of the conferees on behalf of the House, and for such purpose am willing to make every possible concession that will not, in my opinion, jeopardize the success of the undertaking. Therefore I will not delay the adoption of the conference report under the following conditions:

That you accept my suggestions with regard to the amendment to your proposed No. 1 amendment.

That you present your No. 2 amendment ending with the words "actual settlers" and eliminate all the other provisions dealing with the sale of land.

That you do not present your No. 4 amendment, dealing with the contract between the Federal Government and the State of Nevada relative to financing settlers on the project.

That you do not present your No. 5 amendment, changing the time and manner of payments.

That you do offer your amendments Nos. 6, 7, and 8 in the language in which they are now written.

In other words, to be definite, I will feel it my duty to oppose the adoption of the conference report if it contains your amendments which I refer to as Nos. 3, 4, and 5, and unless my suggestions are accepted with regard to changes in the other amendments referred to in this letter.

I have the honor to herewith return to you your draft of your contemplated amendments.

I thank you for your courtesy in this matter.

Sincerely,

KEY PITTMAN.

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 28, 1925.

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have yours of February 27 concerning the proposed appropriation for the Spanish Springs project and have carefully noted your suggestions with regard to the proposed amendment I submitted to you. I am modifying the irrigation-district provision as suggested by you.

The provision concerning limitation of price of land I am modifying by striking out the words "in accordance with the terms of this act," which will fully meet your criticism.

Your reference to my "fifth contemplated amendment" as "general legislation for changing the time and manner of payment of construction charges" is based upon a misunderstanding, apparently. In my amendment I have struck out all reference to that matter.

I note also that you have no objection to what you designate as my sixth, seventh, and eighth amendments.

I am also very sorry to note that you do not feel that you can accept what you term as my third and fourth amendments. The third and fourth amendments, providing for limitation of the price at which the land can be sold until half of the construction charges have been repaid and for a contract between the United States and the State of Nevada whereby the State will assume certain responsibility for selection and financing of settlers, I feel are vitally necessary to the success of the project, and, much as I should like to do so, I can not see my way clear to yield to your suggestion that they be eliminated. The department regards something along this line as vital, and I do not think the project ought to be commenced without these provisions. You suggest that provisions more carefully worked out and with more thorough consideration by committees of Congress should control.

The difficulty is that after a project is once commenced it is held a violation of good faith to impose any new provisions that are in any way restrictive of the rights of the proposed project, or the community interested in it. On the other hand, there is never any difficulty in inducing them to accept changes of law or new conditions that relieve them of restrictions or lessen their burdens. It is, therefore, necessary that the restrictions be put in the bill when the project is authorized. If they prove in the light of later judgment of Congress to be impracticable or too onerous Congress will be able to lighten them without any objection from the project.

You will note, as I suggested to you yesterday, that the amendment as framed appropriates $500,000 for the project and authorizes its construction. None of the limitations herein interfere at all with the expenditure of the money the current year. None of them will interfere at all until the project is completed and the time comes to turn the water on the land. That period will be four or five years hence. I do not believe that these provisions ought to be changed hereafter for I think they will conserve the best interests of the project as well as the Federal Treasury. You feel that they are either undesirable or at least unconsidered. If they are held hereafter by Congress to be undesirable or if Congress passes general legislation which it desires to apply to this project, there is ample time for Congress to take that action. In the meantime, the construction of the project will go forward.

I wish very much I could more fully meet your views, but looked at from this angle, I trust we may be able to work together for the initiation of the project, I am,

Yours sincerely,

LOUIS C. CRAMTON.

Mr. OVERMAN. Mr. President——

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

Mr. SMOOT. I yield.

Mr. OVERMAN. I desire to ask the Senator from Utah a question. Do I understand that as to the item in regard to Howard University there is a complete agreement between the Senate and the House?

Mr. SMOOT. Yes. I do not know whether or not the Senator was present when I made my statement, but the Senator from Georgia [Mr. HARRIS], being a member of the conference committee on the part of the Senate, signed the report with the distinct understanding that he did not personally agree to that amendment.

Mr. OVERMAN. Mr. President, I must protest against this item of appropriation. As is well known, I have fought, and successfully fought, against this appropriation on previous occasions, not upon race prejudice, but upon the ground that it is against public policy and against the Constitution of our country. We have no right to appropriate the money of the taxpayers and give it to private institutions. In view of the short time remaining until we shall adjourn sine die, I can only protest against such action now, for I do not want to defeat the entire bill, but I do not think we have any right to make any such appropriation. If we can appropriate public funds for Howard University, we can appropriate for any other private institution in this country, but if we should appropriate funds from the Treasury of the United States to any other university in the District of Columbia or in any of the States of the Union, we would find everybody objecting to such action on our part.

Three times, Mr. President, this item of appropriation has come before us, and three times it has been defeated. Now it is brought in at this hour when we have no time to fight it and to give our reasons why it should not be adopted. All I can do, Mr. President, is to utter my earnest protest against this action on the part of Congress.

Mr. COPELAND and Mr. DIAL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield and, if so, to whom?

Mr. SMOOT. I yield first to the Senator from New York.

Mr. COPELAND. May I ask how much the appropriation for Howard University is?

Mr. SMOOT. The total amount authorized is $370,000.

Mr. COPELAND. So that by the acceptance of the conference report it will finally mean the expenditure of that sum?

Mr. SMOOT. It means finally the expenditure of $370,000.

Mr. COPELAND. I am very glad, indeed, that Howard University has succeeded in getting that amount of money. I can think of no public service which could be rendered which would be of more importance; and I congratulate the conferees that the item remains in the bill.

Mr. DIAL. Mr. President——

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

Mr. SMOOT. I yield.

Mr. DIAL. Mr. President, I wish to join in the protest of my colleague, the Senator from North Carolina [Mr. OVERMAN]. This is a precedent which ought not to be followed in the future.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. ODDIE. Mr. President, I wish to say that I am in agreement with the item in the conference report regarding the Spanish Springs project in Nevada. I have had frequent conferences with Mr. CRAMTON during the last few days, the last one being this morning, and I learned from him the result of the conference. I shall be very glad to see the report adopted, as I think it is entirely satisfactory.

Mr. HARRIS. Mr. President, I signed the conference report this morning, as the Senator from Utah [Mr. SMOOT] has stated, though I objected to the item of appropriation for Howard University. It was only because delay would have jeopardized the passage of the bill at this session that I finally consented to sign the conference report.

Mr. SMITH. Mr. President, may I ask the Senator from Utah on what ground, if he can reply in a few words, is this appropriation to this institution justified?

Mr. SMOOT. Mr. President, the Senator from South Carolina knows that we have been appropriating money for Howard University for a great many years. If Howard University is to succeed there must be established a medical department in that institution. I think now there are only about 918 colored doctors or dentists in the United States. That is so small a number that in all parts of this country there is a lack of colored doctors and dentists. If Howard University is going to be of special service to the colored race in this country, there must be a medical department established there.

Mr. SMITH. The real ground on which the appropriations have heretofore been based has been that they constituted merely a gift by the Government to a private institution because of the relation of the Government at the time the appropriation was made to the colored race.

Mr. SMOOT. I think there is a little more than that. As the Senator will remember, when the question was under consideration here two or three years ago the law was cited from which it appeared there was a closer connection between the Government and Howard University than there was between any other private school and the Government.

Mr. SMITH. The Government does not make similar appropriations to any other eductional institution in this country, does it?

Mr. SMOOT. None, so far as I know.

Mr. BRUCE. Mr. President, I desire to say that the policy of the State which I in part represent in the matter of providing proper educational facilities for the colored people is a very liberal one. Of course, as we all know, in our section of the United States they are cut off very largely from any opportunity to acquire a professional education. The Howard University gives them that opportunity, and I think that they are entitled to it. If a colored man wants to be a dentist or a doctor or follow some other profession without restriction, it seems to me that he should be accorded the opportunity.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Virginia?

Mr. BRUCE. I yield.

Mr. GLASS. Does the Senator think it is the business of the Congress to tax all the people of the United States and take that money to provide dentists for one race?

Mr. BRUCE. I mean to say simply that what I state is in line with what the Government has been doing, as we all know, for years and years. This institution exists in the District of Columbia, which, of course, is not a State, and where the Government has unusual freedom in the matter of appropriations of one sort and another for purposes of this description.

Mr. GLASS. In other words, we hear a great many protestations against racial distinction. What is this but racial distinction? Does the Senator from Maryland dream for one moment that if the Howard University turned out white dentists the Congress of the United States would appropriate for it?

Mr. BRUCE. There is no need for having an institution aided by Congress to provide for the education of white dentists.

Mr. GLASS. Let us do away with this miserable pretense about not having any race discrimination. Let us say that we are doing this because they are "darkies," and be done with it.

Mr. BRUCE. The Senator goes on so quickly he does not give me a chance to answer his questions after he puts them to me. I do not think that the principle of race discrimination is involved at all in the case. If the white people of the District of Columbia were in need of Government assistance in the same way, I should be in favor of giving it to them; but we know that every institution in this part of the country where professional or technical skill can be acquired is open to the white race, but is not open to the negro. So I feel that there ought to be one place where the negro can acquire a professional education, whether it be dental or medical or legal.

Mr. GLASS. They may acquire it if they will tax themselves as white people tax themselves and establish institutions for that purpose.

I do not want to be misunderstood about the matter. I have as much solicitude for the welfare of the colored people as has the Senator from Maryland, and vastly more solicitude for them than have some other Senators who merely want to corral their votes on election day in the border States.

Mr. BRUCE. I am not influenced by any such consideration.

Mr. GLASS. I am not protesting; I am simply opposing this miserable pretense about not having any racial discrimination, when this is not only a racial discrimination but the Senator knows perfectly well that it is not a proper function of Government to take from the common fund of all the people and to discriminate in favor of any particular race in matters of this kind; and the Senator knows perfectly well that it is not done with respect to any white institution in the country.

Mr. BRUCE. I think if we did not do something of this kind the result would be discrimination. The white youth can go to Georgetown University or to the Catholic University in

Washington, or he can go to the University of Virginia or any one of the State universities in the Southern States and can acquire a professional education.

Mr. GLASS. I ask the Senator now, who is strictly for textual observance of the Constitution as to the functions of Government, if it is the responsibility of the Government to be educating dentists and physicians?

Mr. BRUCE. When it comes down to that, I do not see any constitutional authority for anything that the Government has ever done since the enactment of the Morrill Act for the promotion of education. I have more than once asked lawyers of this body whether they could find any clause in the Federal Constitution to which the power on the part of Congress to legislate in relation to education could be referred, and as yet I have never heard any Senator say that there is any such clause. We all know, however, that for years, ever since the enactment of the Morrill Act, Congress has been promoting popular education in all sorts of ways. It seems to me that this is a fine opportunity to continue its work.

There is nobody in the United States who believes more completely than I do in drawing a hard and fast line of social distinction between the Negro and the white race; and I am not moved in the slightest degree by any political considerations, because in the State of Maryland only a handful of negroes, if any, so far as I know, every vote the Democratic ticket. I say, however, that we have this race on our hands; we owe them a duty; and it is entirely in keeping with the policy of the Government for years back to make an appropriation of this kind. I feel, therefore, that every legitimate opportunity ought to be given to the negro to make a man of himself, and to make an educated man of himself, too.

Everybody knows that if a negro in this part of the world goes into a dental or medical office he is not welcomed or warmly welcomed, and that here he lacks to a very great degree opportunities for acquiring professional training and experience. Now, we must have some fixed policy about the negro. None of us expects him to be exterminated.

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state his parliamentary inquiry.

Mr. SHORTRIDGE. What is the immediate matter before the Senate?

The PRESIDING OFFICER. The question before the Senate is on agreeing to the conference report on the Interior Department appropriation bill.

Mr. SHORTRIDGE. What action is proposed?

The PRESIDING OFFICER. The question is on agreeing to the entire report.

Mr. BRUCE. As I say, Mr. President, nobody expects the negro in this country to die out. Nobody expects him to be exterminated. Nobody expects to see him blended by intermarriage with the white race. The only true policy with reference to the races in the United States is the policy that has been pursued now for many years, of carrying them along on parallel but never converging lines; and the correlative of that is that the negro should be awarded the full measure of equal and just treatment so far as his ability to acquire education and earn a living for himself is concerned.

I have voted for every one of the recent appropriations for Howard University, and I propose to vote for this one, too.

Mr. GLASS. Mr. President, if it is proposed to put this appropriation upon the basis of public philanthropy by the Government, that is one question. There are persons who think that the Government has no essential right to be philanthropic; that it is the business of the Government to collect the taxes of the people and to expend those taxes in defraying the expense of administering the Government, and not to give away funds to a private institution, white or black, and had I been delegated to select a Senator on this floor who above any other Senator subscribed to that doctrine, I would have picked the Senator from Maryland.

Mr. BRUCE. Mr President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Maryland?

Mr. GLASS. I do.

Mr. BRUCE. Does not the Government, in point of fact, make appropriations to educational institutions of all sorts throughout the country?

Mr. GLASS. Yes; but not to a single private institution, and the Senator knows that. It makes appropriations to land-grant colleges for educational purposes——

Mr. BRUCE. Under the Morrill Act.

Mr. GLASS. But not for any private educational institution, as this is, unquestionably. It has been so determined.

I should not have risen here to protest against this appropriation at all, because I realize that it is an irregular, indefensible act of philanthropy by the Government, expending public funds for private purposes, and because of my attachment to and sympathy for the Negro race I never have lifted my voice on this floor against appropriations to Howard University, but when a Senator rises here and justifies it upon the ground that it is the business of the Government to be turning out dentists or professional men of any kind, I just felt so amazed that I was impelled to express my surprise at the action of the Senator from Maryland.

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

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

Mr. GLASS. Yes; I yield to the Senator from New York.

Mr. COPELAND. I should like to ask the Senator from Virginia if he voted for good roads?

Mr. GLASS. I voted for good roads; yes. Do not negroes as well as white people travel over good roads?

Mr. COPELAND. Yes.

Mr. GLASS. Was I guilty of any race distinction there?

Mr. COPELAND. I am wondering how the Senator justifies the expenditure of Federal money on good roads.

Mr. GLASS. Oh, well, the Senator ought to read his Federal Constitution, and he would find out. He has forgotten that particular provision of it.

Mr. COPELAND. I have read the Constitution, and because of that my conscience would not permit me to say that appropriations made for good roads are in accordance therewith.

SEVERAL SENATORS. Vote!

Mr. SMITH and Mr. BRUCE addressed the Chair.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SMITH. Mr. President, I just wanted to ask the Senator——

Mr. BRUCE. I have the floor if anybody has.

The PRESIDING OFFICER. No Senator has been recognized, and no Senator will be recognized until the Senate is in order. [A pause.] The Senator from South Carolina is recognized.

Mr. SMITH. Mr. President, may I ask the Senator in charge of the bill how this amendment came into the bill?

Mr. SMOOT. Through the provision which went to the House. We had the papers, and we inserted the provision for Howard University so it had to go back to the House for a vote under the rules of the House; and when the House took up the question they voted upon our amendment, and put this in as an amendment to the amendment.

Mr. SMITH. Do I understand that the Senate put it in?

Mr. SMOOT. No, no; the House put it in.

Mr. CURTIS. By a vote in the House.

Mr. SMOOT. By a vote in the House.

Mr. SMITH. And then the conferees agreed to it?

Mr. SMOOT. Yes.

Mr. SMITH. I just wanted to know whether or not it was subject to a point of order.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. BRUCE. Mr. President, just one statement; that is all. I am not going to detain the Senate, but I want to submit this to the Senator from Virginia.

It is just impossible, if the Senator will stop for a moment to think, to make any appropriation for the benefit of the Negro race without involving such a discrimination as he imagines, because, of course, we can not have coeducation, in this part of the world at any rate, of negroes and white people, and consequently the Government could not make any appropriation at all in this case without what the Senator from Virginia calls discrimination.

Mr. GLASS. The Senator knows perfectly well, without my telling him, that it is a discrimination, because no such appropriation was ever made for a white school of a private nature.

Mr. BRUCE. It would be made if it were expedient and necessary.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

NINTH INTERNATIONAL PRISON CONGRESS

The PRESIDING OFFICER (Mr. MOSES in the chair). The Chair lays before the Senate a message from the President of the United States with an accompanying communication from the Secretary of State. The message will be read.

The message was read, as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, recommending legislation by Congress authorizing an appropriation of $10,000, or so much thereof as may be necessary, for the expenses of delegates, not exceeding 12, to the Ninth International Prison Congress to meet at London in August, 1925.

I approve the recommendation, which I trust will receive the favorable consideration of the Congress.

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, March 2, 1925.

The PRESIDING OFFICER. The message, with the communication from the Secretary of State, will be referred to the Committee on Foreign Relations.

LAWS AND RESOLUTIONS OF THE PHILIPPINE LEGISLATURE

The PRESIDING OFFICER. The Chair also lays before the Senate a message from the President of the United States, with accompanying documents, which will be read:

The message was read, as follows:

To the Congress of the United States:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith a set of laws and resolutions passed by the Sixth Philippine Legislature during its second session, from October 16, 1923, to February 8, 1924, inclusive.

CALVIN COOLIDGE.

THE WHITE HOUSE, *March 2, 1925.*

The PRESIDING OFFICER. The message, with its accompanying documents, will be referred to the Committee on Territories and Insular Possessions.

CONTRACTS UPON NEW YORK STATE BARGE CANAL

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 102) authorizing the Secretary of War to modify certain contracts entered into for the sale of boats, barges, tugs, and other transportation facilities intended for operation upon the New York State Barge Canal, which were to strike out all after "shall" down to and including "$500,000," in line 7, and insert:

be such that the total amount received and to be received by the United States from the sale of such boats, barges, tugs, and other transportation facilities shall be not less than $500,000, which shall be paid within 90 days after the date of such new contract or contracts: *Provided further*, That any such new contract or contracts shall provide that the New York Canal and Great Lakes Corporation shall reestablish the line formerly known as the Intra-Coastal Section, Inland and Coastwise Waterways Service, operating between Baltimore, Md., and New Berne, Beaufort, and Morehead City, N. C., and shall operate such line by not less than two self-propelled barges.

Mr. WADSWORTH. I move that the Senate concur in the House amendments.

The motion was agreed to.

FEDERAL VETERANS' HOSPITAL AT MUSKOGEE, OKLA.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 189) authorizing the enlargement of the Federal veterans' hospital at Muskogee, Okla., by the purchase of an adjoining city hospital and authorizing the appropriation of $150,000 for that purpose, which was, on page 2, line 8, after the word "Muskogee," to insert:

Provided, That this money shall be taken out of any lump sum heretofore or hereafter appropriated for hospital purposes.

Mr. HARRELD. I move to concur in the amendment of the House.

Mr. REED of Pennsylvania. I move to amend the amendment of the House by striking out the words "heretofore or hereafter appropriated" and inserting the words "appropriated after March 1, 1925."

Mr. HARRELD. I will accept that amendment.

The PRESIDING OFFICER. The question is upon agreeing to the amendment to the House amendment offered by the Senator from Pennsylvania.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

COMMISSION IN CONTROL OF THE HOUSE OFFICE BUILDING

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 382) empowering the Speaker of the House of Representatives to appoint a Member elect of the Sixty-ninth Congress as a member of the Commission in Control of the House Office Building, which was read twice by its title.

Mr. CURTIS. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, and it was read, as follows:

Resolved, etc., That the Speaker of the House of Representatives of the Sixty-eighth Congress is hereby empowered to appoint a Member elect of the House of Representatives to the Sixty-ninth Congress as a member of the Commission in Control of the House Office Building until the election of a Speaker of the House of Representatives of the Sixty-ninth Congress.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEETING OF INTERPARLIAMENTARY UNION

Mr. McKINLEY. I ask that the resolution from the Rules Committee which I send to the desk be acted upon.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent to present a report from the Committee on Rules. Is there objection? The Chair hears none. The report will be received, and the resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 355), as follows:

Resolved, That the chairman of the Committee on Rules of the United States Senate is hereby authorized to allow, so far as he may deem wise and under such regulations as he may determine, the use of the Senate Chamber and adjacent rooms for the meeting of the Interparliamentary Union between October 1 and 6, 1925.

The PRESIDING OFFICER. The Senator from Illinois asks further unanimous consent for the present consideration of the resolution. Is there objection?

The resolution was considered by unanimous consent, and agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the bill (S. 3406) relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes.

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 4210. An act to authorize the building of a bridge across the Congaree River in South Carolina;

S. 4211. An act to authorize the building of a bridge across the Catawba River in South Carolina;

S. 4212. An act to authorize the building of a bridge across the Broad River in South Carolina;

H. R. 2646. An act for the relief of Ida Fey;

H. R. 5637. An act for the relief of Edward R. Wilson, lieutenant commander, Supply Corps, United States Navy;

H. R. 9846. An act for the relief of Francis Kelly;

H. R. 10770. An act granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes;

H. R. 11067. An act to provide for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho; and

H. J. Res. 347. Joint resolution providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois.

ADDITIONAL REPORTS OF COMMITTEES

Mr. CARAWAY, from the Committee on Claims, to which was referred the bill (S. 926) for the relief of Joseph F. Thorpe, reported it without amendment and submitted a report (No. 1261) thereon.

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

H. R. 12264. An act granting the consent of Congress to the State of Minnesota and the counties of Sherburne and Wright to construct a bridge across the Mississippi River (Rept. No. 1262);

H. R. 12376. An act to extend the times for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States (Rept. No. 1263); and

H. R. 12405. An act granting the consent of Congress to the city of Rockford, in the county of Winnebago and State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across the Rock River (Rept. No. 1264).

NATIONAL BANKING ASSOCIATIONS AND FEDERAL RESERVE SYSTEM

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8887) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918, to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5209, section 5211 as amended, of the Revised Statutes of the United States; and to amend sections 13 and 24 of the Federal reserve act, and for other purposes.

Mr. PEPPER and Mr. CURTIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized. Does the Senator from Pennsylvania yield to the Senator from Kansas?

Mr. PEPPER. I yield for any purpose consistent with the present consideration of this bill.

Mr. CURTIS. Mr. President, I have risen to move that the Senate proceed to the consideration of executive business.

Mr. CARAWAY. Mr. President——

Mr. CURTIS. Just a second.

Mr. PEPPER. Mr. President, I yielded to the Senator from Kansas for any purpose consistent with the present consideration of this measure.

Mr. CURTIS. The Senator from Kansas has not completed his statement.

The Senator from Pennsylvania has a right to have his bill taken up. The bill can not be passed to-night, and there is not a Senator in this Chamber who believes that it can be passed to-night. It is absolutely useless for us to stay here to-night and wear ourselves out, and I do hope the Senator will yield for me to make the motion.

Mr. ODDIE. Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. CURTIS. If the Senator does not yield for that purpose, I shall make the motion at the first opportunity.

Mr. WATSON, Mr. STERLING, and Mr. ODDIE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield, and, if so, to whom?

Mr. PEPPER. I yield to the Senator from Indiana.

Mr. CURTIS. Mr. President, does the Senator decline to yield for me to make a motion to go into executive session?

Mr. PEPPER. Yes, Mr. President; I must decline to yield for that purpose.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield; and, if so, to whom?

Mr. PEPPER. I yield for a question, or to any Senator for any observation not inconsistent with the immediate consideration of this measure.

Mr. CURTIS. I demand the regular order.

The PRESIDENT pro tempore. The regular order is the banking bill, and the pending question is upon agreeing to the amendment proposed by the committee on line 15, page 9. The amendment will be stated.

The CHIEF CLERK. On page 9, line 15, to strike out, after the word "*Provided*" down to and including the word "branches" on page 10, line 12, and insert:

That it shall be unlawful for any such national banking association to retain any branch or branches in any State which at the time of the approval of this act did not by law, regulation, or usage with official sanction permit State banks or trust companies to have such branches; but branches established by a State bank under such law, regulation, or usage and heretofore lawfully retained when conversion into a national banking association was effected may continue to be maintained by such association.

EXECUTIVE SESSION

Mr. CURTIS. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. ASHURST. I demand the yeas and nays.

The yeas and nays were ordered and taken.

Mr. GLASS (after having voted in the negative). I transfer my general pair with the senior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Tennessee [Mr. SHIELDS] and let my vote stand.

Mr. OWEN. I transfer my pair with the Senator from West Virginia [Mr. ELKINS] to the Senator from Wyoming [Mr. KENDRICK], and vote "nay."

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN], who is not in the Chamber. I think, however, that he would vote as I shall vote, and therefore, I vote "yea."

Mr. ERNST. I transfer my general pair with the senior Senator from Kentucky [Mr. STANLEY] to the senior Senator from Vermont [Mr. GREENE], and vote "nay."

The result was announced—yeas 43, nays 34, as follows:

YEAS—43

Ball	Frazier	Means	Shipstead
Broussard	Harreld	Metcalf	Simmons
Butler	Harrison	Neely	Smith
Capper	Heflin	Norris	Smoot
Cummins	Howell	Overman	Sterling
Curtis	Jones, Wash.	Pittman	Underwood
Dale	King	Ralston	Walsh, Mass.
Dial	Ladd	Ransdell	Weller
Edwards	McKellar	Reed, Mo.	Wheeler
Fess	McKinley	Robinson	Willis
Fletcher	Mayfield	Sheppard	

NAYS—34

Ashurst	Dill	Johnson, Minn.	Shortridge
Bayard	Edge	McNary	Spencer
Bingham	Ernst	Moses	Stephens
Brookhart.	Ferris	Norbeck	Swanson
Bruce	Glass	Oddie	Trammell
Bursum	Gooding	Owen	Wadsworth
Cameron	Hale	Pepper	Watson
Caraway	Harris	Phipps	
Copeland	Johnson, Calif.	Reed, Pa.	

NOT VOTING—19

Borah	George	Keyes	Stanfield
Couzens	Gerry	La Follette	Stanley
Deneen	Greene	Lenroot	Walsh, Mont.
Elkins	Jones, N. Mex.	McLean	Warren
Fernald	Kendrick	Shields	

So Mr. CURTIS's motion was agreed to, and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session, the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 11 o'clock, the recess being in accordance with the order heretofore made.

The motion was agreed to; and the Senate (at 7 o'clock and 25 minutes p. m.), under the order previously entered, took a recess until to-morrow, Tuesday, March 3, 1925, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate March 2 (legislative day of February 26), 1925

John R. Sinnock, of Philadelphia, Pa., to be engraver in the mint of the United States at Philadelphia, Pa., to fill an existing vacancy caused by the death of Hon. George T. Morgan.

APPOINTMENT IN THE REGULAR ARMY

MEDICAL CORPS

To be lieutenant colonel

Maj. Edgar William Miller, Medical Corps, with rank from February 16, 1925.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

SIGNAL CORPS

Second Lieut. George Anthony Bicher, Air Service, with rank from June 12, 1924.

COAST ARTILLERY CORPS

Second Lieut. William Field Sadtler, Signal Corps, with rank from June 13, 1922.

Second Lieut. Robin Bernard Pape, Air Service, with rank from June 12, 1924.

Second Lieut. Donald Dean Rule, Air Service, with rank from June 12, 1924.

INFANTRY

Second Lieut. Francis Robert Stevens, Air Service, with rank from June 12, 1924.

PROMOTIONS IN THE REGULAR ARMY

To be majors

Capt. Donald Henley, Infantry, from February 25, 1925.

Capt. Joseph Daly Coughlan, Field Artillery, from February 27, 1925.

To be captains

First Lieut. Ernest Leonard Paul Treuthardt, Quartermaster Corps, from February 25, 1925.

First Lieut. Richard Pegram Boykin, Quartermaster Corps, from February 27, 1925.

First Lieut. Alexander Forest Dershimer, Quartermaster Corps, from March 1, 1925.

To be first lieutenants

Second Lieut. Godfrey Douglas Adamson, Field Artillery, from February 22, 1925.

Second Lieut. Wilson Burnett Higgins, Corps of Engineers, from February 25, 1925.

Second Lieut. Albert Newell Tanner, jr., Corps of Engineers, from February 25, 1925.

Second Lieut. Frederic Lord Hayden, Coast Artillery Corps, from February 26, 1925.

Second Lieut. Warren Cressman Rutter, Coast Artillery Corps, from February 27, 1925.

Second Lieut. Harold Frank Handy, Field Artillery, from March 1, 1925.

PROMOTIONS AND APPOINTMENTS IN THE NAVY

Lieut. Commander Herbert A. Jones to be a commander in the Navy from the 16th day of February, 1925.

Lieut. (Junior Grade) George L. Richmire to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Ensign Lucius K. Scott to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1924.

Asst. Paymaster Walter W. Mahany to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of March, 1925.

The following-named chaplains to be chaplains in the Navy, with the rank of commander, from the 2d day of July, 1924:

Robert D. Workman.
Edward A. Duff.
William W. Elder.
Herbert Dumstrey.
Roy L. Lewis.
Charles H. Hastings.
Truman F. Riddle.

Chaplain Frank H. Lash to be a chaplain in the Navy, with the rank of commander, from the 26th day of July, 1924.

Chaplain Emil H. Groth to be a chaplain in the Navy, with the rank of commander, from the 14th day of August, 1924.

Chaplain Joseph T. Casey to be a chaplain in the Navy, with the rank of commander, from the 3d day of October, 1924.

Chaplain William W. Edel to be a chaplain in the Navy, with the rank of commander, from the 12th day of October, 1924.

The following-named chaplains to be chaplains in the Navy, with the rank of commander, from the 3d day of November, 1924:

Charles V. Ellis.
George S. Rentz.
Francis L. McFadden.
Wilford R. Hall.
Harrill S. Dyer.
Albert N. Park, jr.
Robert E. Miller.
Haines H. Lippincott.
Bart D. Stephens.
Morris M. Leonard.
John H. Finn.

Naval Constructor John G. Tawresey to be a naval constructor in the Navy, with the rank of rear admiral, from the 2d day of March, 1925.

The following-named citizens to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), from the 26th day of February, 1925:

Carl W. Porter, a citizen of Virginia.

Joseph A. Wise, a citizen of Minnesota.

Machinist James E. O'Neill to be a chief machinist in the Navy, to rank with but after ensign, from the 20th day of November, 1924.

POSTMASTERS

ARIZONA

Lena E. Hempstead to be postmaster at Bowie, Ariz., in place of L. B. Tomlinson, resigned.

ARKANSAS

Lucile M. Deer to be postmaster at Leola, Ark., in place of L. M. Deer. Office became third class July 1, 1924.

CALIFORNIA

Anna L. Davidson to be postmaster at Halleck, Calif., in place of A. L. Davidson. Office became third class April 1, 1924.

GEORGIA

Thomas W. Cobb to be postmaster at Warthen, Ga., in place of T. W. Cobb. Office became third class October 1, 1923.

Jennie I. Ingram to be postmaster at Townsend, Ga., in place of J. I. Ingram. Office became third class July 1, 1924.

Rosa L. Lindsey to be postmaster at Irwinton, Ga., in place of R. L. Lindsey. Office became third class October 1, 1923.

Deborah McNair to be postmaster at Damascus, Ga., in place of Deborah McNair. Office became third class October 1, 1924.

George W. McKnight to be postmaster at Camilla, Ga., in place of T. B. Perry, removed.

George B. McIntyre to be postmaster at Ailey, Ga., in place of G. B. McIntyre. Office became third class April 1, 1924.

Berta W. Fincher to be postmaster at Roberta, Ga., in place of J. L. Jones. Office became third class July 1, 1924.

St. James B. Alexander to be postmaster at Reidsville, Ga., in place of R. G. Strickland. Incumbent's commission expired May 6, 1924.

Grover C. Brantley to be postmaster at Lyons, Ga., in place of C. C. Moseley. Incumbent's commission expired July 28, 1923.

James P. Wood to be postmaster at Augusta, Ga., in place of J. C. McAuliffe. Incumbent's commission expired June 4, 1924.

Lonnie E. Sweat to be postmaster at Blackshear, Ga., in place of L. E. Sweat. Incumbent's commission expired June 4, 1924.

ILLINOIS

Frank M. Allen to be postmaster at Hillview, Ill., in place of W. E. Clark, removed.

Harold R. Kerchner to be postmaster at Walnut, Ill., in place of F. L. Quilter, resigned.

INDIANA

Jacob W. Hunsberger to be postmaster at Wakarusa, Ind., in place of Vern Hahn. Incumbent's commission expired June 5, 1924.

Rexford F. Hinkle to be postmaster at Hymera, Ind., in place of A. M. Hiatt, resigned.

Edna S. Beeson to be postmaster at Galveston, Ind., in place of H. S. S. Bell, resigned.

IOWA

Frank S. Smith to be postmaster at Carson, Iowa, in place of C. E. Tyler, resigned.

KANSAS

John A. Porter to be postmaster at Mount Hope, Kans., in place of P. B. Dick, deceased.

Elza W. Reel to be postmaster at Fort Leavenworth, Kans., in place of Siegfried Kuraner. Incumbent's commission expired February 28, 1924.

Estella Emrich to be postmaster at Longford, Kans., in place of Rudolph Kissling. Office became third class October 1, 1924.

William Russell to be postmaster at West Mineral, Kans., in place of William Russell. Office became third class January 1, 1925.

Karl S. Dale to be postmaster at Protection, Kans., in place of T. L. Chase. Incumbent's commission expired January 23, 1924.

Lon L. Robinson to be postmaster at La Crosse, Kans., in place of Rodney Torrey. Incumbent's commission expired June 4, 1924.

Orange J. Mark to be postmaster at Coldwater, Kans., in place of H. A. Replogle. Incumbent's commission expired January 23, 1924.

Warren I. Nash to be postmaster at Coats, Kans., in place of S. B. Kocher. Incumbent's commission expired May 6, 1924.

KENTUCKY

Myrtle Miller to be postmaster at Hazel Green, Ky., in place of J. I. Hollon. Office became third class April 1, 1924.

Homer Murray to be postmaster at Woodburn, Ky., in place of B. E. Potter. Office became third class April 1, 1921.

MARYLAND

Harvey N. Burgeon to be postmaster at Manchester, Md., in place of W. C. Shearer, resigned.

MICHIGAN

Walter C. Oesterle to be postmaster at Webberville, Mich., in place of Frank Aldrich, resigned.

Harold D. Cole to be postmaster at Holly, Mich., in place of B. P. Daugherty, resigned.

Edwin S. Winchell to be postmaster at Hemlock, Mich., in place of F. A. Schulte, deceased.

MINNESOTA

Aaron T. Arneson to be postmaster at Carver, Minn., in place of D. A. Ahlin, resigned.

Wallace W. Towler to be postmaster at Annandale, Minn., in place of E. N. Brandon. Incumbent's commission expired June 5, 1924.

William Bole to be postmaster at St. Charles, Minn., in place of U. B. Harris, removed.

Wilbert D. Hanson to be postmaster at Grove City, Minn., in place of N. E. Hawkinson, deceased.

MISSISSIPPI

Sallie C. Walker to be postmaster at Lauderdale, Miss., in place of A. R. Shelby, removed.

Robert C. Malone to be postmaster at Pace, Miss., in place of H. V. Henry. Office became third class April 1, 1924.

Ethel W. Backstrom to be postmaster at McLain, Miss., in place of E. L. Backstrom. Office became third class October 1, 1923.

MONTANA

Bruce R. McNamer to be postmaster at Shelby, Mont., in place of H. F. Cox. Incumbent's commission expired August 5, 1923.

NEBRASKA

William E. Bales to be postmaster at Hershey, Nebr., in place of F. E. Davis, resigned.

Herman W. Ullrich to be postmaster at Cortland, Nebr., in place of Wilbur Thomas. Office became third class October 1, 1924.

Herman G. Tunberg to be postmaster at Verdel, Nebr., in place of Catharine Tunberg, declined.

Henry J. Newsom to be postmaster at North Bend., Nebr., in place of J. M. Robinson, removed.

NEVADA

Robert B. Griffith to be postmaster at Las Vegas, Nev., in place of C. P. Squires, resigned.

NEW JERSEY

Florence L. Newman to be postmaster at Seagirt, N. J., in place of K. E. Fraleigh, deceased.

Alice M. Harkness to be postmaster at Marlton, N. J., in place of W. H. Zelley, deceased.

NEW MEXICO

Mary L. White to be postmaster at Roswell, N. Mex., in place of W. L. Radney. Incumbent's commission expired August 25, 1918.

NEW YORK

Wendell C. Wilber to be postmaster at Delanson, N. Y., in place of H. D. Babcock, resigned.

NORTH CAROLINA

Robert E. Hodgin to be postmaster at Guilford College, N. C., in place of J. G. Frazier, jr., resigned.

Malcolm J. Thornton to be postmaster at Clinton, N. C., in place of A. K. Parker, removed.

NORTH DAKOTA

Jacob G. Sigurdson to be postmaster at Upham, N. Dak., in place of P. K. Hanson, removed.

OREGON

Byron A. Bennett to be postmaster at Crane, Oreg., in place of L. A. Cawlfield, resigned.

PENNSYLVANIA

Theodore E. Lerch to be postmaster at Palmyra, Pa., in place of G. N. Grumbein. Incumbent's commission expired June 5, 1924.

William G. Hall, to be postmaster at Avella, Pa., in place of T. J. Richards, resigned.

John W. Kuhn to be postmaster at Green Lane, Pa., in place of F. N. Gilbert. Office became third class October 1, 1924.

Levi Conner to be postmaster at Glen Campbell, Pa., in place of W. H. McQuilken. Incumbent's commission expired February 4, 1922.

James T. Troxell to be postmaster at Gallitzin, Pa., in place of R. B. McCaa, removed.

SOUTH CAROLINA

Marion B. Welch to be postmaster at Hardeeville, S. C., in place of H. R. Williams, resigned.

SOUTH DAKOTA

Charley L. Corrington to be postmaster at Kadoka, S. Dak., in place of O. C. Sharon, deceased.

TENNESSEE

William E. Moore to be postmaster at Rock Island, Tenn., in place of E. C. Miller. Office became third class October 1, 1924.

TEXAS

Joseph R. Gilliland to be postmaster at Paradise, Tex., in place of J. C. Frost. Office became third class October 1, 1924.

Tenos W. Elkins to be postmaster at Freeport, Tex., in place of H. C. Dorton. Incumbent's commission expired January 31, 1924.

Opal Farris to be postmaster at Daisetta, Tex., in place of O. A. Gildon, resigned.

UTAH

Horace E. Day to be postmaster at Fillmore, Utah, in place of J. F. Day, resigned.

VERMONT

Martha G. Kibby to be postmaster at Randolph Center, Vt., in place of M. G. Kibby. Incumbent's commission expired June 5, 1924.

Gary S. Heath to be postmaster at Derby Line, Vt., in place of G. S. Heath. Incumbent's commission expired August 20, 1923.

WEST VIRGINIA

Tell McDonald to be postmaster at Grantsville, W. Va., in place of B. G. Stump, removed.

Karl C. Lilly to be postmaster at Pemberton, W. Va., in place of R. C. Glick, declined.

Effie B. Landers to be postmaster at Boomer, W. Va., in place of Joe Bell, resigned.

WISCONSIN

Gunnil S. Peterson to be postmaster at Scandinavia, Wis., in place of C. A. Knudson, resigned.

Henry B. Goodwin to be postmaster at Osceola, Wis., in place of W. W. Sanders. Incumbent's commission expired June 5, 1924.

Edward Porter to be postmaster at Cornell, Wis., in place of Edward Porter. Incumbent's commission expired March 22, 1924.

Vera Finnell to be postmaster at Winchester, Wis., in place of Vera Finnell. Office became third class October 1, 1923.

Edwin T. Mattison to be postmaster at Blair, Wis., in place of E. T. Mattison. Incumbent's commission expired March 22, 1924.

John J. Burkhard to be postmaster at Monroe, Wis., in place of E. A. Odell, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 2 (legislative day of February 26), 1925

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

Antonio L. Villareal, of the Philippine Islands.

JUDGE OF POLICE COURT OF THE DISTRICT OF COLUMBIA.

John P. McMahon to be judge of the police court, District of Columbia.

JUDGE OF JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Kathryn Sellers to be judge of the juvenile court, District of Columbia.

PROMOTIONS IN THE NAVY

Capt. Noble E. Irwin to be a rear admiral.

Commander Lewis B. Porterfield to be a captain.

Lieut. (junior grade) Martin Nyburg to be a lieutenant.

Ensign Addis D. Nelson to be lieutenant (junior grade).

Asst. Paymaster Charles E. Leavitt to be a passed assistant paymaster.

Asst. Paymaster Edwin H. Bradley to be a passed assistant paymaster.

Chaplain George B. Kranz to be a chaplain in the Navy, with the rank of commander.

Chaplain Milton H. Petzold to be chaplain in the Navy, with the rank of commander.

Chaplain Garrett F. Murphy to be a chaplain in the Navy, with the rank of commander.

Chaplain John W. Moore to be a chaplain in the Navy, with the rank of commander.

The following-named citizens to be assistant dental surgeons, with the rank of lieutenant (junior grade):

Otis A. Peterson.
Sidney P. Vail.
Leon M. Billings.
Theodore D. Allan.
John M. Thompson.

Boatswain Elmer J. Cross to be a chief boatswain.
Boatswain John Weber, jr., to be a chief boatswain.
Gunner James H. Kane to be a chief gunner.
Pay Clerk Clarence C. Walling to be a chief pay clerk.
Carpenter George E. Mumma to be a chief carpenter.

POSTMASTERS

CALIFORNIA

Charles H. Quantock, Loma Linda.

GEORGIA

McCamie C. Gettys, Ellaville.
Fannie M. Vaughn, Ellaville.
Robert L. Callan, Norman Park.
Semora E. Brandon, St. Marys.

ILLINOIS

John T. Kelahan, Algonquin.
Glenn R. Adams, Carpentersville.
Robert F. Sexton, Kansas.
William C. Nulle, Union.
Arden S. Coryell, West Union.

IOWA

Millie Hoffman, Central City.

KANSAS

Neva F. Batterton, Preston.

KENTUCKY

Rebecca Green, Barbourville.
Leonard E. Daniel, Jeff.
Mary H. Buckler, Loretto.

MICHIGAN

Marie M. Baers, Walled Lake.

MISSISSIPPI

Fred Little, Greenwood.
Ada Duckworth, Mendenhall.
Tamora C. Epperson, Raymond.
Kate R. Latimer, Shaw.
William T. Pearce, Amory.
Mary B. Smith, Charleston.
Lillie B. Carr, Sumner.

NORTH CAROLINA

David J. Lewis, Rocky Point.

OHIO

Hattie L. Davison, Magnolia.

OKLAHOMA

Albert H. Williams, Loco.
Frederick W. Galer, Nowata.

OREGON

William A. Massingill, Lakeview.

PENNSYLVANIA

C. Maurice Hershey, Paradise.
Harry J. Burns, Soudersburg.

RHODE ISLAND

James T. Caswell, Narragansett.

VIRGINIA

Nellie C. Trevey, Big Island.
Virginia L. Harman, West Graham.

WEST VIRGINIA

Alvin L. Elkins, Blair.
Oscar E. Carlson, Dehue.

WISCONSIN

Ellsworth N. Harris, Mineral Point.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 2 (legislative day of February 26), 1925

I withdraw the nomination of the following-named officer which was submitted to the Senate February 26, 1925.

PROMOTION IN THE ARMY

Nomination for transfer to Infantry

Second Lieut. William John Renn, jr., Air Service, with rank from June 12, 1924. This officer's resignation was accepted February 28, 1925.

HOUSE OF REPRESENTATIVES

MONDAY, *March 2, 1925*

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Spirit of God, continue Thy holy ministry in all our hearts. Surely Thou hast for us a great purpose and a great destiny. Oh, may we not confine our views of life within the coming and the going of a day, and thus be confused in troubled wonder, but may we be strong and glad by a great, immortal hope. To-day may we magnify Thy name with honor, with truth, with wise, conscientious service, and thus give praise to the message and mission of our Lord. We wonder why Thou dost care for us so much, and again thank Thee for Thy tender, overflowing love. Amen.

The Journals of the proceedings of Saturday, February 28, and Sunday, March 1, were read and approved.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following communication:

FEBRUARY 27, 1925.

SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR MR. SPEAKER: I hereby resign my membership in the Committee on the Disposition of Useless Executive Papers, to take effect at once.

Very truly yours,

MERRILL MOORES.

The SPEAKER also laid before the House the following communication:

FEBRUARY 28, 1925.

To the SPEAKER, HOUSE OF REPRESENTATIVES:

I hereby tender my resignation as a member of the Public Buildings Commission, to take effect to-day.

Respectfully,

FRANK CLARK.

CONFERENCE REPORT ON DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the bill H. R. 12033, the District of Columbia appropriation bill.

Mr. BLANTON. Mr. Speaker, there are some very important matters in this report, and I make the point that there is no quorum present.

Mr. CRAMTON. Will the gentleman withhold that until I can call up the Interior Department appropriation bill and send it to conference?

Mr. BLANTON. I will withhold it.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I call up the Interior Department appropriation bill and ask unanimous consent to agree to the further conference asked for by the Senate and for the appointment of conferees.

The SPEAKER. The gentleman from Michigan calls up the conference report and asks unanimous consent to agree to the further conference asked for by the Senate on a bill which the Clerk will read by title.

The Clerk read the title, as follows:

A bill (H. R. 10020) making appropriations for the Interior Department for the fiscal year ending June 30, 1926, and for other purposes.

Mr. CRAMTON. I ask unanimous consent to agree to the conference asked for by the Senate.

The SPEAKER. Is there objection?

Mr. WINGO. Reserving the right to object, what are the real matters in controversy?

Mr. CRAMTON. The matters in controversy are the appropriation for the Kittitas, Vale, and Spanish Springs reclamation projects, and the amendment of the Senate increasing the salary of the Director of Reclamation, also the item with reference to the appropriation for Howard University.

Mr. WINGO. Those are reclamation projects, including the one where the House has an amendment requiring the State to do certain things which we discussed here the other day?

Mr. CRAMTON. Yes; the conference report adopted provided for certain language with reference to Kittitas and the Sun River, and similar language was adopted the other day with reference to the others.

Mr. WINGO. And that is in dispute?

Mr. CRAMTON. There is a dispute over that and over the salary of the Director of Reclamation.

Mr. WINGO. The gentleman says that the Senate has agreed to the provision in relation to some of the irrigation projects?

Mr. CRAMTON. Yes. The Senate took no action with reference to any of the amendments, but simply disagreed and sent the bill back to conference.

Mr. BLANTON. And concerning those matters the House has given the gentleman from Michigan some specific directions.

Mr. CRAMTON. That is my view.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Chair appointed as conferees Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the amendments of the Senate Nos. 27, 30, 34, 38, and 50 to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, and that it further insists upon the foregoing amendments together with its amendment No. 37 to said bill and had asked a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon and had ordered that Mr. SMOOT, Mr. CURTIS, and Mr. HARRIS be the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments to the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior years to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes, on which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had requested a conference with the House thereon and had appointed Mr. JONES of Washington, Mr. FERNALD, Mr. MCNARY, Mr. FLETCHER, and Mr. RANSDELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendments bills of the following titles:

H. R. 12262. An act for the relief of certain enlisted men of the Coast Guard;

H. R. 9687. An act permitting the sale of the northeast quarter section 5, township 6 north, range 15 west, 160 acres in Conway County, Ark., to A. R. Bowdre;

H. R. 6442. An act for the relief of William H. Armstrong; and

H. R. 11818. An act granting the consent of Congress to the construction of a bridge across the Rio Grande.

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

S. 4232. An act to amend section 409, Revised Statutes of the United States, relating to fines, penalties, forfeitures, and liabilities in the Postal Service; and

S. 329. An act providing that the act approved December 17, 1919, entitled "An act to provide for the payment of six months' pay to the widow, children, or other designated dependent relatives of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct," shall be executed and administered as though it had been passed and approved October 6, 1917.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the joint resolution of the following title:

S. J. Res. 187. Joint resolution providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes.

The message also announced that the Senate had passed the following orders:

Ordered, That the House of Representatives be requested to return to the Senate the bills of the following titles:

S. 4151. An act to provide for aided and directed settlement on Government land in irrigation projects; and

S. 4057. An act providing for the irrigation of certain lands in the State of Nebraska.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3913. An act to extend for an additional period of three years the effective period of the act entitled, "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922;

S. 4289. An act authorizing the construction of a bridge across the Colorado River near Blythe, Calif.; and

S. 3633. An act to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 37

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, to strike out in the first line of the title the words "three years" and insert in lieu thereof the words "one year," so that the title may conform to the amendment made by the House of Representatives to the text of the bill and agreed to by the Senate.

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

Senate Resolution 227

Resolved, That the Comptroller General of the United States be, and he is hereby, authorized and directed to audit the claim of the city of New York for expenses incurred by said city in aiding to suppress the insurrection against the United States during the years 1861 to 1865, and in making said audit the provision of the act of Congress of July 27, 1861 (12 Stat. L. p. 276), as interpreted and applied by the Supreme Court of the United States in the case of the State of New York against the United States, decided January 6, 1896 (160 U. S. Repts. p. 598), shall be applied by the said Comptroller General, and report the amount so ascertained to the Senate for consideration.

SENATE BILL REFERRED

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2941. An act for the relief of Philip T. Coffey; to the Committee on Military Affairs.

SECOND DEFICIENCY BILL

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to take up the bill (H. R. 12392) making appropriations for deficiencies, disagree to the Senate amendment and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent to disagree to the Senate amendments of the bill H. R. 12392, the second deficiency bill, and ask for a conference. Is there objection?

Mr. BLANTON. Reserving the right to object, the gentleman knows that this bill as it now stands has legislative riders providing for two royal junketing trips. What is the gentleman going to do about those?

Mr. MADDEN. Anything that violates the rules of the House will be objected to.

Mr. BLANTON. Will the gentleman bring back those items to the House?

Mr. MADDEN. If I do not get them knocked out.

Mr. WINGO. Will the gentleman state what those junketing trips are?

Mr. MADDEN. I do not know whether they are junketing trips or not, the gentleman from Texas said that.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee.

THE CHILD LABOR AMENDMENT

Mr. RATHBONE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a brief address delivered by me in New York City January 31.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BANKHEAD. Reserving the right to object, is this a political speech?

Mr. RATHBONE. No; not at all.

The SPEAKER. Is there objection?

There was no objection.

Mr. RATHBONE. Mr. Speaker, under leave granted to extend my remarks in the RECORD I insert a speech made by myself before the National Republican Club of New York City on January 31, 1925:

The proper development of children is undoubtedly one of the most serious problems that America faces to-day.

We are told that the human body is changed completely every seven years, and so it is with nations. Mankind is not static. The human race is born over again, for better or worse, with every generation.

Schiller has said: "They alone deserve liberty and life who day by day must conquer them anew." So we may say that that people alone can live and advance which rebuilds itself with each new generation, which does not permit its stock to deteriorate, but recreates continually a people stronger and better than ever before.

It is universally admitted that toil too early begun and too long continued stunts the body, dwarfs the mind, and is incompatible with any good or useful degrees of education.

In the children of to-day we see foreshadowed the future of the Nation. We see mirrored the future greatness and strength of our country or its future weakness and decay.

The child is the corner stone of the Republic.

We have proclaimed our belief in conservation, in the preservation of our forests, fisheries, game, and all the natural resources of our country. We would preserve every form of animal and vegetable life and keep our land free from the ravages of time and civilization. Only with regard to the most precious asset of all, the children of our country, we appear to be indifferent. Shall we with reckless extravagance squander this the most priceless treasure of the Nation?

Child labor may pay the individual employer in the short run, but it will not pay industry or the Nation in the long run.

We must recognize the right of each and every child to its childhood, its right to develop and not to be made a mere cog in an industrial machine.

The basest form of oppression is oppression of the child; the lowest depth to which selfish greed can descend is the exploitation of those who can not protect themselves.

Child labor is un-American. From the beginning of our history we have proclaimed equality of opportunity as one of our fundamental principles. What equality is there in a land which permits a million of its children to be handicapped at the outset of the race of life, which condemns them to illiteracy, at a time in the history of the world when the domain of knowledge is more vast and the advantages of education greater than ever before?

Not until you give education to all do you give fair play to all.

It has been said that centralization is what causes the downfall of nations. I say that the ignorance and degradation of the people is what causes the downfall of nations.

Let us give to all the children of our country an equal opportunity. Let us give budding genius a chance to develop. Let us close the door of the factory and open the door of the school.

We can not remain indifferent to the revelations given us by statistics of the Great War, as to the physical condition and illiteracy of our people. Almost all the progressive nations of Europe have a higher standard of literacy than the United States, among them England, France, and Germany. According to statistics of 1920 there were nearly 5,000,000 illiterates among the children of the United States over 10 years of age.

Nor can we shut our eyes to the statistics of accidents among children employed in factories. We are informed that in certain hazardous employments such accidents are two or three times as numerous as in the case of adults.

This proposed amendment is not a leap in the dark; not a haphazard attempt to tinker with the Constitution. It is an effort to grapple with a great and admitted evil in the light of experience, upon a scientific basis and having in mind the principles and standards which are approved by the best minds that have given life study to the problem of child welfare.

The standard tests in the regulation of child labor are, first, the prohibition of labor of children under 14, the regulation of hours of labor for children under 16, and the prohibition or regulation of labor of all children under 18, from or in extra-hazardous occupations.

Industry is never justified in thriving on children. The employment of children under unfair and improper conditions is nothing short of an economic waste, a social crime, and a political menace. The greatest nation in the future of the world will be the nation that puts its children first. We can not hope to have a great nation unless we have an enlightened people.

Opponents of the amendment say that it would give too much power to the Congress and that this power would be abused. Such a charge is nothing more nor less than an attack on representative government. When the people of this country feel that they can not trust their chosen representatives, then we are ready for the rule of the tyrant or the mob.

Shall we be swayed by this suspicion? Shall we confess our impotency? Shall we acknowledge ourselves as helpless in the face of this great evil? Such is not the spirit that has made our country great.

All the States of the Union now have full power to regulate child labor. The governments of every great civilized country also have the power to do so to the fullest extent. Our National Government alone has not the power to deal with this problem. Shall Congress stand out as the only legislative body which is unfit to be trusted to deal wisely and intelligently with this most important problem?

If we are to wait before conferring upon our National Government the power to deal with the great evil until we can be assured beyond the possibility of doubt that such power will not be abused, we will, in all probability, have to wait forever.

The greatest powers now rest in the hands of Congress, but no one dreads their abuse. It has been said by a great Chief Justice that "The power to tax is the power to destroy." Yet, does any one fear that this power will be so exercised as to destroy American industry?

Is it not reasonable to assume that in the future, as in the past, the Congress of the United States will consist of men who have some reasonable degree of common sense and that they will not enact any legislation which was in opposition to the overwhelming sentiment of the American people?

Back of this amendment is marshaled the greatest power in the world, the awakened conscience of the American people. For this reason, in spite of any temporary setbacks, we confidently look forward to a day when, throughout the length and breadth of our land, there will not be found a single child that is being exploited in industry or denied the rightful inheritance of every American, an equal opportunity with all others and a fair chance in the race of life.

GEORGE ROGERS CLARK MEMORIAL

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. THATCHER. Mr. Speaker, we have had in this country for many years discussions about a memorial to George Rogers Clark. General Clark, as you know, was the Revolutionary soldier, who, with small bodies of American troops, reclaimed all of the Northwest Territory by a wonderful series of marches and conquests in 1778 and 1779, and brought into the American Union as a result of his efforts all of Ohio, Indiana, Illinois, Wisconsin, and Michigan. That country was ceded to the United States as a result of the war, and, of course, it was a great and wonderful work. General Clark was born near Monticello, Va., in 1752, and died in Kentucky in 1818. His burial place was Cave Hill Cemetery, in Louisville. In 1778, when he began his conquest of the Northwest, he came down the Ohio River with his boats and his men and landed at Corn Island, in the Ohio River Falls area at Louisville. There he built a blockhouse and dropped on down the river to the mouth of the Tennessee River; thence with his Virginia troops he went up into Illinois and captured Kaskaskia, Cahokia, and Vincennes; and he broke the power of the British forces and their allies, the Indians, all through that country, and, as I say, reclaimed it and held it as American territory.

He kept the British and Indians busy in that part of the world and thereby kept them from coming toward the Atlantic coast to engage against the American forces in the war. The Revolutionary line on the Appalachian frontier was unprotected, and the Kentucky settlements were also at the mercy of pro-British Indians north of the Ohio River; and this campaign of Clark's, which was one of his own conception—carried out with great secrecy and with great military sagacity—completely removed the menace of a British attack on that frontier, protected Kentucky, and thus permitted all of the hard-pressed American Revolutionary forces in the East under Washington to continue in their struggle with the British forces on the Atlantic seaboard. Except for Clark's counterthrust in the Northwest against the British forces and Indians there, and his complete success in the undertaking, a substantial number of the American troops in the East would have been diverted to protect our western frontier; and this diversion might have been fatal to the American cause.

George Rogers Clark conceived the idea of driving the British out of the Northwest and reclaiming that territory for the future of America, and performed a magnificent work, and that work has been absolutely neglected. He entered upon the conquest of the Northwest Territory in 1778 when he was 26

years old. His work of conquest was followed, for several years, by his work of holding and protecting the conquered territory. He received nothing for his services as a soldier and officer. At the close of the Revolution there was due him, as an officer, more than $10,000, no part of which was ever paid. In addition, for the purpose of paying the soldiers serving under him in these military operations, he mortgaged all the land he had theretofore acquired in Kentucky, and, in consequence, he lost all of his property and died in poverty and neglect. Judged by far-reaching effects it is doubtful whether any other Revolutionary patriot, excepting only Washington himself, did more for the Government and people of the United States than did George Rogers Clark. He was a statesman, as well as a soldier, of the highest ability. No other American who has rendered so great a service for his country has been so cruelly neglected as has he.

This expedition operated in the Northwest Territory, and, in addition to conquering and holding this vast and fertile region, it subdued the Indians there, protected the American settlements in Kentucky, and the western frontiers of the American colonies, and had the effect of giving credit to the United States at the close of the Revolutionary War, when credit was sorely needed. Also this territory gave an outlet for American settlement from the older, eastern section, and brought greatly needed wealth into the Nation.

The idea has been conceived of having a combined lighthouse and George Rogers Clark memorial structure at the falls of the Ohio. It can be done, apparently, without any additional cost; that is to say, the memorial feature should not materially add to the cost of the lighthouse features. Thus greater security to life and property on the Ohio River at this point would be assured, navigation would be rendered safer and easier, and long-delayed and greatly deserved tribute to a great American soldier and patriot would be accorded.

It is believed that some point near the site of Corn Island, near the head of the falls, would be a suitable place for a lighthouse, and at the same time it would be a suitable place for a memorial.

A concrete or similar base of masonry could be built there, of proper height, and superimposed on that there could be a heroic statue of Clark, cast in metal, something like the Statue of Liberty—on the same general plan with the uplifted hand or sword, with appropriate light therein, in the form of a torch, to give lighthouse facilities; and that, I say, can be done at nearly the same cost at which a purely lighthouse structure may be constructed.

In times of flood, and in times of ice, and at many times during the year, there is, of course, a great deal of danger in the navigation of the river; especially in navigating the channels of the falls. During these seasons—in fact at all times—at night there is danger to boats coming into the river just above the falls. The wharves of the cities of Louisville, Ky., and Jeffersonville, Ind., are just above the falls, and there is, of necessity, much navigation of the river at these points in the nighttime. There is the Indiana chute on the Indiana side of the river, and in flood seasons the boats go straight over the dam. The dam is at the head of the falls. Shortly a new dam will be constructed to supersede the present dam. It is proposed to lift the level of the pool above Louisville about 6 feet. The present dam is an old one and not durably constructed, and the proposition of the War Department now is to build a new dam at some point at the falls; and also to build it with the idea of permitting the utilization of the water power of the falls for hydroelectric purposes. The new dam, in all probability, will be constructed a little distance below the site of the present dam. This dam is part of the Ohio River improvement project, and constitutes one of the features of the all-year, 9-foot, navigable stage of the river now being worked out. This dam, of course, will be provided for in our appropriations, and the actual site of that dam will shortly be determined.

There is a bridge across the river about a mile above the present dam, and a lighthouse at some point at or near the head of the falls would seem to be the proper site for the lighthouse. It would prove a great protection there, because it could be seen from points above the bridge as well as below it. The locks are some distance below the head of the falls and the entrance to the canal.

In the lower stages the boats go through the canal. In high water they go over the dam and the falls.

We are making appropriations here year after year for this Ohio River improvement project, and I am glad we are making them, because that means a great deal for the country at large as well as for the Ohio Valley. With the completion of the 9-foot stage in the river, we can have all-the-year-round navigation, and whenever that stage comes, or when we can have all-the-year-round navigation, the traffic on the river will greatly increase, because the larger boats can ply up and down the river from Pittsburgh to Cairo throughout the year. Whenever that condition comes there will be an increased need for lighthouse facilities there. The fact that lighthouse facilities have never been provided is no argument that they are not needed. With the completion of this stage there will be this double need for lighthouse facilities, and, as the lighthouse is an aid to navigation, it should be constructed and maintained. The Secretary of War could locate the lighthouse, or the Chief of Engineers or the Lighthouse Division could locate it, at such point as would be most feasible or practicable.

No national monument has ever been erected to General Clark, nor any local monument of consequence.

He nobly wrought, and he deserves a fitting monument. I believe $100,000 would amply cover the cost of the lighthouse. In fact, the Lighthouse Division made an estimate of the cost of a lighthouse, and figured it at about $75,000, but I believe an amount not exceeding, say, $100,000 should be authorized. This amount, it is believed, would prove ample for the purpose of constructing and equipping the proposed memorial lighthouse structure.

A more appropriate place for a memorial to George Rogers Clark could not be found; and, in addition to that, a lighthouse is greatly needed for safety to travel there; needed for safety to life and property; and for years navigation interests on the Ohio River have strongly favored it.

The rapids in the river there make a dangerous situation as it is now, and when all-the-year-round navigation starts it is going to increase the danger.

Navigation interests require this lighthouse. Whenever a patriotic memorial can be combined with a work of utility I believe such combination should be made. I am advised that a memorial lighthouse is to be found on one of our northern lakes—Lake Champlain, I believe—and, in my judgment, the idea is a splendid one and should be carried out wherever possible. A nation without patriotic shrines and memorials will not endure. A nation that is neglectful of its founders and preservers will not survive. On the whole, our people have not been ungrateful or neglectful of their heroic dead. The case of glaring exception has been that of George Rogers Clark. There is now presented an opportunity to cure this neglect, and at the same time to serve a most useful public purpose without additional cost.

At the next session of Congress I hope to introduce a bill to provide for the construction of a fitting national memorial to this great hero of our Revolutionary days—the Washington of the West—and the bill may provide for a lighthouse at the falls of the Ohio River of the indicated memorial character.

Mr. Speaker, I wish to present this subject now and in this way, and I trust that at the next session the Members in the House and Senate will join in an effort to wipe out this great blot of national neglect which has so long marred our country's history. For this more than a century of monumental failure and indifference let us substitute a monument of perpetual appreciation.

OUR FOREIGN LOANS

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on foreign loans.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD on foreign loans. Is there objection?

There was no objection.

Mr. LOZIER. Mr. Speaker, I now desire to add a few observations to what I have heretofore said in relation to our frenzied foreign loan policy. Before the late war Great Britain was the financial mistress of the world. As a result of the tremendous increase in American resources and wealth during the World War the United States is now challenging the financial supremacy of Great Britain. But the American people are living in a fool's paradise if they imagine that Great Britain will, without a struggle, surrender the preeminent and commanding position that she has held for centuries in the world of finance. For us to take and hold first place in world finances involves a desperate and never ending economic battle.

However, the lavish lending of American money abroad is the source of much satisfaction to the financiers of Great Britain, who realize that by our policy of "scattering" our investments all over the world and placing the surplus American capital in frozen foreign securities we are "playing into

the hands" of Great Britain, our greatest rival for industrial, commercial, and financial supremacy in the markets of the world. I quote from a cablegram from London, recently published in the New York Journal of Commerce:

Great satisfaction is expressed in financial circles at the recent conspicuous growth in the part played by the United States in financing reconstruction in Europe. Had it not been for this development the strain on London's resources exerted by overseas borrowers might have become oppressive. Moreover the growth in America's share of the burden of European financing is the more welcome because if and when the promised trade revival develops, a big increase must be expected in the demand made on London's new capital by British trade and industry.

Of course, London financiers are gratified "at the conspicuous growth in the part played by the United States in financing reconstruction of Europe." England smiles, and smiles, and smiles, while American financiers reach their hands filled with gold across the seas, and lift the burden from the shoulders of the European financiers. And, says "John Bull," "'Uncle Sam,' if you had not come to our rescue, our burden in financing the reconstruction of Europe would have become oppressive."

Except during, and for several years after, the World War, foreigners were heavy buyers of American securities. Even in 1922 foreigners purchased $328,000,000 of American securities in American markets, while in 1923 such purchases aggregated $339,000,000. But now the European capitalist is quite satisfied to keep his money at home and let the people of the United States tie up their surplus capital in frozen, slow-maturing, long-time loans. The $4,000,000,000 of American money loaned abroad in the last six years has spread over the entire world and to every continent except Africa. Instead of our capital being concentrated and held under firm control, it is now flung to the ends of the earth.

The newspapers, on February 27, carried an announcement that Great Britain would soon apply for a loan of $100,000,000 with which to stabilize the English pound sterling, and that the Secretary of the Treasury and the Federal Reserve Board will cooperate in placing the $100,000,000 loan.

A very interesting phase of this situation is that the United States by its lavish European loans is enabling England to conserve her supplies of surplus capital so she can get the benefit of the expected trade revival throughout the world. And when this long-expected world-wide trade revival comes England will have her capital in liquid form, concentrated and available, to take advantage of the situation, while much of the surplus capital of the United States will be invested in frozen foreign securities. The more money the people of the United States invest indiscriminately in foreign securities, the less money they will have to compete with Great Britain for the markets of the world. While we are "tying up" the surplus capital of the people of the United States in long-time-nonliquid foreign securities England is accumulating and concentrating her supply of available cash with which to dominate future financial and commercial activities and drive much of our commerce from the seas and many of our commodities from the markets of the world.

The Department of Commerce informs us that our exports in 1924 were of the value of $4,588,000,000, while the value of our imports was $3,611,000,000, or an excess of exports over imports of $977,000,000. But these figures are subject to a very substantial modification in this, that the imports are valued f. o. b. their origin; that is, at their value in the foreign lands where the shipments originated. To this initial or foreign value should be added the cost of transportation from the foreign ports to the United States. With these transportation charges added, the spread between the value of our exports and imports will be very materially reduced.

But some one says that in 1924 our new foreign loans practically equaled the balance of trade in our favor. In other words, our exports exceeded our imports about $1,000,000,000, and instead of getting cash for this balance we took foreign securties, representing loans we made abroad. But the billion-dollar balance of trade was largely a paper balance.

In reality, when we take into consideration the money sent or spent abroad in 1924, the so-called trade balance of $1,000,000,000 vanishes into thin air. In 1924 the people of the United States paid foreign steamship companies more than $73,000,000 for the transportation of our passengers and commodities. The earnings of American ships when carrying imports to the United States represent purely domestic transactions, as was stated by Secretary Hoover in a bulletin issued in 1924.

American tourists spent abroad last year approximately $400,000,000 more than was spent last year by foreign tourists in the United States. Residents of the United States sent to their relatives who reside in foreign lands approximately $400,000,000 in 1924. These three items alone aggregate nearly $1,000,000,000, and wipe out the so-called favorable balance of trade.

Without taking into consideration the money we sent abroad in 1924 on foreign loans, our imports of commodities and money practically equaled our exports of commodities and money; and when we consider the amount of foreign loans made in 1924, it will be seen that we sent abroad last year money and commodities worth $1,000,000,000 more than the commodities and money we received. But for this $1,000,000,000 adverse balance, the banking interests, and investing public hold practically $1,000,000,000 worth of new foreign loans, which represent the net investment in foreign trade and foreign securities in the year 1924.

I can not escape the conviction that American financiers are overdoing the lending of American money abroad. We are pursuing a financial policy that is rapidly "tying up" our surplus capital in long-time foreign securities that are not really salable. While there may be sufficient potential value behind the major part of these loans, nevertheless many of them represent frozen or nonliquid securities, that can not ordinarily be sold readily or quickly converted into cash, which means that these billions of American dollars are withdrawn from our own land and planted abroad in long-time loans, the payment of which can not be expected until these foreign nations have passed through a period of reconstruction, extending perhaps over many years. And during this waiting period, these billions of American dollars will be working for our commercial and industrial competitors in foreign lands. And while many of these foreign loans are made to well managed concerns and are supported by valuable assets, it is also true that large quantities of poor and even fraudulent securities have been and are still being marketed in the United States, especially to small investors.

Since I began this series of addresses on our foreign loan policy, a leading New York financial journal, in a recent article, called attention to the danger of lending too much money abroad, and said:

Is there a danger at the present time that our bankers will allow themselves to run into a period of exaggerated and overinflated foreign credit extension resulting in frozen assets and difficulties of the kind which became unhappily familiar in 1921–1922?

I quote further from the same paper:

OVERSTIMULATING FOREIGN CREDIT

In these circumstances there is always danger that a mistake may be made by overstimulation of some particular trade or branch of business. Just at present such overstimulation is seen in connection with foreign demand, which is usually regarded as needing a great deal of credit support. Doubtless there is much basis for the idea that credit support is called for, particularly the development of German business. The fact that, based on loans made during January, we are now financing foreign borrowers at a rate about equal to $1,800,000,000 per annum, is in itself very significant. There are some who fear that this way of moving exports is likely to lead up to a condition of the sort which existed in 1920–21, when so sharp a reaction occurred in our trade with a good many foreign countries.

Indicative of how strongly trade in international bonds is now entrenched in Wall Street, I quote from a recent article by E. H. H. Simmons, president of the New York Stock Exchange:

Ever since 1915 a flood of foreign government bonds has been steadily absorbed by our investors, through the banking and stock exchange machinery of Wall Street. The result has been to change profoundly the character of the security market on the New York Stock Exchange. In 1914 this was almost entirely domestic in the enterprises which it represented.

To-day, listings of foreign government bonds on the exchange total several billions of dollars in value, and comprise the obligations of leading modern governments upon every continent on earth except Africa.

The lending of these tremendous sums abroad is being reflected in higher rates which penalize, not only the farmer, but those engaged in industrial and commercial pursuits who depend, in whole or in part, on borrowed capital with which to conduct their vocational activities. It is quite evident that interest rates are going higher, which means an increased burden on the American people.

The Wall Street News on February 6 said:

Bankers expect a moderate hardening in money, gradually, incident to the gold exports, extension of foreign loans, withdrawal of foreign balances, and the activities in the securities market.

And in its issue of February 12, it was stated:

Commentators on the money market continue to anticipate higher rates for funds some time in the future, and there is no end of statistics purporting to bear out the prediction.

The Continental & Commercial National Bank of Chicago recently gave out the following statement in reference to interest rates:

Further reduction of security holdings, coupled with a greater increased demand for funds, will make for distinctly higher rates.

The New York World, on February 22 said:

Bankers generally agree that the demand for money will continue to increase and that the rate will work higher.

On February 22 the Washington Herald, in an article under a New York date line, in discussing interest rates said:

The outlook is for higher money ahead as business expands, and it is expected that this stage will shortly be reached.

I now quote from the New York Journal of Commerce:

It is pointed out in the financial disrtict that if local money rates stiffen sterling will probably go lower. While officials of some of the big Wall Street banks think that interest rates will display a firmer trend before long they feel that it may be another month or two before call and time money move up to any extent. Meanwhile it is believed in the best quarters that additional foreign loans will be floated in this market in the early future.

FOREIGN BORROWING

One authority says in part: "The outflow of gold continues at the high rate of January * * *. Europe, Canada, and Argentina may likely borrow $100,000,000 here before end of this month.

I also read from a recent issue of the Washington Post:

INTEREST RATES SAID TO BE TURNING UPWARD

The sagging tendency of Liberty bonds indicates that interest rates have seen their lowest level for the present business cycle, according to an editorial in the American Banker.

"One recent development, however, demands the careful attention of bankers generally—the sagging tendency of Liberty bonds," says the editorial. "This has been variously interpreted as marking the crest of the rise in gilt-edged bonds and consequently the bottom of low short-term money rates, as the sign of extensive liquidation by banks in preparation for larger commercial loans in the future. * * *

"Whatever may be the truth in these several theories, one thing seems certain—interest rates have seen their lowest level. The question now remains—how soon will a general rise in rates occur?"

I quote from the Washington Star of February 15:

The money market is being watched with more than ordinary concern because many think that the period of very low interest rates is over. If this is true, then bond values and investment values generally have seen the top.

The Federal Reserve Board recently advanced the rediscount rate, which Mr. Harvey's Washington Post, on March 1, said was a "perfunctory step to meet higher market price of money." With millions of surplus capital in the United States, interest rates would be going down instead of going up, if it were not for the frenzied foreign-loan policy now and for several years past followed by the great banking interests of this Nation.

During the week ending February 5, the offerings of new loans on the New York City market were as follows:

14 State and municipal issues	$7,601,750
3 railroad issues	17,675,000
3 land-bank issues	3,750,000
2 industrial issues	15,250,000
3 public-utility issues	82,000,000
Total domestic bond issues	126,276,750
4 foreign bond issues	74,000,000
Total domestic and foreign bond issues for the week	200,276,750

That is, for the week ending February 5, the new offerings of domestic bonds aggregated 63 per cent of the total, and new offerings of foreign bonds aggregated 37 per cent of the total. No one will deny that the 14 States and municipalities had to pay a higher rate of interest on their bonds because of the competition of these four foreign bond issues. The three railroads that went into the market last week to borrow $17,675,000 had to pay a higher interest rate than would have been demanded had not the market been flooded with foreign bonds bearing high rates of interest. The three land banks that offered their 5 per cent farm loan bonds for sale had to compete with 4½ per cent British Columbia and Canadian National Railway bonds. The 5 per cent and 5½ per cent bonds of the three public utilities corporations had to compete with foreign bonds, some of which carried an interest rate of only 4½ per cent. In other words, British Columbia and Canadian bonds are selling in American markets to American investors on a 4½ per cent interest basis, while the bonds of American utilities corporations, like the Kansas City Power & Light Co., New York Edison Co., and Consolidated Gas Co., sell in the same American markets to American investors to yield from 5 to 5½ per cent.

Obviously, Americans could borrow American money at a much lower rate of interest, if our international money changers were not so eager to invest our surplus capital in foreign securities.

This is the fifth of a series of remarks by me on the foreign-loan policy of our masters of finance. I have endeavored to show the supreme folly of the present lavish lending of American money abroad. I have shown that this policy is withdrawing billions of dollars of American money from the domestic channels of trade and commerce, resulting in a reduction of capital for domestic loans and productive purposes, which inevitably means higher interest rates, less profit, and less money for domestic vocational activities. This has become a paramount issue in the political and economic life of our Nation.

I notice some Members of the Senate, in the last few days, are showing symptoms of being very much concerned over the excessive amounts of foreign securities being marketed in the United States. For weeks I have been stressing the vital importance of this question, and I hope what I have said may quicken the public conscience and enlist the energies of our great financiers in correcting existing abuses, and in restraining, within reasonable limits, the flow of American money abroad.

Our American bankers and financiers should "apply the brakes" on foreign loans, to the end that American capital may be devoted primarily to the service of the American people. Only by following such a policy can the welfare of this Nation be promoted.

During this series of discussions I stated at one time that many of these foreign loans have been negotiated with the express approval of the State Department. Before the adjournment of the present session I will submit data conclusively establishing the accuracy of that statement.

BRIDGE BILLS

Mr. BLANTON. Mr. Speaker, there are several things of importance in the District appropriation bill which ought to be discussed and I renew the point of no quorum.

The SPEAKER. If the Chair should take up first some bridge bills would the gentleman agree to withhold the point of no quorum?

Mr. BLANTON. Certainly, Mr. Speaker, I withhold the point of order that there is no quorum present.

The SPEAKER. The Consent Calendar will be taken up for consideration, so far as bridge bills are concerned, and the Clerk will call them in their order.

BRIDGE ACROSS MISSISSIPPI RIVER, HENNPIN AND RAMSEY COUNTIES, MINN.

The first bridge bill on the Consent Calendar was the bill (H. R. 12344) to extend the time for the commencement and completion of the bridge of the Valley Transfer Railway Co., a corporation, across the Mississippi River in the State of Minnesota.

The Clerk read 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 the times for commencing and completing the construction of the bridge of the Valley Transfer Railway Co., a corporation, authorized by act of Congress, approved January 30, 1924, to be built across the Mississippi River at a point suitable to the interests of navigation, are hereby extended one and three years, respectively, from the date hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 7, strike out "at a point suitable to the interests of navigation," and insert "between Hennepin and Ramsey Counties, Minn.," and on page 2, line 1, after the "date," insert the words "of approval."

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BRIDGE ACROSS FOX RIVER, ILL.

The next bridge bill in order was the bill (H. R. 12374) granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, Ill., to construct, maintain, and operate a bridge across the Fox River.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway commissioner of the town of Elgin, situated in the county of Kane and State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across the Fox River in substantially a direct line, connecting State Street on the east side of the river with Main Street on the west side of the 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. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 7, after the word "river," insert "at a point suitable to the interests of navigation."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BRIDGE ACROSS RED RIVER OF THE NORTH, MINN.

The next bridge bill in order was the bill (H. R. 12376) to extend the time for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States.

The Clerk read 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 the times for commencing and completing the construction of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, authorized by act of Congress, approved July 1, 1922, to be built across the Red River of the North on the boundary line between said States at a point suitable to the interests of navigation, are hereby extended one and three years, respectively, from the date hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 3, after the word "States," strike out the words "at a point suitable to the interests of navigation"; and on line 5, after the word "date," insert the words "of approval."

The committee amendments were agreed to, and the bill as amended 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 to extend the times for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States."

BRIDGE ACROSS SANTEE RIVER, S. C.

The next bridge bill in order was the bill (S. 4209) to authorize the building of a bridge across the Santee River.

The Clerk read the title of the bill.

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

Mr. KENT. Mr. Speaker, I object.

The SPEAKER. Will the gentleman state to the Chair, either publicly or privately, his reason for objecting to this bill?

Mr. KENT. Mr. Speaker, I object.

The SPEAKER. If that is all, the Chair will recognize the gentleman from South Carolina to move to suspend the rules and pass the bill.

Mr. FULMER. Mr. Speaker, I move to suspend the rules and pass the bill.

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

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. Evidently there is not.

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

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was directed to bring in absent Members and the Clerk to call the roll.

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

[Roll No. 95]

Anderson	Fish	Logan	Rosenbloom
Anthony	Fredericks	Lyon	Salmon
Barkley	Free	McDuffie	Schafer
Bell	Fulbright	McLeod	Schall
Bixler	Gallivan	McNulty	Sherwood
Brand, Ohio	Gambrill	Michaelson	Sites
Britten	Garner, Tex.	Mills	Smithwick
Browne, N. J.	Graham	Moore, Ill.	Snyder
Browne, Wis.	Greenwood	Moore, Ohio	Sproul, Ill.
Buckley	Griffin	Morin	Sullivan
Butler	Hall	Morris	Sweet
Byrnes, S. C.	Hawes	Nolan	Swoope
Carew	Hooker	O'Brien	Taylor, Colo.
Casey	Hull, Tenn.	O'Sullivan	Tinkham
Celler	Hull, Morton D.	Oliver, Ala.	Tucker
Clancy	Humphreys	Paige	Tydings
Clark, Fla.	Jost	Parker	Vare
Cole, Ohio	Keller	Peavey	Wainwright
Connolly, Pa.	Kendall	Perkins	Ward, N. Y.
Croll	Kiess	Perlman	Watson
Cummings	Kindred	Phillips	Welsh
Curry	Kunz	Pou	Wertz
Dempsey	Lampert	Prall	Williams, Tex.
Dickstein	Langley	Quayle	Winter
Dominick	Lankford	Ransley	Wolff
Doyle	Larson, Minn.	Reed, Ark.	Wood
Eagan	Lea, Calif.	Reed, W. Va.	Wurzbach
Edmonds	Lee, Ga.	Roach	
Favrot	Lilly	Rogers, Mass.	

The SPEAKER. Three hundred and seventeen Members have answered to their names. A quorum is present.

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

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The gentleman from South Carolina moves to suspend the rules and pass a bill which the Clerk will report.

BRIDGE ACROSS THE SANTEE RIVER

The Clerk read as follows:

An act (S. 4209) to authorize the building of a bridge across the Santee River in South Carolina.

The SPEAKER. Is there objection to the present consideration of this bill

Mr. KENT. Mr. Speaker, I had objected to this bill and a few others, but several gentlemen have convinced me of the merit of these measures, and I shall not object to any of them.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Santee River at a point suitable to the interests of navigation, at or near a point known as Pinckneys Landing, between the counties of Clarendon and Orangeburg, S. C., 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. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Clerk read as follows:

Line 7, after the word "near," strike out "a point known as Pinckneys Landing" and insert "the mouth of Poplar."

The amendment was agreed to.

The bill was ordered to be read the third time; was read the third time, and passed.

BRIDGE ACROSS THE CONGAREE RIVER, S. C.

The next bridge bill was the bill (S. 4210) to authorize the building of a bridge across the Congaree River in South Carolina.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and op-

erate a highway bridge and approaches thereto across the Congaree River at a point suitable to the interests of navigation at or near the city of Columbia, between the counties of Richland and Lexington, S. C., 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.

The bill was ordered to be read the third time, was read the third time, and passed.

Mr. STEVENSON. Mr. Speaker, I call up the bill (S. 4211) to authorize the building of a bridge across the Catawba River, S. C.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Catawba River at a point suitable to the interests of navigation at or near the town of Fort Lawn, between the counties of Chester and Lancaster, S. C., 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.

The bill was ordered to be read the third time, was read the third time, and passed.

BRIDGE ACROSS BROAD RIVER, S. C.

Mr. STEVENSON. Mr. Speaker, I call up the bill, S. 4212, a companion bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 4212) to authorize the building of a bridge across the Broad River in South Carolina.

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

The Clerk read as follows:

Be it enacted, etc., That the State highway department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Broad River at a point suitable to the interests of navigation at or near a point known as Strothers Ferry, between the counties of Newberry and Fairfield, S. C., 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.

The bill was ordered to be read the third time; was read the third time, and passed.

BRIDGE ACROSS THE SANTEE RIVER, S. C.

The next bridge bill was the bill (S. 4213) to authorize the building of a bridge across the Santee River in South Carolina.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the State highway department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Santee River at a point suitable to the interests of navigation, at or near a point known as St. James Ferry, between the counties of Georgetown and Charleston, S. C., 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.

The bill was ordered to be read the third time; was read the third time, and passed.

BRIDGE ACROSS THE SAVANNAH RIVER

The next bridge bill was the bill (S. 4214) to authorize the building of a bridge across the Savannah River, between South Carolina and Georgia.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the State highway department of South Carolina and the State highway department of Georgia be, and are hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation at or near the point where the Seaboard Air Line Railway now crosses, between the counties of Abbeville, S. C., and Elbert, 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.

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

On motion of Mr. CHINDBLOM a motion to reconsider the vote by which the several bills were passed was laid on the table.

CONFERENCE REPORT DISTRICT OF COLUMBIA APPROPRIATION BILL

The SPEAKER. The Chair will state before proceeding with bridge bills on the calendar the Chair will take up the District of Columbia conference report.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The Clerk will report the conference report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "$90,774, including compensation in accordance with the classification act of 1923 for two additional judges and such other court employees, within the limit of available funds, as the court may determine to be necessary, and of said sum $6,530 shall be available immediately: *Provided*, That in addition to the sums hereinafter appropriated for the expenses of said court and for any of said purposes there is further appropriated the sum of $22,800, of which $12,600 shall be available immediately"; and the Senate agree to the same.

C. R. DAVIS,
FRANK H. FUNK,
W. A. AYRES,
Managers on the part of the House.

L. C. PHIPPS,
W. L. JONES,
L. HEISLER BALL,
CARTER GLASS,
M. SHEPPARD,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On No. 1: Fixes the amount of Federal contribution at $9,000,000, as proposed by the House, instead of $11,000,000, as proposed by the Senate.

On No. 28: Restores such portion of the matter stricken out by the Senate dealing with the police court and the traffic situation as is necessary to provide for the compensation of two additional judges and necessary court employees, leaving the appropriation at $113,574, as proposed by the House.

On No. 46: Strikes out the matter inserted by the House with respect to the District estimates for the fiscal year 1927, as proposed by the Senate.

C. R. DAVIS,
FRANK H. FUNK,
W. A. AYRES,
Managers on the part of the House.

Mr. DAVIS of Minnesota. Mr. Speaker, this is a complete agreement on the District of Columbia appropriation bill. [Applause.] The main point at issue has been the amount which the Federal Government should bear. The Senate has receded and as agreed to the bill provides that the Government shall contribute $9,000,000 as proposed by the House, instead of $11,000,000 as proposed by the Senate. [Applause.] As finally agreed to the bill carries $21,827,797.

Now, Mr. Speaker, before moving the previous question on the adoption of the conference report I yield three minutes to the gentleman from Texas [Mr BLANTON].

Mr. BLANTON. Mr. Speaker, whenever you find a complete agreement between the House and the Senate on the District of Columbia appropriation bill you had better look out. It is true that they have agreed upon the so-called $9,000,000 lump sum in this bill to come out of the Federal Treasury, but if you look into the matter you will find out that the District gets, in addition to that, several millions of dollars extra from other sources which heretofore have been prorated between the Federal Government and the District, and now the District gets the benefit of it all. In addition to the $31,827,797 that is given the District in this bill, the Congress ought to know that in the deficiency bill the District gets $3,643,911.49 more. Of that, $2,631,500 is purported to come out of the so-called surplus, but in addition to that there is the sum of $1,012,111.49 that is handed to the District which does not come out of any surplus.

Now the taxpayers of the Government ought to know these facts, and whenever they do find out exactly what is being done for Washingtonians, Congress will be condemned for its action in this matter.

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Minnesota moves the previous question on the adoption of the conference report.

The previous question was ordered.

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

The conference report was agreed to.

HOUSE OFFICE BUILDING COMMISSION

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House Joint Resolution 382

Joint resolution (H. J. Res. 382) empowering the Speaker of the House of Representatives to appoint a Member elect of the Sixty-ninth Congress as a member of the commission in control of the House Office Building

Resolved, etc., That the Speaker of the House of Representatives of the Sixty-eighth Congress is hereby empowered to appoint a Member elect of the House of Representatives to the Sixty-ninth Congress as a member of the Commission in Control of the House Office Building until the election of the Speaker of the House of Representatives of the Sixty-ninth Congress.

Mr. GARRETT of Tennessee. Mr. Speaker, under the terms of the statute touching the House Office Building Commission the Speaker, as Speaker, is a member of the commission. The statute reads that he shall serve until his successor is elected, or until his term as Representative in the Congress expires. Now, it so happens that the term of the present Speaker of the House of Representatives will expire on March 4, and in that case, in the absence of a resolution of this nature, the commission will not be complete. It is for that reason that I ask unanimous consent for the present consideration of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

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

LANDS IN KOOTENAI COUNTY, IDAHO

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11067) to provide for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho, which passed the Senate with a small amendment, and ask to concur in the Senate amendment.

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

The Clerk read as follows:

A bill (H. R. 11067) to provide for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

IDA FEY

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2646, with a slight Senate amendment, and ask to concur in the Senate amendment.

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

The Clerk read as follows:

A bill (H. R. 2646) for the relief of Ida Fey.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

EDWARD R. WILSON

Mr. BACON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House bill 5637, with Senate amendments, and concur in the Senate amendments.

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

The Clerk read as follows:

A bill (H. R. 5637) for the relief of Edward R. Wilson, lieutenant commander, Supply Corps, United States Navy.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

GRANTING LAND TO THE STATE OF WASHINGTON FOR PARK PURPOSES

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10770, with a Senate amendment, and concur in the Senate amendment.

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

The Clerk read as follows:

A bill (H. R. 10770) granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

FRANCIS KELLY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take up House bill 9846, with a Senate amendment, and move to concur in the Senate amendment.

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

The Clerk read as follows:

A bill (H. R. 9846) for the relief of Francis Kelly.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

THE CHILD LABOR AMENDMENT

Mr. JACOBSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the child labor amendment.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the child labor amendment. Is there objection?

There was no objection.

THE SHEPHERD'S BOY

Mr. JACOBSTEIN. Mr. Speaker, the shepherd's boy, being a kind of smart-Aleck and mischievous, had a trick of hiding behind a tree and shouting out "Wolf! Wolf!" The farmers at work in the fields would come running to save their sheep and then the shepherd's boy would say with a silly and malicious grin, "I fooled you that time, didn't I?" Now, this naturally riled the farmers very much, so one day when they heard the boy cry "Wolf! Wolf!" they just went on with their work; but this time there really was a wolf and their sheep were eaten up.

MORAL: The shepherd's boy should have been fired the first time he gave a false alarm. (From Æsop's Fables, by F. Opper, with apologies.)

FALSE BRANDING

Two months ago, at the suggestion of President Coolidge, a bill was drafted to establish a rent commission for the District of Columbia. Immediately the cry went up that this was socialistic legislation. Imagine the President recommending, directly or indirectly, socialistic legislation! Here are some typical letters which I received attacking this rent commission bill:

You are respectfully urged to oppose measure introduced by both Houses of Congress establishing a commission to regulate rents in District of Columbia. We believe this a radical and un-American measure; that the law of supply and demand will establish fair rental values in Washington as elsewhere. (From a real estate operator.)

Mere words can not adequately voice the opposition which the above measure (District of Columbia Rent Commission) has caused among intelligent people in general, especially property owners involved. It is unbelievable to think that any member of so honored a body could possibly introduce a bill so radical, so drastic, so rigorous and so harmful to realty investors. You undoubtedly know how it is loathed, detested, and disliked by the real property owners over the entire country. (From a realty corporation.)

The recent radical bill introduced by Senator BALL, of Delaware, and Congressman REED of West Virginia, relative to establishing a permanent commission to regulate rents within the District of Columbia, is an un-American measure; and if such a measure becomes a law, it would be liable to affect other sections of the United States. (From an insurance company.)

We, as Americans, feel that this is a very radical and unjust bill; and if applicable or applied to the District of Columbia, the States in turn would make similar laws which would be very detrimental to the owners of rentable property. (From an engineers' equipment company.)

On the other hand, only within the last two weeks, the President himself has criticized the Federal inheritance tax as savoring of socialism. This notwithstanding the fact that those who were responsible for its enactment were individualistic personalities hostile to socialism and that this form of taxation has been in operation in many States for many years.

This method of attaching questionable labels to both persons and policies is becoming so common that it deserves careful investigation and exposure. It is an appeal to the prejudices and passions rather than the intelligence of the people. It seeks to crystallize opposition through the herd instinct rather than by a dispassionate consideration of the merits of the question at issue.

MISBRANDING THE TWENTIETH AMENDMENT

Nowhere has this method been better illustrated than in the conduct of the propaganda which has led apparently to the temporary defeat of the twentieth—child labor—amendment to the Constitution.

It is not my purpose to argue for or against this amendment. I am personally not so much disturbed by its temporary defeat as I am alarmed by the methods employed to accomplish this rejection. I shall confine my criticism to just one form of misrepresentation in this propaganda. I refer specifically to that type of statement which tried to stamp this amendment with the brand of Bolshevism, to discredit this humanitarian movement in behalf of the youth of the Nation, and brand its promoters and indorsers as dangerous "reds," radical "reds," and revolutionary Bolsheviks. In illustration of this type of misrepresentation I shall quote a few excerpts from various publications:

This proposed amendment is fathered by socialists, communists, and Bolshevists. They look forward to its adoption as giving them the power to nationalize the children of the land and bring about in this country the exact conditions which prevail in Russia. This amendment would be the greatest thing ever done in America in behalf of the activities of hell. It would make millions of young people under 18 years of age idlers in brain and body. * * * (Manufacturers' Record, September 4, 1924.)

A clever socialistic scheme to place the youth of the land so far as their education, recreations, employments, etc., are concerned in the hands of a centralized Federal bureau directed by socialistic influences. (New York Commercial—the articles in the New York Commercial are found in a department headed "The Seachlight," and the material is widely used in newspapers throughout the country—December 13, 1924.)

The proposal is socialistic in its origin, philosophy, and associations. (James A. Emory, general counsel National Association of Manufacturers: "An examination of the proposed twentieth amendment to the Constitution of the United States.")

A purely socialistic measure, designed to cripple American institutions. (New York Commercial, December 1, 1924.)

It is another step toward the Russian soviet, and recent discoveries indicate a close relationship between the plan and that which prevails in Moscow.

The framers and workers for the resolution while the matter was under consideration were in touch with the communists, and every move was reported to Russian headquarters. (Jacksonville (Fla.) Times Union, July 27, 1924.)

This so-called child labor amendment is headed and promoted by socialists, and it originated in Moscow. (Quoted from Ottumwa (Iowa) Courier in New York Commercial, January 10, 1925.)

Senator KING had never heard of this child labor bill until he was told about it in Russia (in September, 1923), which was six months before it was introduced in the United States Congress. (Quoted from Ottumwa (Iowa) Courier in New York Commercial, January 10, 1925.)

The proposed amendment has for its purpose the destruction of home government. * * * This Russian movement. (B. H. Barger, president of Virginia Farm Bureau, quoted in New York Commercial, October 16, 1924.)

That the framers of the bill and chief promoters are communists, socialists, and that some are directly in communication with Moscow and the detestable policies of Lenin and Trotski are proven in plain language and facts, referring to the Woman Patriot petition. (Jacksonville (Fla.) Times Union, July 30, 1924.)

While there is no chance of the twentieth or so-called "child labor" amendment passing at the present time, a constant fight will be made for this amendment by the socialists, the communists, and their emotional dupes. To prevent its being put over by these people, it would be necessary constantly to fight against it and to be always on the watch, even though those who consider it fairly on its merits see how thoroughly vicious it is, and even though the communists and left-wing socialists openly favor it as a step toward socialism and the criminal element in union labor as a step toward further power for themselves, with consequent greater ability to enslave their followers. After a few more rejections, its repeal ought not to be a matter of great difficulty and would save a constant struggle against communists and the criminal element, who wish to use it as a stepping stone toward their own unpatriotic ends. (National Founders' Association, February 26, 1925.)

This unfair, unjust, and un-American method of discrediting a proposition through misrepresentation arises in some instances from ignorance, but is frequently prompted by a cunning and malicious self-interest, which is determined to accomplish its end by fair means or foul.

MADE IN AMERICA

It has been seriously but grotesquely charged that the child labor amendment was conceived and promoted in Bolshevik Rus-

sia for the purpose of undermining American institutions. But it should be noted that the movement for child labor regulation by the States antedates the Russian revolution by nearly half a century. Proposals for and advocacy of Federal control of child labor began 40 years ago. In 1884 and again in 1890 the American Federation of Labor went on record as in favor of a Federal child labor amendment; in 1906 Senators Beveridge and Lodge introduced bills in Congress for Federal regulation of child labor; in 1913 the Republican Party of Massachusetts favored a Federal amendment on the subject of hours of labor and minimum age; in 1914 Representative ROGERS, of Massachusetts, introduced a resolution for an amendment permitting Congress to regulate child labor; in 1916, after 10 years' effort, the first Federal child labor law was enacted; all this before the Bolshevists came into prominence and in control of the Russian Government.

How widespread and how American in origin was this child labor amendment is evidenced from the fact that child labor constitutional amendments were introduced in the Sixty-seventh and Sixty-eighth Congresses by the following Senators and Congressmen:

Senator Lodge, of Massachusetts, Republican.
Senator JOHNSON, of California, Republican.
Senator SHORTRIDGE, of California, Republican.
Senator WHEELER, of Montana, Democrat and Progressive.
Representative CONNERY, of Massachusetts, Democrat.
Representative COOPER, of Wisconsin, Progressive Republican.
Representative DALLINGER, of Massachusetts, Republican.
Representative FITZGERALD, of Ohio, Republican.
Representative FROTHINGHAM, of Massachusetts, Republican.
Representative Greene, of Massachusetts, Republican.
Representative HAYDEN, of Arizona, Democrat.
Representative JOHNSON, of Washington, Republican.
Representative LINEBERGER, of California, Republican.
Representative LOZIER, of Missouri, Democrat.
Representative MOORE, of Ohio, Republican.
Representative NOLAN, of California, Republican.
Representative PERLMAN, of New York, Republican.
Representative RAKER, of California, Democrat.
Representative ROGERS, of Massachusetts, Republican.
Representative TAGUE, of Massachusetts, Democrat.
Representative TAYLOR, of Colorado, Democrat.
Representative THOMPSON, of Ohio, Republican.
Representative VOIGT, of Wisconsin, Progressive Republican.

It has been indorsed by 63 Senators and 319 Congressmen.

This child-labor amendment was conceived and "made in America." President Wilson enthusiastically signed two bills for Federal legislation on child labor. The amendment conferring authority on Congress was indorsed by President Harding in his message of December 8, 1922, when he said:

I recommend the submission of such an amendment (child labor).

It has been indorsed by President Coolidge. In his speech of acceptance August 14, 1924, he said:

Our different States have had different standards, or no standards at all, for child labor. The Congress should have authority to provide a uniform law applicable to the whole Nation which will protect childhood. Our country can not afford to let anyone live off the earnings of its youth of tender years. Their places are not in the factory but in the school, that the men and women of to-morrow may reach a higher state of existence and the Nation a higher standard of citizenship.

And in his message to Congress on December 6, 1923, President Coolidge said:

For purposes of national uniformity we ought to provide, by constitutional amendment and appropriate legislation, for a limitation of child labor.

SPONSORED BY AMERICAN LEADERS OF THOUGHT

This humanitarian legislation is sponsored by most of the moral and religious leaders of the country. It has been indorsed by the most representative American organizations. It has been championed by our most virile American Senators, of whom Senator PEPPER of Pennsylvania and Senator WALSH of Montana are types. It was urged upon the American people by the conservative labor leader, Samuel Gompers. It was heartily indorsed and advocated by Father John A. Ryan, professor of moral philosophy at the Catholic University, Washington, D. C., as well as by Maud Wood Park, the first president of the League of Women Voters.

A large number of these well-informed American men and women, working in various social and religious fields, have expressed themselves as convinced of the soundness and wisdom of this particular legislation and in refutation of the erroneous charges made against it. These men and women have no selfish interest to serve, no profit to gain, through their advocacy of this child-labor amendment. Some of their statements appear in the Appendix. The mere recital of the names and affiliations of the authors is the clearest refutation of the charge that this amendment is un-American. Here is a partial list:

ECONOMISTS, POLITICAL SCIENTISTS, HISTORIANS, AND SOCIOLOGISTS

Wesley C. Mitchell, president American Economic Association; professor of economics, Columbia University.

Charles E. Merriam, president American Political Association; professor of political science, University of Chicago.

Charles A. Ellwood, president American Sociological Society; professor of sociology, University of Missouri.

Frank W. Taussig, professor of economics, Harvard University.

O. C. Ault, professor of economics, George Peabody College for Teachers (Tennessee).

Harry E. Barnes, professor of history and sociology, Smith College (Massachusetts).

Abraham Berglund, professor of economics, University of Virginia.

Emory S. Bogardus, head department of sociology, University of Southern California.

Paul F. Brissenden, assistant professor of economics, Columbia University.

Lucius M. Bristol, department of economics and sociology, University of Florida.

Morris A. Copeland, assistant professor of economics, Cornell University.

Stuart Daggett, dean College of Commerce, University of California.

Jerome Davis, professor of sociology, Divinity School, Yale University.

Frederick G. Detweiler, professor of sociology, Denison University (Ohio).

Paul H. Douglas, professor of economics, Amherst College (Massachusetts).

Seba Ethridge, associate professor of sociology, University of Kansas.

John A. Fitch, director of industrial courses, New York School of Social Work.

J. O. Geiver, professor of economics, University of Wisconsin.

S. C. Gilfillan, instructor in sociology and economics, Grinnell College (Iowa).

J. M. Gillette, head department of sociology, University of North Dakota.

John C. Granbery, professor of sociology and economics, Southwestern University (Texas).

Charles A. Gulick, instructor in economics, Columbia University.

Albert Bushnell Hart, professor of history, Harvard University.

Hastings H. Hart, consultant in delinquency and penology, Russell Sage Foundation.

C. Walker Hayes, assistant professor of economics and sociology, State University of Montana.

I. W. Howerth, head of department of social sciences, Colorado State Teachers' College.

Eliot Jones, professor of economics, University of Illinois.

Lester M. Jones, department of economics and sociology, Morningside College (Iowa).

Frank H. Knight, professor of economics, University of Iowa.

Daniel H. Kulp, professor of educational psychology, Teachers' College, Columbia University.

Margaret M. Lothrop, professor of economics, Stanford University (California).

Thomas S. Luck, assistant professor of economics, Indiana University.

George A. Lundberg, department of sociology, University of Washington.

J. D. Magee, professor of economics, New York University.

Cecil C. North, professor of sociology, Ohio State University.

Ernest M. Patterson, Wharton School of Finance and Commerce, University of Pennsylvania.

Bertha Haven Putnam, department of history and political science, Mount Holyoke College (Massachusetts).

E. A. Ross, professor of sociology, University of Wisconsin.

Paul R. Stevick, professor of economics, Morningside College (Iowa).

Frederic M. Thrasher, professor of economics and sociology, Illinois Wesleyan University.

Wilson D. Wallis, associate professor of anthropology, University of Minnesota.

Frank D. Watson, head department of economics and sociology, Haverford College (Pennsylvania).

Rev. Lambert Weckwerth, St. John's College, Collegeville, Minn.

Edward Wiest, head department of economics and sociology, University of Kentucky.

Erle F. Young, assistant professor of sociology, University of Southern California.

AGRICULTURAL ECONOMISTS

Kenyon L. Butterfield, president Michigan Agricultural College.

Benjamin H. Hibbard, head department of agricultural economics, University of Wisconsin.

Bruce L. Melvin, department of rural social organization, New York State College of Agriculture, Cornell University.

R. Clyde White, associate professor of rural institutions, Agricultural and Mechanical College of Texas.

ECONOMISTS IN INDUSTRY

N. I. Stone, general manager Hickey-Freeman Co., Rochester, N. Y.

W. M. Leiserson, chairman board of arbitration of Men's Clothing Industry, Chicago market.

EDUCATORS

John G. Almack, department of education, Stanford University (California).

C. H. Fernald, professor of education, University of Illinois.

Clyde B. Moore, head department of history and principles of education, University of Pittsburgh.

John H. Finley, formerly commissioner of education and president of the University of the State of New York.

Carl C. Taylor, dean of North Carolina State College.

LAW SCHOOL DEANS AND PROFESSORS

Henry M. Bates, dean of University of Michigan Law School.

J. P. Chamberlain, professor, Columbia Law School.

Ernst Freand, professor of law and political science, University of Chicago.

M. R. Kirkwood, dean of Stanford University Law School.

William Draper Lewis, formerly dean University of Pennsylvania Law School; now director American Law Institute.

Roscoe Pound, dean of Harvard Law School.

Charles J. Turck, dean College of Law, University of Kentucky.

Mrs. Rose Fall Bres, president National Association of Women Lawyers.

INDORSED BY AMERICAN RELIGIOUS LEADERS

The absurdity of charging the twentieth amendment with European origin and Bolshevik character is demonstrated by a survey of some of the religious organizations and individuals representing religious groups of the United States who have gone on record in favor of the amendment:

PROMINENT RELIGIOUS GROUPS AND LEADERS WHO FAVOR THE CHILD-LABOR AMENDMENT

Commission on the Church and Social Service of the Federal Council of Churches of Christ in America.

National Board of the Young Women's Christian Association.

Girls' Friendly Society in America.

National Council of Catholic Women.

National Council of Jewish Women.

National Union Evangelical Women.

Women's Board of Home Missions.

Women's Missionary Council of M. E. Church.

Central Conference of American Rabbis.

Iowa State Executive Committee of the Christian Endeavor Society.

Colorado Catholic Daughters of America.

Des Moines Ministerial Association.

Women's Catholic Order of Foresters.

Rev. Hubert Herring, head of the educational department of the Congregational Church.

Bishop Edwin H. Hughes, of the Chicago area of the Methodist Episcopal Church.

Dr. L. E. Luccock, contributing editor of the Methodist Episcopal Church papers.

Rev. Dr. Robert E. Speer, senior secretary of the Presbyterian Board of Foreign Missions.

Bishop W. O. Shepherd, Portland, Oreg.

Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church.

Mrs. May Leonard Woodruff, corresponding secretary of the Woman's Home Missionary Society of the Methodist Episcopal Church.

Mrs. Wilbur P. Thirkfield, president of the Woman's Home Missionary Society of the Methodist Episcopal Church.

Rev. Dr. M. S. Kneeland, chairman of the committee on moral welfare of the New England Synod of the Presbyterian Church.

Fred L. Smith, chairman of the committee on industrial relations of the Massachusetts Federation of Churches.

Rabbi Stephen S. Wise, New York.

Greater Boston Federation of Churches.

Boise (Idaho) Ministerial Association.

Nebraska Catholic Daughters of America.

Social service committee of the Rochester Federation of Churches.

Dr. Felix Adler, Society for Ethical Culture, New York.

Dayton (Ohio) Ministerial Association.

Butler County (Ohio) Ministerial Alliance.

Medford (Oreg.) Ministerial Association.

Pittsburgh Conference Woman's Home Missionary Society of the Methodist Episcopal Church.

Alliance of Unitarian and other Christian Women, Salt Lake City.

Eastern Synod of the Reformed Church.

Ohio Conference of the Methodist Protestant Church.

Ohio Council of Churches.

Athens County (Ohio) Council of Churches.

New York District of the German Evangelical Church.

New Hampshire Council of Religious Education.

Manchester (N. H.) Ministerial Association.

Diocesan Council of Catholic Women of Seattle.

Seattle Council of Churches.

Spokane Ministerial Association.

Federated Church Women of Milwaukee County.

NATIONAL ORGANIZATIONS SPONSORING THIS LEGISLATION

Add to this the list of national social welfare organizations sponsoring this legislation and the Bolshevik charge becomes still more ridiculous:

American Association of University Women.
American Federation of Labor.
American Federation of Teachers.
American Home Economics Association.
American Nurses' Association.
General Federation of Women's Clubs.
Ladies of the Maccabees.
Medical Women's National Association.
National Child Labor Committee.
National Consumers' League.
National Council of Women.
National Congress of Parents and Teachers.
National Education Association.
National Federation of Business and Professional Women's Clubs.
National League of Women Voters.
National Woman's Christian Temperance Union.
National Women's Trade Union League.
Service Star Legion.

The following governors were among those who urged their State legislatures to ratify this constitutional amendment:

STATE GOVERNORS

G. W. P. Hunt, Democrat, Governor of Arizona.
F. W. Richardson, Republican, Governor of California.
Ed. Jackson, Republican, Governor of Indiana.
John Hammill, Republican, Governor of Iowa.
Ralph O. Brewster, Republican, Governor of Maine.
J. E. Erickson, Democrat, Governor of Montana.
J. C. Scrugham, Democrat, Governor of Nevada.
John G. Winant, Republican, Governor of New Hampshire.
A. T. Hannett, Democrat, Governor of New Mexico.
Alfred E. Smith, Democrat, Governor of New York.
John J. Blaine, Republican, Governor of Wisconsin.
Nellie T. Ross, Democrat, Governor of Wyoming.

LET US APPEAL TO REASON

Nothing is more important for the preservation of our American institutions than an intelligent public opinion. So long as the channels of free speech and a free press are open and are used for the dissemination of real facts and honest opinions, no lasting evils can befall our institutions.

I am not charging that the temporary setback of the child labor amendment has been due solely to these misrepresentations, nor am I inferring that it would not have been temporarily defeated if there had been no misrepresentations. What I am charging is that there has been a vast amount of distortion of facts with an appeal to prejudice, the exact influence of which it is difficult to measure, but the force of which everyone must realize.

With this, as with other great questions affecting American life and American institutions, to forward or to block the adoption of a piece of legislation by a distortion of the facts will do more damage than the adoption of a bad piece of legislation. More harm can come to our American institutions from the use of unethical and unfair methods than from the adoption of bad legislation. Unwise legislation can be repealed, but the evil effects of falsified facts and the resort to unfair methods for the molding of public opinion is dangerous to and subversive of our democratic institutions.

Some day the wolf may come. But the cry of danger and false alarm having been heard so often and so deceptively, the American people will then be deaf to the appeal for help when there is real danger. Let us fight fair! Let us fight in the open! Let us be done with these unworthy tactics!

APPENDIX

Opinions of economists, political scientists, historians, and sociologists regarding the child labor amendment

Wesley C. Mitchell, president of American Economics Association and professor of economics, Columbia University:

"I support most cordially and without reservation the proposed child labor amendment. The objections to this measure which are being used by interested parties seem to me obviously arranged to divert attention from the real issues. Certainly no fair-minded person will see anything socialistic in the child labor amendment unless he believes that all legislation for promoting social welfare deserves that adjective. Nor will any sane citizen worry about the dangerous extent of the power thus given to Congress. Of course, Congress has it in its power to pass much detrimental legislation. Whenever any law proves unsatisfactory in its workings, Congress repeals it either of its own initiative or as a result of pressure which the public brings. As for the State control of education, I do not see that it is inimically affected by the proposed amendment in any way."

Charles E. Merriam, president of the American Political Science Association and professor of political science, University of Chicago:

"The proposed child labor amendment provides for the protection of childhood from exploitation under circumstances where adequate protection is otherwise impossible or impracticable. It is true that the various States might by concurrent action effectively protect children, but it is equally true that they have not done so and that they are not likely to do so in the near future. The conservation of the Nation's greatest asset, its children, ought not to be hindered because of quibbling over the precise boundary lines between State and national rights. Ratification of the proposed amendment would make possible the establishment of a sound national policy of minimum standards for the defense of children against greed or thoughtlessness in industry, and in the long run these standards will benefit not only the children but enhance the prosperity of industry and the welfare of the Nation."

Charles A. Ellwood, president of the American Sociological Society and professor of sociology in the University of Missouri:

"Only ignorance, misunderstanding, and selfishness can give rise to opposition to the proposed child labor amendment to the Federal Constitution. I do not know of a single economist or sociologist of high standing who is opposed to the measure. Socially intelligent people everywhere, from President Coolidge down, acknowledge the need of such an amendment. The amendment is not even remotely socialistic. It is to be hoped that some way will yet be discovered of bringing the well-intentioned people who have lined up against the amendment to reconsider their position."

Frank W. Taussig, professor of economics, Harvard University, Cambridge, Mass.:

"The real question is not whether child labor shall be regulated, or whether there shall be State control of education; least of all, whether the home shall be 'invaded.' But whether there shall be uniformity in these things—nay, whether there shall be the possibility of uniformity. All these regulations and controls already exist. Every State 'invades the home' when it compels the children to go to school. Almost all States regulate child labor to some extent. But they vary in their legislation. As regards child labor the variations are bad, because they lead to a bad kind of competition between the backward States and the forward States. The backward States try to attract capital by having the minimum of regulation or by having none at all. The forward States find themselves subjected to an unfair and lowering competition. The employers, who aim to be as free as possible in utilizing child labor, want the debasing competition to continue. They oppose the amendment because they wish to threaten the forward States with the competition of the backward States.

"There is an obvious difference between competition of the States in regulating child labor and competition in providing education. Competition in education has an uplifting influence on the backward; they strive to do better. Competition in child labor has a depressing effect on the forward; they find it hard to do well. Uniformity means that all are on the same plane as regards this factor, and that the worst do not set the pace for the better."

O. C. Ault, professor of economics, George Peabody College for Teachers, Tennessee:

"It is not socialistic, unless our President and Secretary of State, Coolidge and Hughes, are socialists, for all favor and urge the amendment.

"That it will interfere with the State control of education. Just the reverse, the States will be encouraged to at least a minimum of education.

"It is not a dangerous grant of power to Congress. It gives Congress power to make a certain minimum of legislation protecting women and children. I am not in the least worried about Congress granting too much protection to our women and children.

"I am in favor of the amendment, because our women and children need more and better industrial protection. Our States have had the privilege of granting this protection for 135 years and up to the present time some of the States have been woefully lacking in performing this duty.

"I am not at all worried about federalization or centralized power. What the people give they can take away. What they amend they can unmend. This is one nation, and whenever the action or lack of action of any minor number of the States retards the whole, common justice demands that the majority should rule—with due regard always to the welfare of the whole."

Harry E. Barnes, professor of history and sociology, Smith College, Massachusetts:

"I am heartily in favor of the child labor amendment. Its general object is so desirable that even its enemies have scarcely dared to attack it on this ground. The charge that it is socialistic will not hold water unless one is willing to brand as socialistic all of the legislative progress in regard to social welfare in the last century. The argument that it will interfere with the State control of education seems to me to be very weak. It could affect this matter but slightly in any event, and the burden of proof rests upon those who believe Federal intervention in this field to be disastrous.

"Finally, the contention that we have had enough centralizing amendments does not seem to me very convincing. We are scarcely able to check the tide, and might as well avail ourselves of the opportunity to secure at least one wholly desirable purpose through constitutional means.

"In general, arguments against the child labor amendment remind me of the partisan casuistry which characterized the opponents of factory legislation in England a hundred years ago."

Abraham Berglund, professor of economics, University of Virginia:

"The most important fact with respect to child labor is that the life and health of the child should be conserved and that during the formative period of its life it should be properly trained for citizenship and economic usefulness. This duty is inadequately performed in several of our States, and at the present time there is much economic pressure brought to bear upon these States to keep child labor standards low as a means of attracting capital where such labor is likely to be employed. National legislation, therefore, seems to me to be necessary to meet this situation.

"From time to time I have seen criticisms of proposed amendment on the ground that it was not limited to laws regulating child labor in stores, mines, and factories. In my judgment, if the amendment had been so limited it would not have allowed the National Government to meet the still serious evil of sweat-shop labor. Some of the saddest victims of this evil are children.

"With respect to the charges that the proposed amendment is socialistic, that it is a dangerous grant of power to Congress, and that it will interfere with State control of education, I can only say that they are on a par with those usually urged against every forward movement. When I was at college I heard the proposed Elkins and Hepburn laws for regulating railroads branded as socialistic and dangerous. A well-known university president of that time characterized Mr. Roosevelt as an anarchist in the White House because he supported several urgently needed reforms. To-day even very conservative business men and other citizens, who would repudiate instantly any charge of socialistic leanings, recognize the value of these measures.

"There is, of course, the possibility of unwise laws being passed under the proposed amendment. But such laws can be readily repealed if they are enacted. The proposed amendment simply brings within congressional jurisdiction the right to enact child labor laws, and the character of such legislation will, of course, be determined by what Congress feels to be wise or necessary."

Emory S. Bogardus, head of the department of sociology, University of Southern California:

"The proposed child labor amendment is designed to guarantee in the long run the child's best economic and occupational development, as well as his physical, mental, and moral development, and thus it conserves the best interests not only of the individual child but of the Nation at large."

Paul F. Brissenden, assistant professor of economics, Columbia University, New York City:

"It is hard to see how there can be any difference of opinion as to the vital necessity for the protection of children from the evil effects of premature employment in industrial occupations. Such employment jeopardizes the health of the child, may more or less seriously retard its development during the formative years of growth, and through its effect on the individual is certain sooner or later to have a very deleterious effect upon the population of any nation which tolerates it.

"As to the method of assuring this protection to childhood, there is more room for argument. For myself, I am convinced that it should be secured by action of the Federal Government. I therefore favor ratification by the States of the proposed child labor amendment. I

favor ratification in spite of the apprehension with which we watch the rapid growth of Federal, at the expense of State, power. I think, however, that the enlargement of Federal power which would result from the adoption of the child labor amendment would not carry in its train any of the sinister consequences which have followed upon our attempts to use the Federal power for the purpose of regulating the intimate and personal habits of the adult population.

"But my chief reason for supporting the method of Federal action through constitutional amendment is that the only alternative to it—assuming that we really do not want child labor—is independent State action through the several State legislatures, an alternative which, in my opinion, is a well-nigh hopeless one. If we should rely upon independent State action we would have to wait many more years for the elimination of child labor, and when the whole body of industrial States should at last have ground out the necessary statutes we would find the job of enforcement an almost impossible one because of the lack of uniformity in the State laws."

Lucius M. Bristol, department of economics and sociology, University of Florida:

"I have little sympathy with the 'child labor lingoists' who picture the direful results that may be expected to follow should the child labor amendment be passed. There is just one argument on both sides—long-run social expediency. There is room for difference of opinion, but there should be no place for the dishonest, narrowly selfish 'straw man' stuff that is so prominent in much of the 'anti' discussion."

Morris A. Copeland, assistant professor of economcis, Cornell University:

"I believe in the proposed child labor amendment because it will transfer power from the States, which under present economic conditions can not exercise that power as effectively as conditions require, to the Federal Government, which can. As long as the products of child labor can flow freely from one State to another because of our modern improved methods of transportation, the economic effectiveness of the legal power of a State to regulate child labor within its borders is limited by the possibility of driving manufacturers outside of the State. There is nothing more socialistic or dangerous in granting this power to the Federal Government than there was a hundred years ago in leaving it to the State governments. As I see it, the question is one of putting the legal power where it can be effectively exercised."

Stuart Daggett, dean, College of Commerce, University of California:

"I have felt for a good many years that child labor legislation to be effective must be national because of the competitive relations of the industries which are affected in different States. I do not see why it is more dangerous for Congress to control child labor than it is for it to control interstate commerce. Possibly it will affect indirectly State control of education, but I should suppose that the relation of a child labor amendment to State regulation of education would be quite indirect and in any case there is nothing sacred in State control. It will probably always be true that States can profitably administer activities which primarily interest people within the State but that they must yield to Federal authority in the case of subjects which touch more States than one."

Jerome Davis, professor of sociology, The Divinity School, Yale University, Connecticut:

"The proposed child labor amendment to the Constitution is both economically sound and sociologically necessary for the welfare of our social order. It is in line with all the patriotic traditions of our country. Already 46 of the 48 States prohibit certain forms of child labor up to the age of 18 years, and it is preposterous to suppose that our National Congress would use their authority in a way harmful to the child life of the Nation."

"For years scientists and all those who have studied the problem of the employment of children in the industries and mines of America have been advocating a national law. Congress has overwhelmingly passed legislation protecting child labor, both in 1916 and in 1919, and it is only because of a technicality that the Supreme Court has declared this legislation unconstitutional. If democracy is to be made safe in America, we must protect the child life of the Nation. There is no way in which this can be done except through national legislation. For some time I lived in the State of New Hampshire. Every effort to secure legislation in that State was opposed on the ground that similar action would not be taken in other States. In spite of this we have been able to get through some laws; but the only adequate remedy is a uniform national law affecting all localities alike."

Frederick G. Detweiler, professor of sociology, Dennison University, Ohio:

"If the child labor amendment is socialistic because it aims to protect children, then the laws already passed to protect farmers, depositors, women, stockholders, seamen, and laborers must be equally socialistic. Perhaps some of these now in force are even more socialistic than anything now proposed. Think of the farmers' cooperatives and the legislation to protect them, of the recent activities of the War Finance Corporation, of woman's suffrage, of workmen's compensation, of laws restraining corporations in the interest of the people, of compulsory education—a measure established by legislatures and votes in every one of the United States; of that terrible bugaboo of earlier days, the amendment on the income tax, and that deadly monster, the direct election of Senators by the vote of the folks! What a dreadful array of legislation once thought "socialistic," but now plain, common sense. Are American people, after all, afraid of words?

"This amendment will give no powers to Congress above those that every State now possesses. In spite of the present hue and cry against Congress there is in our Nation no more thoroughly American institution. When has it ever meant tyranny and not popular liberty? The voters tell Congress what to do every two years. Why denounce it so? Of course this amendment will give Congress no power whatever to interfere in any way with education. All it needs to do is to supplement the child labor laws now in force in the most advanced States in such a way that the business people and labor in them will not be hurt by the present competition with States whose standards are lower and whose labor correspondingly cheaper. Nor could children then be drawn across a State line out of legal protection to some employment where such protection does not exist."

Paul H. Douglas, professor of economics, Amherst College, Massachusetts:

"Of course I am in favor of the child labor amendment to the Constitution. The great barrier in getting States to adopt protective legislation for children in the past has been the claim by manufacturers that action by one State would put them at a competitive disadvantage with the manufacturers of other States. The manufacturers in the past have uniformly asked for a Federal law which would remove this disadvantage which the employers of more progressive States were assumed to be under. It is therefore highly inconsistent that these same groups of manufacturers should now oppose Federal action on the ground that such legislation is a matter for the States alone to decide."

Seba Eldridge, associate professor of sociology, the University of Kansas:

"The primary and, in my judgment, conclusive argument for the child labor movement is that its ratification is essential to the protection of hundreds of thousands of children against industrial exploitation in States which take too lightly their responsibilities for the welfare of children within their borders.

"The only argument against the amendment that seems to me to possess any weight is that it diminishes the powers of the States and correspondingly increases the powers of the Federal Government. A fundamental principle is undoubtedly involved here, but it should be resolved, in the present instance, in the redistribution of powers in the way proposed. The people of the United States function politically through a number of units, including the Nation at large, the States, and the units of local government. If one of these units can not or will not satisfactorily perform public functions delegated to it, there is no reason why such functions should not be transferred to some other unit that might discharge them more effectively. Just this is the situation with respect to the regulation of child labor. The proposed amendment is designed to meet it by transferring the necessary portion of the jurisdiction in the matter from the States to the Federal Government. This does not mean less democratic control in this field, but an exercise of such control through different machinery. There is no reason to suppose that Congress will transcend the mandate of the public in its exercise of jurisdiction in this matter."

John A. Fitch, director of industrial courses, the New York School of Social Work:

"I am in favor of the child labor amendment because I am opposed to the exploitation of children. The record shows that the legislatures of some of the States have been more responsive to the demands of the manufacturing interests than to the welfare of the youth. I believe that the matter of the welfare of children is a thing of national importance. When the States fail in a matter of this kind the Nation as a whole must assume the burden.

"I am not unmindful of the views of those who feel that this proposed amendment is an invasion of the principle of State rights. I think that they forget, however, that the States have always granted to the Federal Government increased power whenever conditions seemed to warrant it. The State rights doctrine, carried to its logical conclusion, would have made impossible the establishment of any government for the United States. It should be noted also that the American Nation of 1925, on account of improved methods of transportation and communication, is actually a smaller unit than was the United States of 1789.

"Those who fear that a grant to the Federal Legislature of power to regulate child labor will involve interference by the Federal Government in the field of education either never have read or have forgotten the Constitution of the United States. The Federal Government is one of delegated powers, and can take action in any field only if the right to such action has been specifically granted. The two decisions of the United States Supreme Court declaring unconstitutional previous Federal laws on child labor ought to make that clear enough. There is not a line in the Constitution, nor will there be if the twentieth amendment is adopted, giving Congress power over educational matters.

"The claim that the proposed amendment is socialistic seems to me too absurd to discuss. That is a phrase used by the people who find thinking too difficult a process to characterize any movement that they do not like. If legislation for the protection of the welfare of children is socialism, then socialism must already be an established and accepted principle of American government. To get rid of it we should have to wipe out the public-school system at once, and that would only be a beginning."

J. O. Geivir, professor of economics, University of Wisconsin:

"Personally I am very much in favor of the amendment. The only arguments of any force against it that I have seen are that it is an interference with State rights in the matter of the regulation of child labor and that its administration might be difficult and unduly expensive. Neither of these arguments is impressive to me since experience has shown that while some States will do their duty with respect to the protection to children, others are grossly negligent. If the children of any one State continued to live forever within that State the matter might not be of serious concern to the other States. As we know, however, they migrate in many cases. Therefore it is of interest to all the people in this country that each of the States properly protect its children and give them an opportunity for education.

"As to the difficulty and expense of enforcing Federal legislation I think our experience with the two laws which were declared unconstitutional shows that this is not a very serious difficulty. In most of the States the Federal Government would not need to inspect the matter at all. Their activities would be confined to those States which have not awakened to the importance of protecting its children.

"As to the interference with such a law with State rights, one can only remember that the Federal form of government systems simple for the purpose of seeing that those interests which are paramount importance to the whole country are properly protected under our present system of regulation, experience has shown that the rights of children are not properly protected in some States. Therefore, in the interests of all the people in the United States it is important that such measures be taken as will insure the protection of childhood."

S. C. Gilfillan, instructor in sociology and economics, Grinnell College, Iowa:

"To say that the amendment is of Russian origin is to close one's eyes to a century of American history.

"The amendment will interfere with the State control of education, only to the extent that it will tend to oblige the States to set the older limit of compulsory education at an age not younger than the Federal minimum for child labor in industrial and mining communities. But this is of very little importance—most of the States to-day have compulsory schooling laws, and set the upper age, I think, at 14.

"Federal control of education is going to come some time, and should come. But this amendment will make little difference in this respect. That control is just a part of the old, grand sweep away from individual rights and away from State rights. The underlying moving factor is the advance of civilization, bringing need for better education, and bringing more communication, transportation, and migration."

Dr. J. M. Gillette, head of department of sociology, University of North Dakota:

"I find there is wide misunderstanding and misapprehension concerning the proposed amendment. One misconception is that the amendment is taken to be legislation. The amendment is only an amendment. It does not legislate on child labor. It gives Congress power to legislate, but if Congress did not see fit to do so, child labor would not be affected by the amendment in the least degree. Congress might not take action for years, and meanwhile child labor would not be disturbed. Hence no one need fear the amendment in itself, for it is absolutely powerless and so remains until Congress might be inclined to act and enact specific legislation, for the amendment merely gives Congress authority to regulate, control, and prohibit child labor of individuals under 18.

"Because the above misapprehension is true, several other misconceptions and misstatements are untrue, two of which I will refer to. One is that the amendment forbids child labor of all individuals under 18 years of age. How any intelligent person could read the words of the proposed amendment and think that is hard to see. For that amendment only proposed to give Congress power to legislate in that direction if it should see fit to do so; but in itself it does not so legislate.

"The other misstatement is that farmers would not be allowed to work their children under 18 years of age. This, of course, is like the other and does nothing concerning child labor anywhere. Only should Congress pass a law to prohibit agricultural child labor would the labor of farm children of any age be affected. Congress is not likely to so legislate, because none of the States enacting child labor laws have done so.

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"Now, I think that we may assume that Congress would act about as our better States are acting in those matters. The amendment, in order to be an amendment at all, has to set some age. Eighteen is a reasonable upper limit, because we know that there are some things that growing and developing boys and girls should not be permitted to do. Only these few things would receive the action of Congress up to the age of 18."

John C. Granbery, professor of sociology and economics, Southwestern University, Texas:

"I favor the ratification of the amendment. I see no force in most of the arguments used against it. As for its being socialistic, it is that only in the sense in which all effort on the part of society to control its own life and processes is socialistic. The points regarding the danger of granting such power to Congress and of interfering with State control of education are to my mind little short of absurd."

Charles A. Gulick, instructor in economics, Columbia University:

"The attempt to arouse opposition to the proposed child labor amendment by branding it as 'socialistic,' and the success which this attempt is meeting in certain quarters, illustrated again the point familiar to all students of the social sciences, that questions of social policy such as this can rarely be settled by a dispassionate consideration of the evidence. This situation is almost amusing, but it is at the same time disheartening. Time and again it has been pointed out that the raising of the issue in this form is completely beside the point. Everyone knows the graduated income tax, the postal savings system, compulsory education, the conservation of natural resources, and workmen's compensation acts, to cite only a few examples, have all been fought on the ground that they were 'socialistic,' but there can be little doubt that a majority of our citizens favors each of these things and no doubt that majority does not consider itself to be 'socialistic.' In other words, the popular conception of what is socialistic changes, and sometimes changes rather rapidly. The reason for the change seems to lie in the fact that such proposals as those just listed are not, as a matter of fact, essential elements of a socialistic program. They are designed to ameliorate some particular inequality resulting from or concomitant with our present economic system, with the hope that their adoption will cause that system to function somewhat more efficiently, not with the hope of ultimately scrapping the system as the socialists desire. The child labor amendment is quite definitely in this class of ameliorative proposals. Consequently attempts to cloud the issue by labeling the proposed amendment as 'socialistic' are nothing more than appeals to prejudice and ignorance."

Albert Bushnell Hart, professor of history, Harvard University:

"In the controversy over the proposal for general protection of boys and girls against exploitation by employers the real issues are only three: 1—Are the conditions of child and adolescent labor in the United States satisfactory? 2—Can an efficient remedy be found outside of national legislation? 3—Is the proposed amendment reasonable and likely to do the necessary job?

"1. That the present conditions of child labor tend to be inhuman and degrading is instantly proved by the action of the States that have passed local laws for protecting the children. All this talk about its being contrary to the rights of man and the privileges of parents to restrict the hours, the conditions, and the age of child labor is nothing but weak bosh. Else why has Massachusetts a system of laws intended to prevent the employment of children for wages unless their inborn right to a school education is observed? Massachusetts does not even recognize the right of parents to put them to labor beyond their strength.

"2. The only remedy at present is by State legislation, and that has broken down first, because the supposedly most intelligent States, such as Massachusetts, do not carry out their own laws. Thousands of children in this State are working now at ages or under health conditions prohibited by law because the parents, and often the children, want the job and some State inspectors work in with greedy employers. Of course, conditions are far worse in States like those of the South, which have no restriction on child labor whatever. Skaggs, in his recent book on Southern conditions—a Southern man who has spent his life in the South—tells us what is happening there; how many parents laze at home because they are supported by their chil-

dren's labor; how children under 10 years work on 12-hour or night shifts. And the forced labor of those poor little helpless creatures gives an advantage to the mills in which they are employed as against New England mills where such extremes are not allowed. So keenly was the state of things felt that Congress passed two statutes, almost without opposition in either House, to prevent the circulation of goods made by such labor. Action by the individual States is no remedy, because it is hard to get efficient laws in the best States, and because the best States are penalized for the protection of their children by the unabashed exploitation of children in the worst States.

"3. The proposed constitutional amendment is no more an assault upon the personal liberty of the American people than the numerous State acts on the same subject. Like all grants of power to the Federal Government, it is stated in general terms. It is the only possible method by which there can be an equal and fair regulation for all the children who need the protection. It confers upon the United States the same kind of power, and no more of it, than it now exercises over the persons employed in interstate transportation. It is the same kind of power that every State has over all laborers, child or adult, within their boundaries.

"That is why it is backed up by the labor organizations, by humanitarian societies, by several of the ablest justices of the supreme courts of the United States in dissenting opinions. The main force now working against the twentieth amendment is the conscious or unconscious—but in either case selfish—interest of employers, who without such a national law have more freedom to decide for themselves and their stockholders what shall be the terms of the labor of the children and adolescents of the whole community."

Hastings H. Hart, consultant in delinquency and penology, Russell Sage Foundation:

"Having had 26 years' experience, working in behalf of dependent, neglected, and delinquent children, I earnestly favor the proposed child labor amendment to the Constitution of the United States. I favor it because it is necessary for the protection of the classes of children in whom I have been interested for a quarter of a century.

"The States which have been most backward in child labor legislation are the same States which have been backward in developing a modern program of caring for the three classes of children above mentioned. This is especially true with reference to these classes of children in a number of the Southern States where the people have been generous in the establishment of orphanages, particularly for white children, but have been exceedingly slow in making any provision for dependent negro children. These States also have been backward in the provision of institutions for delinquent and defective children, both white and black. In 1910 only 6 out of 17 Southern States had built institutions for the feeble-minded, and the entire population of these 6 institutions was less than 1,000 out of the 21,000 children found in institutions of that class in the United States."

C. Walker Hayes, assistant professor of economics and sociology, State University, Montana:

"I am in favor of the proposed child labor amendment to the Federal Constitution because I believe the following to be true:

"The progress of a nation is measured by the privileges it confers upon its constituent population, by the personal liberty guaranteed the persons who make up its society.

"The liberty of childhood, of which health is an essential element, is basic to complete freedom of personal life.

"Freedom to enjoy life rests upon guaranties that the person shall have unhampered opportunity for the development of physical and mental capacities.

"The fundamental law of any land must be modified from time to time to meet the requirements of changing conditions in the economic and social order. Earlier constitutional guaranties of State sovereignty and the distribution of governmental powers in the United States must of necessity, in the interest of social progress, be modified to conform with the changes of industrial development.

"Experience has shown that the desires of the people of many of the States, as these desires pertain to the protection of children, have been blocked by the competition of industries in States having lower child labor standards; that is, the citizenship of these States have been confronted with the necessity of choosing between two goods, the protection of its industries and the protection of its children. Under the proposed amendment it will be possible to protect children without subjecting the industries of any State to economic sacrifices.

"The fathers of the Constitution could not foresee this specific situation; but they did foresee that there would be changes in the economic and social organization which would make amendment necessary, and so provided for it.

"There is no doubt that economic expansion and the essential economic unity in the Nation require so moderate a revision of the distribution of powers as between Federal and State Governments as is implicit in the proposed amendment. By no stretch of the imagination can I discern anything dangerous in thus strengthening the Federal power for the protection of the health of the Nation's children.

"The amendment proposed has the merit of being general in its scope. Under it Congress may legislate to affect child labor in an agricultural industry like the beet-sugar industry or not as it deems fit. If it does not so legislate, it is still permitted to a State to do so if it deems fit.

"The amendment has the merit of enabling legislation to deal directly with the industrial labor of children instead of indirectly, as through the wider regulation of commerce and taxes.

"No nation can have a sound economic structure if its prosperity requires the industrial exploitation of children. The present contest is one between the right of enterprisers to augment profit through the curtailment of labor costs over against the right of children to an unhampered physical life, plus the right of the Nation to a virile population in the years to come. I do not deny the former right except in the degree that its realization interferes with the latter right. I believe that the condition of industry in this country is sufficiently sound to prosper under any restrictions as to labor which Congress would be empowered by the proposed amendment to impose.

"A sound national economic policy is one which promotes the economic efficiency of its future citizens. No other national policy is sound."

I. W. Howerth, professor of sociology and economics, head of the department of social sciences, Colorado State Teachers' College:

"I am strongly in favor of the proposed child labor amendment. It appears to be the only possible method of securing adequate and uniform protection for the youth of the country engaged in productive industry.

"If it were socialistic in origin and content, as, of course, it is not, then so much the worse for capitalism, which awaits the initiative of socialism in the adequate protection of children.

"Any grant of power to Congress is susceptible of being judged as dangerous. But, as shown by long experience, it is dangerous to the children to rely upon power belonging to the States, but not sufficiently used by many of them. A State that will not use its own power to protect its own children from the acknowledged evils of unregulated child labor ought not to complain if that power is transferred to hands that will use it as it should be used.

"As to the charge that the amendment will interfere with State control of education, that has no weight with me, for in the first place it will not interfere with State control, and in the second place I should not object to interference with State control even of education if by such Federal control better educational conditions can be secured.

"To me one of the most significant aspects of the whole matter is presented by the fact known to every student of the evolution of our economic conditions that from the time of the industrial revolution, when child labor first became highly profitable, and children were atrociously exploited, every step in the improvement of labor conditions for children has been violently opposed by those who profit by such labor, and exactly by the same kind of arguments. There is no really valid argument against the adoption of this amendment. If defeated, it will be defeated by appeals to prejudice and by unmitigated falsehoods."

Eliot Jones, professor of economics, University of Illinois:

"The argument that the proposed child labor amendment is socialistic is nonsense. It is put forth purely as a smoke screen to delude the unthinking. The presentation of such an argument is an insult to the intelligence of the American people.

"The argument that the proposed child labor amendment will interfere with State control of education is fallacious. Under the Constitution the control of education rests with the States, and it will continue to rest there after the child labor amendment is enacted.

"The view that the proposed child labor amendment will constitute a dangerous grant of power is one that can be honestly heeded by thoughtful citizens interested in the country's welfare, but in my judgment it is not the more reasonable view. It might also be argued that it is dangerous to give Congress the power to tax. So it is, but it is universally recognized that it is necessary for Congress to enjoy this power. If all the States would enact effective child labor legislation, congressional action would be unnecessary; but there is little reason to believe that they will adopt so enlightened a policy. Accordingly it is advisable to give Congress authority to deal with the matter. Is it not 'dangerous' to permit the children to continue to labor without adequate safeguards, as is the case so often at present?"

Lester M. Jones, department of economics and sociology, Morningside College, Iowa:

"Thousands of people, many of them well educated, do not understand the difference between the passage of this amendment and the

enactment of a Federal law on the subject. They imagine that the passage of the amendment carries with it the prohibition of work to persons under 18 years of age.

"To those who seriously ask concerning the socialistic origin of the measure, I have replied that 'It is as socialistic as the public school; no more, no less. If you believe that the public school benefits the childhood of our Nation, you can also be sure that this amendment will prove a benefit to childhood in many sections of the country. It will open the way for longer terms and better curriculums in those States which now hesitate to bring their schools abreast of the times because of their desire to secure the labor of the children.'

"In regard to the amendment being a dangerous grant of power, I am no more afraid of Congress abusing the power to regulate child labor than I am of their abusing their power to coin money and regulate weights and measures. It seems to me just as logical to argue that Congress will put our coinage on an iron basis, and thus bring down the wrath of their constituents upon them, as to argue that they will achieve this result by passing child labor legislation abhorrent to the majority of our people. The legislation which they will pass, if given the authority, may be depended upon to be reasonable."

Frank H. Knight, professor of economics, University of Iowa:

"It is, in the first place, a constitutional question. The issue is the ever present one under a Federal system of the distribution of power between the National and State Governments. Like most liberal minded students, I take it, I favor local autonomy, in the abstract, but feel that the drift of necessity calls for more and more centralization. Personally I am altogether in favor of the amendment simply because I think experience shows that the National Government will deal with such questions in broader and more humane and progressive spirit than the States can be counted on to do.

"Under a system such as ours the competition between States for the allocation of industries is a very serious handicap to progressive legislation. In my opinion it is mostly a political talking point, but it is certainly an effective one in the hands of expert propagandists employed by interested parties with unlimited resources. As a matter of fact, it is very doubtful whether child labor is really profitable to the employers who seem to think they would be ruined by its prohibition—provided the prohibition were general, affecting their competitors as well as themselves. It seems to me the intelligent as well as humane attitude for such employers would be to advocate general legislation which would relieve them of the necessity of competing on such a level and by such means."

Daniel H. Kulp, 2d, professor of educational sociology, Teachers College, Columbia University, New York:

"After a careful consideration of the various factors and possibilities involved in the protection of children from undue exploitation by their elders and employers, I am forced to only one conclusion, that under the circumstances of our political organization the protection of our Government at Washington is necessary.

"I do not consider that there are grounds for drawing analogies between the possibilities of enforcing this twentieth amendment if successfully passed, and the Volstead Act, for the simple reason that in the latter case it is necessary to pry into the personal behavior of great numbers of people throughout the country who are still obsessed with the fallacy of equality and individualism.

"The child labor amendment, on the other hand, will have to do mainly with organized, industrial enterprise which can much more readily be controlled. The argument that we can depend upon the States to protect their own children is unsound, as proven by experience in this and other matters. The claims that such legislation is socialistic and dangerous, or could intefere with State control of education, are the usual red herrings that opponents use to divert interest and support of people who try to take their citizenship responsibility seriously."

Margaret M. Lothrop, professor of economics, Stanford University, California:

"You have asked for my opinion of the national policies involved in the passage of the child labor amendment. I am heartily in favor of it. The amendment is the only means available for ending the unfair competition between the employers in those States having poor or no protection for children and the employers in those States with good protective laws. It seems to be impossible to educate the members of certain legislatures, yet these same persons by refusing to control child labor are endangering the children in the more enlightened and progressive States.

"There is so much hue and cry about the control and protection of the children being taken from their parents. We forget that the State legislatures already have all the power mentioned in the amendment. We are only giving this power to a body which can equalize the various laws so that all American children may have the same protection."

Thomas S. Luck, assistant professor of economics, Indiana University:

"In my opinion, it is the plain duty of society to protect children from exploitation, be the exploiter parent or employer. The Nation's greatest asset is its children. The slave was protected to some extent by the fact that the exploiter had a considerable investment in him, while the exploiter of the child worker has no investment in him except his daily wage, provided he is fortunate enough not to be a pieceworker.

"I am heartily in favor of a constitutional amendment to protect childhood and youth until they are of legal age and can make a valid contract. A uniform law is necessary so as to put competitive employers in the different States on an equal footing. I believe, however, that the law should not interfere with children working for their parents, such as a farmer's children, except in so far as to protect the child's right to schooling. The parent has more at stake than the outside employer and naturally would be more interested, as a rule, in the child's rights. In time of war the Nation calls upon the youth of the country for protection, so let it reciprocate by protecting them at least until they are of military age."

George A. Lundberg, department of sociology, University of Washington:

"In a general way, perhaps the best recommendation for this amendment is the character of the campaign which its opponents are waging against it. It speaks ill for the merits of a case when it must resort for support to a campaign of terrorization employing the familiar Bolshevist scare phrases. This is a line of attack which every thinking person can only regard as contemptibly ridiculous, and is obviously an attempt to divert attention from the real issue. Resort to this type of argument is an open confession of fear of discussing this question on its merits. The question of whether this measure is socialistic or not is, of course, of no consequence. We need be concerned only with whether it is socially desirable or not, regardless of the label which its enemies may succeed in attaching to it.

"The only arguments worthy of reply as undoubtedly representing the honest opinions of some people are those which oppose the amendment on the grounds (1) that it is inadvisable to extend Federal control, and (2) that since any law is effective only to the degree that it is supported by public opinion, it is unwise to enact any legislation which may not be enforced in some sections. The first point involves a large question of political science as to what is to-day the best size of the social unit for legislative and administrative purposes of this kind, and is too large a question to be adequately dealt with in the present connection. It is my view, however, that this opposition to Federal control in matters of this kind is based fundamentally on a sentimental survival of consideration for time honored systems, traditions, and alleged human traits, rather than on the needs of modern society. The same considerations have long prevented our States from adopting adequate programs of child care and relief, because historically these matters have been under local control.

"Regarding the second point, it is true that the efficacy of a law is determined largely to the degree to which public opinion supports it. This, however, can not be used as an argument primarily against the child labor amendment, because it is a matter which is involved in the nature of representative majority government as it exists everywhere to-day. Nowhere in our government or legislation is the principle of unanimous consent recognized or employed. It follows, therefore, that there is some public opinion against every law. Those who oppose the child labor amendment on this ground, consequently, should direct their attention against the constitutional provision which permits the granting of additional power to Congress with the approval of three-fourths of all the States. This objection, in other words, could be urged with equal validity against every amendment or law which has been adopted in the past or which may be proposed in the future. The consistent course, therefore, for those who object to child labor legislation by the Central Government on this ground is to advocate the abandonment of the present method of amendment and legislation and the substitution of a provision requiring unanimous consent or ratification by the States, if not by local communities, to protect such communities against action by the larger group. This strikes at the foundations of representative majority government as it exists to-day.

"We are laboring to-day under a futile attempt to control locally matters which, like child labor, are a concern of the larger group. It is a problem not confined to local boundaries and hence not subject to adequate control by local or State units."

J. D. Magee, professor of economics New York University:

"I am in favor of the child-labor amendment.

"First. Because I think that legal regulation of the working of children and young persons is necessary to protect them.

"Second. Because uniformity is necessary to prevent unfair competition on the part of States with lax laws.

"Third. While in theory it may be possible to get uniformity by action of the several States, in practice one State is played off against another in order to prevent effective legislation."

Cecil C. North, professor of sociology Ohio State University:

"The charge that such an amendment is socialistic is extremely absurd in that it grants no new powers of government which are not already in operation in many States. It merely grants to one unit of government powers already exercised by another unit of government. The protection of childhood is essentially a national function. The census statistics show a very extensive movement of the population from one State to another. I do not have before me now the precise data, but all students are aware that a very considerable proportion of the population of any State is raised in other States. The protection of childhood is essentially a matter of preserving and developing the citizens of the next generation. In view of this intermigration of the population, such a protection becomes essentially a national problem as completely as does the control of transportation through an Interstate Commerce Commission."

Ernest M. Patterson, Wharton School of Finance and Commerce, University of Pennsylvania:

"The need for a child-labor amendment grows out of developments in our economic life that compel the treatment of many problems on a national rather than on a State basis. We have already experienced this in transportation and with many other problems. In the case of child labor, the difficulty lies in the fact that any given State finds it difficult to set high standards so long as other States are not ready to follow the lead. Any very distinct progress is dependent on a uniformity of action which can come only through Federal legislation, which would be made possible by the amendment.

"The charge that it is socialistic is chiefly due to a superficial knowledge of the problem and of the proposed remedies and to ignorance regarding socialism. The word is merely a name which is glibly used to criticize nearly all movements that involve a change in the way of approaching problems. It is so far from being socialistic in any intelligent sense that one finds it difficult to know how to answer the charge.

"Just why it should be thought of as a dangerous grant of power to Congress I find it hard to understand. There certainly is no more reason for assuming an abuse of power by Congress than by any one of the State legislatures. The power granted by the amendment is not great, and there is no reason to assume that Congress would exercise it without discretion. In fact, I would have much more confidence in its discretion than in that of our State legislatures. We would be doing nothing more than making possible uniform and effective treatment of a serious evil. Nor can I see how it would in any way interefere with State control of education."

Bertha Haven Putnam, department of history and political science, Mount Holyoke College, Massachusetts:

"I am in favor of ratification of the child labor amendment. The fact that child labor is cheap labor means that a State employing it has an advantage in interstate commerce over a State that prohibits it. Comparative uniformity in child labor legislation seems to me eminently desirable. I favor Federal control in this matter."

E. A. Ross, professor of sociology, University of Wisconsin:

"I am heartily for it. I am not at all desirous of seeing the Nation undertake things which the States may well do, and I opposed the introduction of woman suffrage and liquor prohibition by an amendment to the Federal Constitution. I have, however, no compunctions about limiting child labor by national action. Industry has developed on a national basis, and this clearly hampers the restriction of child labor by individual States.

"I hope that the public will notice that nearly everybody who has in the past distinguished himself or herself by long and devoted labor on behalf of the welfare of children is for this proposed amendment. It is noteworthy that the people who now rush in opposing it in the name of the welfare of the children have never sacrificed very much on the behalf of children."

Paul R. Stevick, professor of economics, Morningside College, Iowa:

"The proposed child labor amendment to the Constitution is a distinct step in progress.

"It is no more socialistic in its content than a law prohibiting common drinking cups or common toothbrushes. On the contrary, like sanitary regulations, it is intended for the good of the people, even at the expense of their slight inconvenience.

"The National Congress, rather than State legislatures, is the best body to make laws regulating child labor, if the principle of equality in opportunity is sincerely believed in, (a) for manufacturers and mine operators et al., (b) for children and young people, who are to compose the burden bearers of a generation hence.

"Past history of the acts of the National Congress hardly supports a prediction that the amendment would mean an arbitrary exercise of interference with State control of education.

"Privately, I know of no person of broad interest in children and young people and of genuine sincerity in his concern for the future of the Nation who does not believe that the proposed amendment is wise."

Frederic M. Thrasher, professor of economics and sociology, Illinois Wesleyan University, Illinois:

"It seems manifest enough that the exploitation of children should cease. Any industry which must depend on such exploitation is parasitic. Common humanity and efficient citizenship demand the extirpation of commercialized child labor.

"It is apparent, too, that the individual States can not deal with the problem. Good child labor laws can not be passed in every State where child labor is a crying evil. The system of State child labor laws is uneconomic and unjust both from the standpoint of business and of the children.

"The two Federal child labor laws that were passed have been universally recognized by thinking and upright citizens as desirable. There was no cry for repeal except from selfish interests. The fact that these beneficial laws were declared unconstitutional either indicates narrow vision on the part of the Supreme Court or a defect in our Constitution.

"In either of these cases the only remedy is an amendment to the National Constitution. This amendment should be passed entirely on its own merits without reference to any previous amendment or any possible one that might be considered in the future. The idea that the people of the United States would be handing over in an irrevocable way the control of their children to some superpower is absurd. There is no reason to believe that the Congress would abuse this power; the new child labor law would undoubtedly be little different from the two which have preceded it and which have been declared unconstitutional, for technical reasons only.

"The fear that Congress would pass an oppressive or even unpopular law is entirely ungrounded, judging by the kind of laws it passed previously when it thought it could regulate child labor for the Nation.

"The Congress is not going to escape the will of the people through the passage of this amendment. It is still going to give the country the kind of a child labor law that is wanted. Congress is too sensitive to public opinion to enter upon any other course. The idea that Johnnie will no longer be permitted to fill the wood box or Hiram will no longer be allowed to help milk the cows is ridiculous.

"If we can not trust the representatives of the people in our National Assembly to make the kind of laws we want we might as well give up the notion of democratic government and turn the ship of state over to a benevolent despot."

Wilson D. Wallis, associate professor of anthropology, University of Minnesota, Minneapolis:

"Our present system, which the amendment is aimed to remedy, permits a more brutal treatment of children than can be found anywhere in so-called savagery. Not only does it permit it, but more brutal conditions obtain in large sections of our civilization than can be found anywhere among the ruder peoples. I say this quite literally and with full sense of professional responsibility. I will retract if anyone will point me to a single tribe—uninfluenced by European civilization—in which children are made to work in any manner which denies them full development. There is no oppressive child labor among American Indians, none among African negro tribes, none in the islands of the Pacific, none in those crude isolated cultures of Australia, of Ceylon, or of the Andaman Islands. Children are allowed to live their own lives.

"I would welcome a return to conditions in this country which would give to every American child as happy a life as the American Indian child could claim."

Frank D. Watson, head of department of economics and sociology, Haverford College, Pennsylvania:

"There never has been in my memory an issue before the country about which there was waged what seems to be such an organized compaign of deliberate misrepresentation.

"Some of the arguments advanced in opposition to the amendment, such as that it will interfere with the sanctity of the home and local control of education, are so childish or at most sophomoric that one hesitates to dignify them with a refutation. Others, claiming that the measure is socialistic in origin and intent, bear on the face of them such evidence of desire to create class bias, especially when found in the mouths of those who have never been conspicuous for their zeal in promoting the interests of children in State or Nation that their sincerity can hardly fail to be questioned by all thoughtful persons.

"The real issue for honest men, as I see it, is simple, viz, Has the evil of child labor assumed national proportions? If it has, then it calls for a national solution. As one who has actively followed since 1905 the various efforts put forward to stamp out this blot on a so-called Christian nation, living in the twentieth century, I for one am firmly convinced that President Coolidge and Senator PEPPER are right in believing that the time has come for a Federal amendment to meet the problem.

"To the student of social institutions it is a truism to observe that no one age, however great, and no group of men, however wise, can anticipate the future course of development in a continental nation like ours. In 1789 industry was local. To-day is is national. For the 'founding fathers' to frame an unchanging document to guide the future destiny of such a people would violate the first canon of all social evolution. There can be no progress without change. That which is static is dead. To put our fundamental law into a straitjacket is to court failure if not ultimate revolution. It was for this reason that the framers of our Constitution themselves provided for a means of amending it. The real friends of the Constitution, as well as the real friends of progress, will ever guard our fundamental law against ossification. If four members of the Supreme Court failed to win over a fifth to their point of view that Congress already has power to regulate child labor and so through the process of judicial interpretation keep our fundamental law in harmony with changing needs, then there remains but one path, namely, that of amendment, if the American people are to be permitted to attack a national problem with a national program. Congress has twice shown what it believes is the birthright of every American child. Is there any '100 per cent American' who believes he should have less?"

Rev. Lambert Weckwerth, St. Johns College, Collegeville, Minn.:

"I am glad to add my mite in favor of the amendment, particularly as much of the opposition to it seems to be due to a fear lest the power that would be conferred on Congress by the adoption of the amendment be abused. This fear partly arises out of the fact that some, with socialistic tendencies, have espoused the cause.

"There is nothing so good nor so sacred but it can be abused. Unless, therefore, they are prepared to invite stagnancy and decay by opposing all legislation, all intelligent persons must and will admit that fear of possible abuse is an untenable ground for opposing the child labor amendment.

"Other countries have passed social laws that its people are proud of and on account of which we envy them. To refuse to follow their lead solely out of motives of fear surely is unworthy of a great democratic people.

"Those timid souls who oppose the child labor amendment because, being social, they think it socialistic, should recall the remarkable system of social laws which had made Germany, in this respect, the admiration of the world, and that this status was attained mainly by the cooperation of the Catholic center party with the socialists.

"Because socialists favor the amendment does not make the movement a socialistic one. Refusal to cooperate with socialists solely because they advocate this measure will but strengthen their cause. While intelligent cooperation with them and others in all progressive movements will take the wind out of their sails.

"While all true friends of liberty and justice must regret an undue interference by Congress in the private affairs of the individual, it is plain that a minimum of power must be granted to Congress if it is to function at all. That the additional power which the adoption of the child labor amendment will confer on Congress will exceed reasonable minimum is a gratuitous assumption born of self-interest or a distrust of our legislators that the history of Congress does not warrant.

"Because of decisions made in other times and applicable to other circumstances, the Supreme Court has blocked the way to much desirable social legislation. Among this I consider not the least important a reasonable child labor law. The only ways open to further progress are amendments to the Constitution. Let us start with the adoption of the child labor amendment."

Edward Wiest, head of department of economics and sociology, University of Kentucky, Kentucky:

"It would seem that at this time no question would be raised with respect to the propriety of regulating child labor. The principle has been recognized as correct for more than a century under the capitalistic form of production, and if we are to go back into the period when domestic manufacture prevailed exclusively we find sanction for the practice for a much longer time.

"It also appears to me that it should be universally recognized that wrongs are committed in industry as well as in other activities of life, and that the necessity for legislation preventing wrongs and punishing offenders may be just as apparent in industry as it is in other human relationships. At any rate, history has proved that exploitation of child labor will result if industry is entirely left alone.

"It seems to me to be absurd to say that the regulation of industry, including child labor, is socialistic in its nature, when those of us who know what socialism is understand that collective ownership of property is the essence of socialism. The regulation of child labor, like the pure-food legislation, is just another attempt to improve our capitalistic system of production. This system of production has shown itself to have many virtues, but, like every system, it is not perfect and it is capable of being improved. Any legislation looking to the regulation of industry is an effort to improve our industrial system, and such legislation, if entirely sound, should be welcomed by everybody.

"I can not believe that Congress will exercise any authority given it unwisely. I believe rather that Congress will be more rational or less extreme in its acts than State legislatures. There should be, therefore, no opposition in giving Congress control over the labor of the child. The State has this power now, but because of the lack of uniformity in the laws of the various States of the Union it is highly desirable that the Federal Government be given this power. Some States have been derelict in safeguarding the well-being of children, and this is another reason why the Federal Government should have control over the labor of the child."

Erle F. Young, assistant professor of sociology, University of Southern California:

"There has been sufficient scientific research regarding child labor problems to enable us to decide the merits of the issue now before the country. In my opinion the evidence is overwhelming in favor of the proposition now before the State legislatures. Sound reason can be expected to prevail in the not distant future in this matter so long beclouded by lack of accurate information."

EDUCATORS

John C. Almack, department of education, Stanford University, California:

"I should regard it as a national calamity if the child labor amendment fails of ratification. It is the absolutely necessary first step for us to take if we are to provide for the proper protection of the children of the land and for the future welfare of the country. I can think of no civic duty more imperative on the part of State legislators than whole-hearted support of the measure. I am glad to say that California was the second State in the Union to ratify the amendment. It looks now as if the success of the provision depends upon the action of the Middle West and the North. These States should be fully equal to the task with the help of the progressive States of the West."

C. H. Fernald, professor of education, University of Illinois:

"From the viewpoint of one employed in higher education it would seem to me that the children of our wealthy Nation receive too little education as it is, and there should be more opportunities provided for them to get all possible. Although the proposed child labor amendment does not require more education (as I see it), it does provide for greater opportunity to get more if desired. The test of such an amendment so far as its feasibility is concerned will depend wholly upon its judicious administration not only by the Government but by the several States. I feel that it is a step in the right direction for it will make for guidance of those who need it and will not limit the independence of those who do not. It might work hardship in some cases, but that is where 'judicious administration' of the law would be most valued. One of the best features of it is its elasticity. It is at least worthy of a good, fair trial."

Clyde B. Moore, head of department of history and principles of education, University of Pittsburgh:

"The child labor amendment is in harmony with the most basic principles of the Constitution itself. Through its passage a higher degree of social justice will be possible. It will permit of legislation which will strengthen home, school, and State without restricting any personal rights or liberties recognized by the founders of the Constitution. I can find no argument against and many for it. It has my unqualified indorsement."

John H. Finley, formerly commissioner of education and president of the University of the State of New York:

"There are, of course, two ways of attacking the problem of making our 'national standards' really national. The first is to concentrate on bringing the backward States up to standard, and this is the method advocated by those who believe that any Federal child labor law is an attack on the principle of State rights and leads the way to further Federal regulation of industrial conditions within the States. It is an obvious method of attack and sounds simple considering the apparent strength of public opinion on the side of the 'standards.' But, unfortunately, the States where the laws are weak are the ones where there is the strongest tradition in favor of child labor, the greatest number of apologists for it on the grounds of expediency, of the needs of industry, of poverty, and so on. And the whole history of child labor reform is testimony to the length of time and the amount of energy and hard campaigning it takes to change tradition and prejudice

in the interests of child labor laws. Meantime the harmful employment of children goes on with its resultant industrial and social waste.

"This, together with the feeling that child welfare is a national concern, is the reason for turning to the second method of attack, an amendment to the Constitution making Federal regulation of child labor possible."

Carl C. Taylor, Dean of North Carolina State College:

"I can't get started on the notion that the amendment is socialistic in either origin or intent unless I accept the notion that every time the social group attempts to guarantee the integrity and growth of the individual socialism is encroaching upon us. That it is socialistic has been flung at every movement of social reform which has taken place in the last century. This should be sufficient rebuttal to those who claim that this is socialistic. As a matter of fact, it is a shame, as we all know that the word socialism can not be used in its correct sense as versus individualism. Personally, I am willing to use it in that sense and to accuse those who stand opposed to it not only of individualism but of selfishness.

"The argument that it is a dangerous grant of power to Congress seems to me to be a travesty on representative government. If we can not trust our representative government to enact into legislation those things which are for the public welfare, then maybe we had better abolish representative government and establish a dictatorship. I *am myself* convinced that the transfer of the argument from pure selfishness on the part of the interests who are opposed to the amendment to that of interference with the State control is nothing but a smoke screen. By transferring it from the basis of vested interests to that of an old political philosophy gives it standing which it could never attain on more selfish bases.

"North Carolina has a very good child welfare law. On the basis of this some of our best citizens oppose our national child labor amendment. Knowing that there are other States who do not have good child labor laws, it seems to me that North Carolina is in the position of a selfish individual whose own home environment is satisfactory and who therefore is willing to assert that he has no obligation for the home environment for thousands of others."

AGRICULTURAL ECONOMISTS

Kenyon L. Butterfield, president Michigan Agricultural College:

"I am in favor of the passage of the proposed child labor amendment to the Federal Constitution. In some States State laws seem fairly adequate, but in most States I do not think they are adequate. Moreover, I regard the protection of children as one of those things that is essentially a national problem. I have no fear of Congress passing a law under such an amendment that will infringe upon the normal and highly educational work of the farm boy and girl, except in those cases where common humanity demands that the rural child as well as the city child shall not be exploited for money gain."

Benjamin H. Hibbard, head of department of agricultural economics, University of Wisconsin:

"It is extremely unfortunate that so much misinformation has been circulated and apparently accepted by the farming class as well as others. The farmers have been made to believe that the United States Government will take control of the employment of all children under 18 years of age, perhaps forbid them to do labor of any description. This is ridiculous; but even so, it is going to have its effect. Another unfortunate feature of the campaign is the sentiment in many sections, for instance in this State, in favor of letting each State take care of its own affairs. Since we have handled the whole child labor situation very well in Wisconsin there is a widespread feeling that the same should be done by other States within their own borders. It seems to me that whenever a movement of general interest such as this is brought to the attention of the people of the Nation and a given standard set, or a judgment reached, that we should not be satisfied to allow a minority to lag indefinitely behind. In other words, I should say that in this case we should be a Nation rather than a group of States."

Bruce L. Melvin, department of rural social organization, New York State College of Agriculture, Cornell University:

"The evolution of industries has brought a danger to childhood which was unknown a few decades ago and which to a certain extent is not known to the general public to-day. The children are frequently forced to pay the price of industrial advancement, which can be prohibited only through some type of uniform legislation.

"Certain objections have been raised to the proposed child labor amendment, among them being that it is socialistic. Cities legislate to protect themselves against typhoid fever; Congress lately appropriated money to fight disease among chickens; police enforce laws regarding automobile traffic; and higher institutions of learning have been established in most States and are maintained by public funds. If these are socialistic, then the proposed amendment is socialistic. The term 'socialistic' is meaningless to most people, and is one that is feared, and thus used to prevent action. The enemies of the bill are using the term in order to arouse opposition and, indeed, they are meeting with success.

"Is the granting of this power to Congress dangerous? I am sure that the power of Congress to declare war has proven dangerous to many people. Its ability to appropriate money for the building of ships was, indeed, dangerous to German imperialism, and if the proposed power is granted to Congress it should prove dangerous to employers who are exploiting children for their own financial greed. Likewise, I hope it may prove dangerous to all enemies of childhood that are fostered through child labor, such as disease, vice, and immorality. Indeed, I can think of no other persons or maladies that might suffer any apprehension. If note is taken of those who are opposing the bill, it is clear that the manufacturers and other employers of child labor are those who seem most fearful of any danger. Likewise, it should be added that it is the same group that has always fought child labor. I hope that the passage of the amendment may be as dangerous to the unjust practices perpetuated on children as the Civil War was to slavery.

"Another meaningless phrase is being heralded abroad; that is, that our Federal Congress is being granted power to control education in the States. By no stretch of the imagination can any honest man discover wherein such power is to be granted to Congress through this amendment. The proposal in no way implies or grants this. Again, the enemies of the amendment are circulating this idea to confuse the issue and deflect honest consideration. It should be added that they are proving highly successful in spreading their confused propaganda.

"One other point should also be noted. The manufacturers are now shifting the discussion to side issues and are thus confusing the farm population. The people who live on the farms either do not know anything about the amendment, and are thus saying nothing, or they are very largely in opposition; but when you talk to them about it you find that their replies are platitudes and beside the point, which they have accepted through the manufacturers' skillful direction of adverse criticism. It is, indeed, interesting to note how these people have so lately become ardent friends of farmers and have such great fear that the farm children will not be permitted to help their parents. The farm opposition arises because the mass of our substantial farm population has no appreciation of the dangers in industrialized agriculture and also the dangers to children from the present-day industries of our cities."

R. Clyde White, associate professor of rural institutions, department of rural sociology, Agricultural and Mechanical College of Texas:

"In the first place, the Manufacturers' Association and most of the newspapers, either through ignorance or design, continually misstate the proposed amendment relating to child labor. The amendment does not propose an absolute limitation or prohibition of child labor up to any age; it only gives Congress power to 'limit, regulate, and prohibit.' In no case by any process of reasoning would it be obligatory to limit, regulate, and prohibit; in most cases it is reasonable to expect that 'limit' would be the extent of legislation. Furthermore, Congress could 'limit, regulate, and prohibit' child labor up to but not beyond 14 years of age. The proposed amendment leaves it entirely up to the mandate of the people as to the stringency of any statute; if they want a strict and sweeping law, they will have to instruct their Congressmen accordingly.

"Second. It is common to hear the State-rights argument used to discredit the twentieth amendment. That may honestly involve a theory of government, but as a matter of fact the Federal Government is now 'interfering' in a lot of things which could just as reasonably be objected to on the same grounds, but which are not so denounced. The Manufacturers' Association is not carrying on a campaign to abolish Federal regulation of interstate commerce nor to repeal the Mann Act, designed to control the white-slave traffic. As an organization they are not attempting to repeal the eighteenth amendment nor the nineteenth amendment, both of which certainly abridged the 'State rights' of those States which consistently voted against them. Every amendment to the Constitution has encroached upon the domain included in 'the powers not delegated to the United States by the Constitution,' which have been reserved to the States. Thus any amendment is not a matter of right but of expediency of social policy.

"Third. The charge that the amendment 'is socialistic in origin and intent' is not an argument but an appeal to emotional bias. Socialists are not held in high esteem by the Manufacturers' Association and most publishers of papers, and the populace has an emotional and not an intellective reaction to socialism; consequently if the name of socialism can be fastened to the amendment it has campaign value regardless of its rationality. Anyone who would call the child labor amendment socialistic must surely put the post office, public education, and compulsory education laws in the same category. An orthodox socialist would agree that these are socialistic—that is, tending in the direction of State socialism.

"Fourth. The charge that State control of education is endangered is really fantastic. The twentieth amendment says nothing about

taxes, scholastic age limits, qualifications of teachers, length of school terms, internal administration, or compelling children to go to school. These matters just about cover the school system. The only conceivable place where it would touch State control of education would be in the way of making it easier to enforce compulsory school laws where they exist. As a matter of fact, compulsory school laws enforced literally are likely to be much less intelligent than the child labor amendment, because with the present organization of the public schools the morons and subnormal children would be forced through a curriculum built for children of average capacity."

ECONOMISTS IN INDUSTRY

N. I. Stone, general manager Hickey Freeman Co., Rochester, N. Y.:

"The objections to the proposed child labor amendment to the Constitution of the United States on the ground that it is socialistic in origin and intent; that it is a dangerous grant of power to the Congress; that it will interfere with State control of education have been so effectively answered by Father Ryan and other competent authorities that nothing new can be said on the subject.

"What interests me, as one actively engaged in industry, is the economic aspect of the proposed amendment. The opposition to the amendment of some of the Southern States in which the employment of children in industry is permitted to go on with little or no restriction need cause no surprise. What is more difficult to understand is the opposition on the part of business interests in the Northeastern and Western States, in most of which labor legislation of the most advanced and humane type has been on the statute books as a result of State legislation. For years the cotton manufacturers of Massachusetts complained of the competition of the southern cotton mills, due, among other reasons, to the fact that with no tariff to equalize conditions the Southern States were able to compete on the basis of child labor wages against the products of the New England States in which labor costs were affected by protective labor legislation applying both to children and adult women.

"And now, when the opportunity is presented to equalize competitive conditions, at least in part, through placing in the hands of Congress the power to make child labor conditions more uniform throughout the Union, the very industrial interests who should be foremost to welcome it on purely economic grounds seem to be largely opposed to the measure.

"Without assuming to speak either for the firm or for the industry with which I am connected, but merely as a student of economic problems, I feel that we must have some counterpart of the tariff in equalizing the difference in labor costs on products made at home and abroad due to the higher standard of living and of wages in the United States as compared with foreign countries. If we are going to have differences in labor costs between different States in the Union due not to greater efficiency on the part of capital or labor, or both, in one State as against another, but to certain legislative enactments which are put on the statute books of some States in the interest of public health and human progress, while other States lag behind, there are only two alternatives for equalizing conditions on a national scale; the other to let matters take their own course, which will result in a drift of industries to the States which place the least restriction, as the cotton manufacturers of the North are said to have done by investing heavily in cotton mills in the South. The former alternative spells equalization upward; the other, equalization downward on the path of progress."

W. M. Leiserson, chairman board of arbitration of the men's clothing industry, Chicago market:

"We are told that children must learn to work. That is exactly what they said in England more than a hundred years ago when the despised reformers were raising the age of child labor from 7 years to 9 years. It is an old refrain that has recurred at every attempt to enact child labor legislation.

"I am for the child labor amendment because the children in the States that have refused to adopt modern child labor legislation have a right to the same protection against exploitation as cheap laborers that the children in other States have.

"Because the States without modern child labor laws have had every opportunity to adopt and have selfishly and defiantly refused to adopt the American standards of child protection and education that the conscience of the people in most of the States has set.

"Because the effects of child labor in the backward States—illiteracy, stunted bodies, and minds—are not limited to the States which produce them, but are spread to the rest of the country by migration.

"Because the people of the United States have a right to set the standards of protection and education for the future citizens of the country, and no State can be permitted to hold to the standards of China or Persia simply because it raises a cry of home rule.

"A great deal of nonsense is being said and written about the proposed child labor amendment in order to get the legislators in Columbus to repudiate the plain pledges in both the party platforms favoring the adoption of this amendment.

"But are the children of the Northern and Western States, which have adequate child labor laws, less industrious than the illiterate children of the Southern States, which refuse to enact laws for the protection of children?

"The only reason that the child labor amendment is necessary is to force these backward States to adopt the American standards of child protection set by the conscience of the American people in the vast majority of States. The purpose of the amendment is the same as that of the two laws of Congress which were declared unconstitutional, namely, to make it possible to enforce the standards of the child labor laws of Ohio, Massachusetts, New York, Illinois, Wisconsin, Kansas, California, and most of the other States on the few backward Southern States that refuse to enact such child labor legislation.

"This is attacked now because it violates a supposedly sacred right of home rule for the backward States. But when State control over railroad rates within the States interfered with the national policy of the United States Government home rule in this respect was abolished. Is commerce of so much more importance than childhood that home rule may be set aside for it but not for the protection of children? Have the people of the United States not the same right to set a national standard of child protection and education for the future citizens of the country as they have of setting a national commercial policy? And can a State be permitted to maintain within its borders the child labor and educational standards of China and India simply because it claims a right of home rule?

"If the effects of child labor in the backward States, such as illiteracy and stunted bodies and minds, were confined within the borders of those States, something might be said for this idea of home rule. But the illiterates and the stunted bodies and minds from those States migrate into the other States and spread their low standards of citizenship to the rest of the country.

"The children of the backward Southern States have the same right to protection against exploitation as cheap labor that our children in Ohio have, and there is no way of assuring them this right except by act of the United States Government, because their own States selfishly and defiantly refuse to protect them.

"This is the first reason why the child labor amendment must be adopted. A second reason is that Ohio and the other States with American standards of child welfare are subjected to most unfair business competition with the manufacturers of the Southern States who are permitted to use children as cheap laborers in much the same way as children are used in India and China. And the thing is that the American standards of citizenship maintained by the vast majority of our States by the education, training, and protection they give their children must not be undermined by the influx of illiterates and stunted bodies and minds from backward Southern States any more than from European or Asiatic countries.

"This is all there is to the child labor amendment. And all the talk about habits of industry for children, invading the home, taking away parents' rights to educate or keep their children ignorant, State rights, and home rule are only the common arguments that have been used for years in the States of the South which have the highest percentage of illiteracy to prevent the enactment of the kind of child labor laws that the American people have enacted in the vast majority of their States."

LAW SCHOOL DEANS AND PROFESSORS

Henry M. Bates, dean of the University of Michigan Law School:

"All efforts to secure valid congressional legislation on this subject without amendment to the Constitution have failed. There is no other recourse, if we are to meet this serious evil, than to amend the Constitution. I am not one of those who is willing to see an unlimited extension of Federal power, but where economic and social considerations demand as urgently as in the case of child labor national dealing with a subject, I am willing to see the national power expanded to meet the need."

Walter W. Cook, Yale University School of Law:

"It seems to me that some kind of constitutional amendment conferring power upon some branch of the Government to deal with this matter is imperative. Those States which permit child labor ought not to have the power to compel other States to permit the sale of their products in competition with the goods produced by adult labor in other States. It seems to me that this proposal to give Congress the power is the satisfactory way to proceed."

George P. Costigan, jr., School of Jurisprudence, University of California:

"The great social need of effective legislation for the prevention of child labor can not be denied, and the only serious controversy possible is as to the proper body to be authorized to legislate. In view of the apparently insuperable difficulties in the way of satisfactory and uniform State action, the only thing to be done seems to give expressly to Congress that power which the Supreme Court has not seen its way to finding already lodged in Congress. That there is

perhaps a danger in very frequent resort to constitutional amendments is an argument of no weight against any single amendment of such unquestionable merit as the amendment which you are urging exhibits. For humanitarian reasons, if for no other, Congress must be given full power to act in the matter of child labor."

J. P. Chamberlain, professor, Columbia Law School:

"To judge from much of the propaganda against the child labor amendment, one would suppose that the amendment gave to Congress general control over child welfare, over the physical, intellectual, and social development of children. It seems to be assumed that Congress may regulate the relations of children in their homes, in their schools, as well as their relations in their work. The amendment does not contain any general grant to Congress to pass legislation in respect to children. It grants power to legislate in respect to the labor of children; it makes no mention of power to make laws in respect to their education or in respect to their relations with their parents. The amendment does not grant to the National Legislature control over the general welfare of children, but only a control over the relations of children and their employers, without depriving the States of their existing right to regulate the same relation.

"Therefore, an act passed by Congress under this amendment must have reference to labor if it is to be constitutional. If it is an act regulating education or an act regulating the home life of the children it will not be within the power conferred by the amendment. The Supreme Court has twice well expressed this point in relation to child labor:

> "'It is the high duty and function of this court in cases regularly brought to its bar to decline to recognize or enforce seeming laws of Congress, dealing with subjects not intrusted to Congress, but left or committed by the supreme law of the land to the control of the States.' (Child Labor Tax Case, 259 U. S. 34.)

"The grant of power to Congress over the subject of interstate commerce was to enable it to regulate such commerce and not to give it authority to control the States in their exercise of the police power over local trade and manufacture. (Hammer v. Dagenhart, 246 U. S. 250.)

"Applying this statement of principle to an act on education under this amendment, it would read:

> "'The grant of power to Congress over the subject of child labor was to enable it to regulate such labor, and not to give it authority to control the States in their exercise of the power over education.'

"Labor and education are separate subjects of legislation and no one would suppose that a power to regulate labor would include a power to regulate education.

"The purpose of the amendment is to promote the welfare of children. If it were not, then there would be no object in proposing it. The amendment, however, limits the power of Congress to promote the welfare of children through the regulation of labor, not through the regulation of education and not through the regulation of the home. Had it been intended to grant a power over education as well as labor or to grant a general power to legislate in respect to child welfare the amendment would have been so expressed.

"On the contrary, Congress has selected one of the means for the improvement of the condition of children, the regulation of labor, and has therefore made it clear that it did not intend to include under the amendment either education or the control of children in other ways, however much their welfare might be affected. Any provision in respect to educational standards in a child labor bill to be constitutional under the amendment must have to do with labor or the protection of a child as a worker and must be shown to be in some form a regulation of labor.

"The Supreme Court has shown itself quite capable of distinguishing between regulations of labor and regulation of other subjects. In the tax case it had no trouble in finding that an act which was on the face of it a clear exercise of the taxing power of Congress was when carefully examined but a regulation of labor (Bailey v. Drexel Furniture Co., 259 U. S. 20); and it also discovered in the first child-labor case (Hammer v. Dagenhart, 247 U. S. 251) that an act which did not operate directly upon labor, but operated directly upon goods in interstate commerce, a subject clearly within the power of Congress, was in fact a regulation of labor, and therefore unconstitutional.

"So far I have dealt with constitutional law. Let me add a word about constitutional reason. The Congress is composed of men elected by the people and answerable to the people at short intervals for their acts, exactly as are members of the legislature in the States. Certain of the opponents of the amendment in their forebodings over the tyrannical use by Congress of the power given it under the amendment have lost sight of this safeguard of popular rights provided by the Constitution. They make the same argument of the danger of Federal tyranny which Hamilton answered in his great defense of the Constitution:

> "'* * * The House of Representatives is so constituted as to support in the Members a habitual recollection of their dependence on the people. Before the sentiments impressed on their minds by the mode of their elevation can be effaced by the exercise of power they will be compelled to anticipate the moment when their power is to cease, when their exercise of it is to be reviewed, and when they must descend to the level from which they were raised, there forever to remain, unless a faithful discharge of their trust shall have established their title to a renewal of it.' (No. 56, the Federalist.)

"The fathers were far wiser than the opponents of this amendment would have us believe in their picture of the unbridled exercise of power by Congress. Also meeting attacks on the possibility of arbitrary power by the Federal Government, Madison said, 'The adversaries of the Constitution seem to have lost sight of the people altogether in their reasoning on this subject.' (Federalist No. 46.) And so do the adversaries of this amendment. 'These gentlemen must be here reminded of their error.' (Id.) Can it be supposed that Congressmen who depend on the people for reelection will pass acts preventing a child under 18 from milking the family cow or picking a basket of strawberries for the family breakfast or forbidding children on a farm from aiding at harvest time? Congressmen are more often accused of too much rather than too little dependence on the popular will, and in questions of child labor, on which the popular interest is so wide, there can be no doubt that Congress will be told in no uncertain language what the people want. With the restraining influence of public opinion upon Congress while it is considering legislation and the power of the court after Congress has acted to measure the law by the yardstick of the Constitution, the fear of arbitrary legislation is allayed by the same arguments which Madison and Hamilton used to allay fears of the consequence of the adoption of the Constitution itself.

"The amendment certainly extends supervision by the central power over a subject hitherto in the control of the States. Here is a fair ground for debate, which should not be obscured by forebodings undermining popular confidence in one of the fundamental safeguards of the Constitution, the control of Congress by the people through the responsibility of Members of Congress to their constituents. Even though the amendment carry, the constitutional frame of Government stands, and that frame of Government consecrates, in the words of Lincoln, an assurance of a 'Government of the people, by the people, for the people.'"

Ernest Freund, professor of law and political science, University of Chicago:

"There is now pending before the legislatures of the several States a proposition submitted by Congress to the States to amend the Federal Constitution by giving power to Congress to limit, regulate, and prohibit the labor of persons under 18 years of age, leaving unimpaired the power of the several States, except by suspending the operation of State laws to the extent necessary to give effect to legislation enacted by Congress.

"This proposed amendment is the outcome of the following constitutional situation:

"Under the Constitution as it stands, the States control the conditions of labor in manufacture, while Congress controls interstate commerce. In consequence, the States can prescribe whether and to what extent children may be employed in industry; but having enacted such laws they can not protect their manufacturers from the competition of other States whose industries operate with cheap child labor, for the importation of goods from other States, however produced, is entirely withdrawn from the legislative power of any one State.

"To deal with this situation Congress in 1916 enacted a law which made it unlawful to ship in interstate commerce the products of industry in which young persons were employed in contravention to certain standards laid down in the law. It was the general opinion of competent lawyers that this law was within the constitutional power of Congress to regulate interstate commerce. However, in 1918, by one of those 5-to-4 decisions which have been commented upon so much in recent times, the Supreme Court decided that the law did not constitute a regulation of interstate commerce but of industry, and was therefore unconstitutional.

"It was next sought to deal with the situation through the taxing power; and the revenue act of 1918, enacted early in 1919, provided that employers of child labor should pay a certain additional tax as specified in the act. Again the Supreme Court, and this time by an 8-to-1 decision, held that this measure was not an exercise of the taxing power, but was an attempt to do under the disguise of the taxing power what Congress could not do directly.

"These two decisions of the Supreme Court placed the country in the anomalous position that apparently there was no power either in the States or in the United States to deal with the interstate aspects of child labor; and it was now proposed to obtain a direct grant of

power through an amendment to the Constitution, and in 1924 the necessary two-thirds majority of the two Houses of Congress was obtained for submitting the amendment to the States.

"Let it be noted, in the first place, what the proposed amendment does and does not do. Unlike the eighteenth amendment, it does not prohibit anything or require anything. It simply gives power to Congress. It is true that it gives power to limit, regulate, and prohibit the labor of persons under 18 years of age; but it is obvious that this does not mean that Congress expects to forbid the employment of persons under 18 altogether. In giving power it is necessary to use comprehensive terms, because while most situations may be dealt with by mere regulation others may require prohibition. Thus, many States prohibit the employment of persons under 18 in certain occupations, as, for instance, underground mining; and some States forbid the employment of women in underground mines altogether. It is not proposed to give Congress the latter power, but surely there can be no objection that if it deals with child labor at all it should be enabled to cover the entire field effectively. It might have been wiser to avoid the term "prohibit" in the amendment, but the result would have been exactly the same, because any power of regulation must include prohibition under certain conditions to be specified by law.

"Before the amendment can become practically operative it will require congressional legislation; and since all sections of the country are represented in Congress, there is not only no danger that the standards will be absolutely unreasonable but there need not even be any serious apprehension that they will be unduly high. The national standard will be a minimum standard and will undoubtedly remain below the standards now prevailing in some States. This may be particularly expected because some of the higher labor standards for young persons can not be put into effect without corresponding educational provisions which Congress will remain powerless to prescribe.

"On the other hand, it is, of course, true that national regulation will prevail over State regulation where State regulation either sets standards which the national conscience regards as intolerable or fails to enforce such standards as the State laws have enacted.

"It is charged against the proposed amendment that it will flood the country with an army of Federal agents prying into local affairs; but fortunately the two previous abortive attempts at national child-labor regulation have set a precedent for much more conservative exercise of Federal power which it may be confidently expected will be followed in any future child labor legislation enacted by Congress.

"When the law of 1916 was enacted, the Children's Bureau in Washington was entrusted with its execution, and the plan followed was to utilize the State enforcing agencies wherever they were available and could be trusted, and where State agencies proved unreliable or inefficient a relatively small Federal inspection force was found sufficient to revise and elevate standards and to bring about a better administration of the laws.

"There is thus every reason to expect that the child labor amendment, instead of adding to the evil of centralized administration, will inaugurate a new era in the relations between Federal and State powers far more favorable to local autonomy.

"The opponents of the amendment denounce it as a step in the direction of socialism, but that form of attack misconceives the entire issue. The question is not whether we shall have child labor control or not, but whether defects of control under the present system shall be remedied. The country has been committed to the policy of child labor control for at least 50 years, and there is no going back on that policy, and in the interests of its children it espoused socialism of the most advanced type when nearly 100 years ago it established a system of free schools.

"The only question now is whether child labor control should be national as well as local. It is national in every other country that has a federal system of government, and it is a pure accident that the United States has hitherto formed an exception to the rule. There has never been an advance in child labor legislation without dire predictions as to the harm that it was bound to do to parental authority, to the child, to habits of industry, and to industry itself. None of these predictions have ever come true.

"Statutory regulation by its very nature can not rise above standards very moderate as compared to those voluntarily observed in industry by its most farsighted and efficient representatives. No country has ever suffered, and the United States will not suffer by any undue protection given to its childhood."

M. R. Kirkwood, dean of Stanford University Law School:

"As a general thing I am opposed to promiscuous amendment of the Constitution. However, this is a matter which seems to demand such action. Two things have been made clear by recent history. In the first place, there are certain States which will not protect the children of the country by legislation. In the second place, the decisions of the Supreme Court seem to settle beyond all doubt that Congress has no power to regulate child labor under the Constitution as it now stands. It seems to me that any action is justified which may be necessary to accomplish this great humanitarian purpose."

Prof. W. D. Lewis, formerly dean, University of Pennsylvania Law School, now director American Law Institute:

"The proposed amendment gives full discretion to Congress as to the extent of the prohibition, regulation, and limitation. On the unlimited power of Congress thus vested there are two important limitations. One is derived from the very words of the amendment itself, and that is that the limitation must be a regulation of labor. Congress can not adopt an act regulating the education of children under the guise of regulating child labor. Under our system all such abuses of power are prevented by the Supreme Court of the United States. That is one of the things for which the Supreme Court exists. The other limitation is that under the fifth amendment to the Constitution no power granted to Congress, whether the power to regulate child labor or any other power, can be so exercised as to deprive any person of life, liberty, or property without due process of law. As interpreted by the Supreme Court this would prevent any grossly unfair and arbitrary child-labor legislation. In short, while the amendment gives power to Congress adequate to deal with the subject of the labor of persons under 18, it does not confer upon the Congress greater powers than the States already have, and in the United States under the terms of the 'due process of law' clause to which I have referred, absolute arbitrary power does not exist.

"The attempt to confuse the real issues involved in the adoption of the child labor amendment by trying to frighten American people into the belief that under it Congress not only will try but will succeed in regulating all education, is not only imputing a lack of integrity to Congress, but is an insult to the intelligence of the members of the Supreme Court. Those who make this kind of argument in attempting to defeat the amendment are really attempting to create in the American people a distrust of our form of government. Congress is being held up as composed of persons apparently eager to adopt the most absurd measures, while the judges of the Supreme Court are pictured as very likely to sanction unwarranted extensions of Federal power by legal chicanery in the interpretation of plain language worthy the lowest pettifogger who ever disgraced the legal profession. * * *

"What is being done by those who have during the last 20 years fought every effort of the States to protect children, is to attempt to becloud the issue, to deceive the people by filling the channels of public information with misrepresentations. Thus, another issue has been injected into the campaign. It is no longer merely a question of the facts pertaining to child labor and the successes and failures of State regulations, but it is also to be determined whether the time has come when the wide dissemination of misstatements by those personally interested in the defeat of a measure will be successful in fooling the American people."

Roscoe Pound, dean of Harvard Law School:

"I do feel impelled to express my conviction that now that it seems to be established by decisions of the Supreme Court that Congress can not deal with this matter under the Constitution as it stands; a constitutional amendment is imperative. To-day, so far as industry and business are concerned, State lines are but lines upon the map. A situation in which one standard as to child labor applies on one side of such a line, and another upon the other side, or in which an easy-going administration upon one side of such a line, as it were, competes with a strict administration upon the other, can result in nothing but evil. I should cordially agree that constitutional amendments ought to be reserved for a few great occasions, and that nothing could be more mistaken than to resort to constitutional amendment for every sort of desired legislative improvement. But the need of regulating child labor is emphatically one of those great occasions which calls for the legislative interposition of the people of the United States through the Constitution."

Dean Pound answered three questions with respect to the amendment as follows:

"1. Will the Bill of Rights be abrogated if the child labor amendment is ratified? This seems to me the most absurd bogey that ever was conjured up. Let me give you an example of the way lawyers can argue on such points. Probably there is no better authority on law in the country than Mr. Hughes. When the income-tax amendment was under consideration he urged strongly that the result of it would be to allow the National Government to tax State and municipal securities out of existence. Certainly the language of the amendment was very strong—income 'from whatever source derived.' Nevertheless, the Supreme Court of the United States has held that the amendment did not have any such destructive effect.

"Now take the present case. The argument is that a power of prohibition and regulation is conferred and that there are no limits upon that prohibition or regulation. But the amendment is meant to fit into the Constitution as a whole, and the Bill of Rights provides that the Federal Government shall not deprive any person of life, liberty, or property without due process of law. Therefore, any unreasonable means of regulation, and anything arbitrary or unreasonable in the carrying out of the prohibition would be subject to the limitation that applies to all congressional exercise of powers given by the Constitution.

"The Supreme Court of the United States has never manifested any inclination to give free reign to social legislation. On the contrary, it has always scrutinized it very jealously. I see no reason to suppose that it would allow legislation under this amendment to run wild. If it is said that we may presently get a radical court, it won't need constitutional amendments to enable it to sanction congressional dealing with the subject of child labor. It will simply overrule the first child labor decision and let the matter go at that."

"2. You ask whether the Supreme Court will allow educational control to be implied from the amendment. Why it should be supposed that this amendment will bring about an entire change of front in the attitude of the court I can not perceive. The amendment says nothing whatever about education. What it says is that Congress may regulate and prohibit child labor. Under the tenth amendment 'the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people.' This seems to me to settle the matter. There being nothing whatever in the Constitution about education, it is committed to the States respectively where it stands now. If certain children are not permitted to be employed in labor and therefore it is deemed they ought to be educated, the matter of educating them rests with the State exactly as the matter of protecting them from being run over by automobiles in the streets does.

"3. You ask will the amendment give Congress a power more extensive than that now possessed by the States? I suppose the States have power to deal with the matter of child labor up to the age of 21. Very likely regulations of labor above 21 would be said not to be due process of law. If that is the case, the power given by this amendment is less than the power actually possessed by every State in the Union at present. It should be borne in mind that the Supreme Court of the United States has expressly decided that the States may enact child labor legislation. What this amendment does is to give to Congress a power to deal uniformly with the whole country in a matter with respect to which each State now has greater powers than those which this amendment proposes to confer upon Congress.

"Let me say one thing more. I have read attentively the voluminous literature which has come out upon this subject recently, in which some very good lawyers, obviously retained for the purpose, have expanded the resources of ingenious advocacy in conjuring up bogeys in this connection. It should be remembered that excellent lawyers have always done this with respect to every important measure in our history. We certainly have never had a greater lawyer in this country than James Kent. But he thundered against the Louisiana purchase as unconstitutional, revolutionary, and subversive of American institutions. Nothing that I have read about the child labor amendment paints a gloomier picture for the future than that which this eminent lawyer painted in his opposition to acquisition by the United States of a territory which would make it an American empire."

Charles J. Turck, dean of the College of Law, University of Kentucky:

"I believe in the child labor amendment because I believe in the children. This is the children's age, and we must take them out of industry if they are to have an unfettered chance in life. A million children between the ages of 10 and 15 in gainful occupations in the United States are a million reasons for the passage of this amendment.

"If we can trust the Federal Government to regulate liquor, to watch over our foods, to carry our mails, to control our commerce, why can not we trust the Federal Government to protect our children? The more precious a thing is the more protectors I want around it. There can not be too many protectors, State and Federal, watching over the children. The child labor amendment simply means that another mighty arm is thrown around the children to protect them against greed.

"The States have no right to claim an exclusive privilege as the guardians of the children when some of them by their own neglect and inactivity have made possible conditions in child life that are a disgrace to a Christian Commonwealth. I recall that most of the people who cried out for 'State rights' in the liquor amendment were people who believed in liquor, and I believe that most of the people who are demanding 'State rights' in the child labor amendment are people who believe in child labor.

"We have to choose between the school and the factory for our children. We can compare the output and make our choice. I hate the thought of a child at work. I have two little girls; no man shall rob them of their childhood; and I ask for my own nothing more than what I am willing to fight for on behalf of others.

"No high-minded man of business wants his profits swollen out of the happiness of little children. No low-minded man of business will be permitted to have such profits. Child labor is doomed, and I greet its departure as another bit of evidence that our leaders in industry and in trade are recognizing a higher moral standard that can not tolerate the exploitation of the young. This is the children's age."

WOMEN LAWYERS

[From the New York Sun, January 3, 1925]

Mrs. Rose Fall Bres, president of the National Association of Women Lawyers, an organization with 700 members, all of whom are in the actual practice of law, has joined the ranks of the active workers in the movement to secure the prompt ratification of the child labor amendment to the United States Constitution.

The New York Council of the National Association of Women Lawyers, with but one dissenting vote, recently indorsed the amendment. Mrs. Bres has presented the matter for consideration to 41 State councils. She is confident that the various State councils will take favorable action upon the amendment, and she announced yesterday that following such action the executive committee of the national association would make formal indorsement of the amendment.

Mrs. Bres, on a three months' trip through the South, plans to urge the ratification of the amendment wherever she goes.

"I am a native of Louisiana," said Mrs. Bres. "For 20 years I have been studying the problems of child labor. I know what child slavery means. I have seen little children at work grubbing cotton under a burning hot sun in the cotton fields of Louisiana. I have seen them in the tobacco fields of Kentucky. I have watched with a feeling of revolt a file of little children going up to have their pails filled with shrimps in canneries along the Gulf coast, and I have seen them working over the shrimps with their small hands, red, cut, and swollen by the shells. I have learned that at the end of a long, hard day the earnings of these little children amounted to about 40 cents.

"As I see it, the war on child labor is that of power versus poverty, of production versus privation. I have studied the child labor amendment carefully from a legal viewpoint and I see no legal obstacles.

"I do not believe that planters, manufacturers, and others who employ little children will lose in the long run by the prohibition of child labor. The very use of child labor reacts to the detriment of the industry in which they are employed. Children are a nation's asset. We can not think of them sectionally or by States. The children of New York, California, Louisiana are entitled to national protection. America is not expressed by its resources, its wealth, but by its people, and it is the spirit of the people which really symbolizes America. If you weaken the spirit, you are weakening America.

"Children migrate to the beet and tobacco fields. If there were uniform laws in every State up to the standard of New York State, then I would be in favor of letting the States handle the problem, but the States have failed. Only about four years ago Georgia, a State notorious for its use of child labor, passed a State law forbidding employers of minors from using corporal punishment. What is this but an instance of child slavery?

"There is a hesitancy about tampering with the United States Constitution, but surely in the 120 years since the Constitution was formed certain advances have been made. Poor children then were bound out to masters, girls of 18 years of age and boys of 21. There would be an uprising against such practices now.

"Lawyers are found who find legal objections to the proposed child labor amendment. Lawyers will be found on both sides of any question. Kent, a lawyer famous in his day, deplored the purchase of the Louisiana Territory. We can see how far wrong he was.

"In the child labor amendment we are not asking for any actual law. We are only trying by an enabling act to give Congress the right to set minimum standards for the entire United States upon child labor in order that child slavery may be prohibited.

"Too many people, even those who generally keep up with the Nation's affairs, are not informed about the actual nature of the amendment. The amendment does not prohibit the work of all children under 18. It merely gives Congress the power to limit, regulate, and prohibit the work of children up to the age of 18 where it may seem desirable."

EXTENSION OF REMARKS

Mr. SUTHERLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of law enforcement in Alaska.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on certain recently proposed changes in the powers of the Supreme Court.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the requests of the gentleman from Alaska [Mr. SUTHERLAND], the gentleman from South Carolina [Mr. McSWAIN], and the gentleman from New York [Mr. BLOOM]?

There was no objection.

LAW ENFORCEMENT IN ALASKA

Mr. SUTHERLAND. Mr. Speaker, when the exploiting interests of Alaska have in the past aroused the anger of the Territorial people by their attempts to obtain monopolistic control of the country's natural resources and the searchlight

of publicity has been thrown on their actions, these interests have invariably retaliated by defamatory statements applied to the northern people. When carpetbag officials in the past have failed as administrators and the people voice their disapproval of official acts, the usual explanation made by those officials has been the "viciousness of the people." In fact, maligning the people of Alaska has for a long time been the permanent defense of those who would loot our resources and of those officials who are always willing to acquiesce in the looting.

CHARACTER OF ALASKAN CITIZENS

There are no doubt vicious elements in all populations on earth. We have such elements in Alaska, but they form a very small part of the population. There are no more loyal, law-abiding citizens under the American flag than those of Alaska.

The record of this Territory in sending the greatest number of men to the national defense in 1917 in proportion to the population, in subscribing to Liberty bonds and war savings stamps issues beyond all other governmental units of equal population, is well known to the people of the United States. As further evidence of the high quality of American citizenship in Alaska, I here make the assertion that since a limited form of autonomous government was extended to the Territory 13 years ago it has enacted more social and moral reform legislation than has any other State or Territory within the same period of time.

QUALITY OF CITIZENSHIP REPRESENTED IN LEGISLATION

Four years after legislative powers were conferred on the Alaska people by Congress we had referred the liquor question to the electors, and they by a strong majority asked of Congress a prohibition law, which was enacted in 1917, thus antedating the national prohibition amendment by two years. The first Alaska Legislature gave particular attention to the enactment of laws affecting the moral question. In fact, many of the amendments to the Criminal Code were for the purpose of strengthening the powers of law-enforcement agencies in order that Alaska might be made a desirable country for its residents to raise their families in, and that its standard of morality and orderly government should be on a plane equal to that of the communities throughout the United States and, indeed, the world at large from which these residents had migrated.

ORIGIN OF ALASKA PEOPLE

The census returns show that about one-half of the white population of Alaska is of American birth, and the great majority of these Americans came from rural regions of the United States, where moral standards are high. The great majority of our alien-born residents came from those northern European countries that have originated many of the world's moral and social laws and have long been experimenting in legislation to limit and restrict the liquor traffic. Therefore it was but natural that this sentiment for righteous government which was inherent in the people should be given expression by their first legislative assembly in the enactment of such laws as this sentiment demanded.

The late President Harding, after personal observation of the people of Alaska during his visit to the Territory, said:

> There is no finer citizenship in all the United States, no more promising childhood anywhere. Indeed, in this citizenship and in this vigorous childhood lies the solution of the Alaskan problem.

LAWLESSNESS LOCALIZED

The lawlessness that may be in certain sections of Alaska to-day can not be attributable to the permanently domiciled residents nor to the laws of the Territory. The deplorable conditions that have recently been called to public attention are confined to a relatively small section of the country, and in fact are confined to a few small municipalities of southeastern Alaska. The real cause of these conditions is the gross incompetence of those men who have been selected to enforce the laws. In the first judicial division of Alaska the law enforcement system has degenerated into a system of compromise between the officials and the criminal element. In the towns of Juneau and Ketchikan the liquor, drug, and vice traffic is conducted under what is the equivalent of a license system. Any vendor can figure just about what the amount of his fines will be in case he be apprehended in illicit traffic. His lawyer carries on a system of dickering with the prosecuting officials until the amount of the fine is fixed before the plea of guilty is entered.

LAWLESS CONDITIONS IN KETCHIKAN

The following protest by the Woman's Council of Ketchikan sets forth the state of depravity into which Federal officials have permitted this place to sink by their system of compromising with the criminal element:

> KETCHIKAN, ALASKA, *November 17, 1924.*
>
> The members of the Ketchikan Woman's Council protest against the conditions which are giving Ketchikan the reputation of being the most wicked city of its size in the West. Bootlegging, dope peddling, and women engaged in illicit and illegal business, with their agents and solicitors are the common knowledge of every citizen of Ketchikan.
>
> We protest against the atmosphere of tolerance and indifference that permits these conditions.
>
> We recognize the difficulties in combating these evils but can not believe but that if the law were enforced it would go a long way toward remedying the flagrancy of conditions.
>
> We women are the mothers of the Ketchikan of to-morrow and we are offering to you our heartiest cooperation. We feel the responsibility not only of our children but of all the children of Ketchikan.
>
> Once again we wish to present our idea of a trained policewoman as a means of prevention of evil for the boys and girls.
>
> Respectfully submitted.
>
> KETCHIKAN WOMAN'S COUNCIL,
> By FLORENCE D. STACKPOLE,
> CHRISTINE S. MALMIN,
> MARGERY Y. HALL,
> LULU V. TAYLOR,
> EMMA M. FALCONER,
> *Committee.*

This plea of the women of Ketchikan fell upon deaf ears. The mayor of Ketchikan is a wide-open town advocate, and no municipal action to improve conditions can be hoped for.

WHERE THE VICIOUS ELEMENT DOMINATES

The following extracts from a letter addressed to the Attorney General of the United States in connection with a land case before the court in Juneau, written by one of the leading lawyers of the Territory, well depicts the arrogance of the criminal element of Ketchikan, and charges combination between the government and organized criminal element:

> Your attention is now directed to map No. 1 herewith, and to the unofficial colors and lines which have been placed on it * * *. These red areas along Mission Street constitute the tenderloin—the "Barbary Coast" of Ketchikan. The prostitutes, pimps, and bootleggers, the gambling houses and gunmen, the low class Japanese, Chinese, Mexicans, Filipinos, and the criminal element, which naturally congregates around the "Red-light district," lives in this "Indian town"—having crowded the gentle, inoffensive, and better class of the Indians out. * * *
>
> This is the worst spot in Alaska, and it is on Indian lands, on tide lands reserved by the Secretary of the Interior for Indian use. Assistant United States Attorney Miller, of Ketchikan, had this stinking hole just about cleaned out—had its inmates on the run—but before he could entirely succeed in his honest and vigorous efforts some powerful influence blocked his progress—and the prostitutes and drug fiends came back to the "Red-light district" on Indian and tide lands, are now more powerful and arrogant than ever. This is the bootleggers' first landing place when they bring liquor and narcotics over from British Columbia; it is the headquarters for their criminal business. The vendors of narcotics all reside on this land, the title to which is held by the United States. Its presence there, on United States property, protects 200 prostitutes, pimps, and their kind, who sell bootleg liquors and narcotics and carry on a school there to spread both of these poisons, and maintain the most vicious den in Alaska on Indian and tide land, the title being in the Government of the United States. * * *
>
> This statement is not intended to be taken as charges against the United States attorney's office, but is intended to be a calm and fairly accurate statement of well-known public facts which surround the Ketchikan Indians and their property rights, overwhelmed by vice and crime, and who need protection of the Government rather than its opposition and combination with the organized criminal elements which have so completely submerged them and their native village.

There was a time when the consorts of the red-light women seemed conscious of their low social status; were conscious of the fact that they were despised and scorned by the virile manhood of the Territory; but under the present system that Federal officials have permitted to develop in Ketchikan this most vicious class has become arrogant and domineering. They parade the streets of Ketchikan in the attitude of a privileged leisure class. Their 200 or more women operate the saloons of the town right under the eyes of the Federal officials.

COMPROMISING WITH DOPE PEDDLERS

The system of punishing narcotic peddlers is about on a parity with the system applied to liquor law violators, as evidenced by the following compilation of cases before the district court at Ketchikan during the years 1921 and 1924, inclusive.

While sentiment throughout the United States is strong for the suppression of the drug evil, and penal sentences for the violators of the narcotic laws are demanded, this compilation indicates a policy of minimizing the crime:

Narcotic cases

Docket No.	Plea	Fine	Jail sentence
738	Guilty	$1,000	6 months.
772	do		16 months.
789	do		9 months.
795	do		3 months.
815	do	100	1 year 10 days.
826	do	[1] 50	
827	do	[1] 50	
828	do	[1] 50	
829	Not found; bail forfeited		
830	Guilty	[1] 50	
833	do	[1] 25	
835	do	[1] 50	
836	do	[1] 50	
837	do	[1] 300	3 months; suspended.
847	do	[1] 50	
848	do	[1] 50	
849	do	[1] 50	
886	Not guilty; found guilty by jury.		13 months.
887	Guilty	[1] 50	60 days.
888	do		5 months.
948	do	[1] 250	60 days.
949	do	[1] 250	30 days.
950	do	[1] 300	6 months.
951	do	[1] 210	4 months.

[1] And costs.

With all the laws of Congress for suppression of the drug traffic, with their severe penalties, in force in Alaska, we find that with pleas of guilty the lowest fine possible under the law is assessed in the majority of cases. The explanation is that the same system of dickering with the Government's attorney in liquor cases is also applied in narcotic cases. Alaskan juries show no leniency in narcotic cases if the cases reach them. Of the 24 cases herein listed only one case came before a jury.

CAPITAL CRIMES

The incompetence of the United States attorney in the First Judicial Division is shown in the following telegraphic correspondence:

WASHINGTON, D. C., *July 25, 1924.*

JOHN H. DUNN,
Juneau, Alaska:

How many cases of murder both degrees and manslaughter have been tried during Judge Reed's term of office to date? How many convictions and how many pleas of guilty?

DAN SUTHERLAND.

JUNEAU, ALASKA, *July 25, 1924.*

DAN SUTHERLAND,
Delegate from Alaska,
167 House Office Building, Washington, D. C.:

Six cases murder and manslaughter tried. Five acquitted, one convicted. One additional plead guilty second degree.

DUNN, *Clerk.*

This is the record covering a period in office of three years up to July 25, 1924. Some of the most revolting murders in the history of the Territory are included in the list of five acquittals out of six indictments. There is no reason for this miscarriage of justice except the incompetence of the prosecuting officials.

THE PROHIBITION ENFORCEMENT FARCE AT JUNEAU, ALASKA

A compilation of the reports of the chief of police of Juneau for the year 1924 and for the month of January, 1925, is strong evidence of the nonfeasance of Federal law-enforcement officials:

Compilation of the reports of the chief of police, city of Juneau, Alaska

	1924									1925
	Jan.	Mar.	Apr.	June	July	Sept.	Oct.	Nov.	Dec.	Jan.
Arrests	2	15	10	14	8	7	8	9	13	6
Intoxicated persons sent home	22	37	32	42	51	53	49	64	52	42
Quarantine notices posted		39	22							
Warnings, violations traffic ordinance		4	10	7	19	9	11	15	18	
Miscellaneous investigations		8	6	7	11	8	10	14	6	9
Complaints			7	39	21	23	20	24	22	15
Calls answered		16					16	17	13	13
Dogs shot		3		6	17				1	1
Meals furnished prisoners					6	11		6	13	27
Sent to hospital		1			1		1	1		
Prisoners escaped								2		
Prisoners recaptured								2		

NOTE.—No reports on file for February, May, and August, 1924.

It will be noted that during the nine months of the year 1924 which appear in this record there were 402 intoxicated persons sent home, or an average of 44⅔ per month.

The significance of this report is that Juneau is a town of 3,058 population. It is the seat of the Federal court. The United States marshal resides here, with three deputies. The United States attorney is also located here, with two assistants. In fact, all the activities of the Department of Justice for the first judicial division of Alaska are centered in Juneau. Here one would naturally look for a decent respect for the law, but the record shows that the principal work of the local police is sending home intoxicated persons. Unfortunately, the record does not indicate just what degree of intoxication is necessary in order to have an inebriate sent home by the police. All consumers of bootleg liquor are apt to become violent when they arrive at that stage of intoxication where they are firmly convinced that the eighteenth amendment to the Constitution interferes with their personal liberty, and it is probable that interference by the police comes at about that stage.

The whole responsibility for this condition of affairs at Juneau, the capital of Alaska, is upon the Federal officials who have taken solemn oath to enforce the laws without fear or favor. These officials walk the streets of the town every day and the dens of depravity and sinks of iniquity come under their personal observation, but the vicious element is strong politically, and why should a Federal official stir up trouble by antagonizing this element?

PAYING CIVIL WITNESSES FROM GOVERNMENT FUNDS

The absolute control of Federal officials in southeastern Alaska by the cannery interests is well illustrated in case No. 936, criminal docket, Ketchikan, October term, 1923.

This case was an indictment returned by the grand jury for larceny. Two witnesses for the Government testified before the grand jury. Thereafter they both left the Territory and went to the State of Washington. The case was abandoned by the United States attorney and never brought to trial.

It later developed that one of the larger cannery companies required one of these men as a witness in a civil suit. The witness in question was the least important of the two who had testified before the grand jury, and if there has been an honest intention to prosecute the criminal case both of these witnesses should have been summoned.

At the instance of the attorney for the cannery company, the United States attorney caused a subpœna to issue for this man to appear at Ketchikan, ostensibly to testify as a witness for the Government in the criminal suit. The witness appeared and testified in the civil suit, but the criminal case was not called for trial. His witness fees and expenses from the State of Washington to Ketchikan, Alaska, and return were paid from Government funds by the United States marshal, under instructions from the United States attorney and the district judge.

Had the United States attorney intended to try the criminal case the testimony of both witnesses would have been essential; and, in fact, the testimony of the one not summoned was of greater importance than the one who was summoned, but who appeared and testified only in the civil suit. The official was simply carrying out the dictates of his masters.

PRIVILEGE AND IMMUNITY FOR PACKERS

The law of Congress of 1906 provides that the Secretary of Commerce may close streams in Alaska to fishing for a distance of 1,500 feet from the mouths. Under this authority the Secretary of Commerce in 1922 issued a general closing order which affected, among others, Staney Creek in southern Alaska. In the spring of 1923 one of the large packing companies placed a fishing appliance within the prohibited area at the mouth of Staney Creek and operated continuously during the summer months.

This action on the part of this corporation was condemned and protested against by all fishermen who were compelled to operate outside the water area in which the large packing company operated. After the close of the fishing season a complaint was filed by a representative of the Department of Commerce and the company was indicted. A plea of guilty was entered and a fine of $400 imposed. The evidence showed that this trap had fished all the season within a prohibited area. The value of the fish caught was estimated at from $19,000 to $31,000. The company was permitted by the court to keep the stolen fish, and the penalty of $400 represented the value of less than an average day's catch. The effect of this subserviency by the court to a large and powerful corporation is to arouse in the minds of the people a contempt for the individual upon the bench that lessens the dignity of the office and tends to encourage violation of law by all who are engaged in the fishing.

FURTHER IMMUNITY TO INFLUENTIAL CANNERY MEN

As further evidence of the control exercised over Federal officials by the cannery interests in southern Alaska I wish to recite an incident that occurred at Ketchikan on October 2, 1923.

One of the leading salmon packers of that section arrived in Ketchikan from a Canadian port on his commodious gas boat. He was boarded by a Coast Guard officer and in his stateroom a stock of beer was found. In the forecastle three bottles of rum were found. The case was turned over to the United States attorney's office. The result was an arrangement with the United States attorney whereby a sailor on the boat pleaded guilty to ownership of the rum and paid a fine of $50. No action was taken toward prosecution of the owner of the boat for having liquor in his possession, nor was any action taken toward forfeiture of the boat for transportation of liquor. This and many similar cases serve to illustrate why the enforcement of the prohibition laws in this section of Alaska has become a farce.

THE OFFICIAL BLACKLIST

This was an innovation in the administration of justice conceived by the cannerymen, the United States marshal, and the United States attorney. Ever since the fish trap became an established institution in the Alaskan fisheries there have been men who did not hesitate to steal the impounded fish. There always have been employed watchmen at these traps who would not hesitate to sell the impounded fish to the first purchaser who came along. This peculiar form of larceny has become known as piracy. The stolen fish must, of course, be sold soon after they are taken from the water. There is no market for these stolen fish except at the canneries. Every canneryman in southern Alaska denies that he buys pirate fish, but swears that his neighbor does. The cannerymen represent to the Department of Justice that their traps are robbed of millions of salmon and demand protection of their property. Last season the officers of the law in southern Alaska were unable to apprehend a single fish pirate either at the place of robbery or the place of sale.

A conference of cannerymen, United States marshal, and a representative of the United States attorney's office was held at Ketchikan in August, 1924, and there the official blacklist was evolved. The several cannerymen present gave the marshal and district attorney the names of those fishing boats whose captains and crew they had particular aversion to, and a blacklist of these boats was prepared and posted at the canneries. The announcement was made that any canneryman purchasing fish from these blacklisted boats would be prosecuted. The statute under which indictments would be brought was not named.

THE EFFECT OF THE BLACKLIST

This blacklist prepared by Federal officials was absolutely unlawful. It contained the names of 36 fishing boats and involved their captains and crews to the number of 150 men. Not one of these men had been convicted of larceny nor piracy of fish, nor had one of them even been indicted. This outrage was perpetrated upon them deliberately and with malice. It serves to show to what length incompetent and weak officials will do the bidding of the interests in whose control they have placed themselves in the belief that these interests have the power to retain them in office, regardless of how reprehensible their official acts may be. It stands to the everlasting credit of the fishermen of southern Alaska that no violence was attempted in retaliation for the stigma placed upon them. They carefully exercised their constitutional right to peaceful assembly and there offered their protests.

CORRUPT PRACTICES OF FEDERAL OFFICIALS

There is no incident in the history of the judiciary of Alaska where corrupt practices and conspiracy to defraud were more brazenly carried through than by the presiding judge and United States attorney for the first judicial division, than in the case of the election of Republican national committeeman in the primary election of 1924.

LEGISLATIVE ACT

The Alaska Territorial Legislature of 1917 enacted a law "To provide for direct election of national committeemen and delegates and alternates to national conventions."

Section 1 provides as follows:

At the primary election to be held in 1920 and similarly every fourth year thereafter, the national committeemen and delegates and alternates to the national conventions of the different political parties shall be chosen by direct vote of the electors in the manner prescribed by law for the nomination of candidates for territorial offices.

The purpose of this act was to prevent manipulation of political conventions by Federal officials.

Under this act the national committeemen for both parties were elected at the primary election of 1920 and served in that capacity for a term of four years.

NULLIFICATION OF THE ACT BY FEDERAL OFFICIALS

At the primary election of 1924 there were two candidates for the office of Republican national committeeman; namely, Arthur Frame and John Frame.

The primary election returns show that John Frame was elected by a clear majority of 252. The candidacy of John Frame was opposed by the judiciary of the first division, and as soon as the result of the election was made known they immediately entered into a conspiracy to defraud Mr. John Frame of his seat, to which he was elected by the Republican voters of Alaska. The delegates to the Republican National Convention elected under the same act of the Alaska Legislature were Dr. L. P. Dawes, of Juneau, and George Sexton, of Seward. Doctor Dawes was unable to attend the convention and gave his proxy to Sexton to be voted for President Coolidge and for the seating of John Frame as national committeeman.

Sexton entered into a conspiracy with Judge Thomas M. Reed, of the first division, and other officials who bribed him with money, to nullify the will of the people of Alaska by acting in conjunction with Arthur G. Shoup, United States attorney of the first division of Alaska, who on June 3, 1924, was attending the Federal court of appeals at San Francisco. At the primary election of 1924 Mr. Shoup was elected alternate to the national convention at Cleveland. After Sexton had agreed to enter into this conspiracy at the solicitation of Federal officials, the following telegram in departmental code was sent to Shoup at San Francisco:

(Copy decoded)

JUNEAU, ALASKA, *June 3, 1924.*

TO ARTHUR G. SHOUP,
Chancellor Hotel, San Francisco, Calif.:

Dawes not going. You must go. Sexton or Ray for committeeman satisfactory here. Urgent. Sexton will stand firm.

SCOTT C. BONE.
THOMAS M. REED.

Acting under these instructions from Federal Judge Thomas M. Reed, Mr. Shoup went to the Cleveland convention and as alternate was admitted to the floor of the convention, and acting with Sexton presented the name of Sexton for national committeeman, when under the usual custom each State and Territory was called upon for nominations for the office. Sexton and Shoup knew full well the will of the people of Alaska as expressed at the same time that they themselves were selected for office, but they deliberately and fraudulently attempted to set aside the mandate of the Alaska people.

When a Federal judge so far forgets the dignity and honor of his high office as to get down from the bench and trail his judicial ermine in corrupt politics he must expect only contempt of the public for his actions. He should further expect that his assumption of dignity, his pretense of judicial temperament, his simultation of an attitude of justice and equity must appear to the public as false and spurious.

When a United States attorney degrades his high office to the extent of practicing corrupt politics such as Shoup practiced, the public knows that the administration of his office can not be otherwise than dishonest.

VIOLATION OF DEPARTMENTAL RULES

Circular No. 1348 of the Department of Justice, issued January 2, 1924, reads as follows:

No presidential appointee or other unclassified employee of the Department of Justice will hereafter be permitted—

(b) To display such obtrusive partisanship as to cause public scandal.

(c) To attempt to manipulate party primaries or conventions.

(g) To use his position to interfere with an election or to effect the result thereof.

(h) To neglect his public duties.

It was not to be expected that the Federal judge and district attorney would have any more respect for the rules and regulations of the Department of Justice which were formulated for their guidance in political matters than they had for the laws of the Territory of Alaska which govern primary elections.

SHALL LAW BE ENFORCED

It is held by many that the contempt shown by the people of the United States for the laws for the enforcement of the eighteenth amendment has tended to create contempt for all

other laws, and there are those who assert that a continuance of the present prohibition system means the breaking down of all laws. The question is then whether the Government shall decline or accept the challenge to its power and authority issued by the vicious liquor peddling element, which is willing that all laws should become inoperative. If the Government fails to accept the challenge it will be by reason of the fact that those who have taken solemn oath to enforce our laws prefer a course of compromise with the lawless element to one of strict performance of duty. An American statesman has well said that "Neither Government nor party can afford to cheat the American people. * * *" Congress enacts the laws and the executive branch of Government is charged with enforcement. We can not nullify because of divided opinion. We can not jeopardize orderly government with contempt for law enforcement. Modification or repeal is the right of a free people whenever the deliberate and intelligent sentiment commands, but perversion and evasion mark the paths of the failture of government itself.

RECRUITING THE SUPREME COURT—COURTS ARE NOT ABSTRACTIONS, BUT HUMAN BEINGS

Mr. McSWAIN. Mr. Speaker, recently one of the Washington newspapers announced, whether with authority or not, I can not say, that Mr. Justice Oliver Wendell Holmes will retire from the Supreme Court of the United States shortly after March 8, 1925, on which day he will be 84 years old. If Congress should be in session at that time, it would be more appropriate for these remarks to be made then. But it seems practically certain that there will be no extra session at that time, and consequently I desire to record now my high estimate, though with feeble and inadequate language, of the public service of this distinguished jurist.

It is fitting, though at first blush incongruous, that a son of South Carolina, and a son and grandson and near relative of Confederate soldiers, should go out of his way to utter words of commendation for a son of Massachusetts, who served in the Union armies throughout the entire war period of '61 and '65, and was wounded at Ball's Bluff, Antietam, and Fredericksburg. The passions of that time have passed. The prejudices growing out of that conflict have practically all gone. The sons and grandsons of those engaged in that civil strife have since joined their efforts, mingled their joys and hardships, commingled their blood, and consecrated their lives in two great wars for the common country.

But I am especially persuaded to speak of Mr. Justice Holmes, because it seems to me that his services as a member of the Supreme Court have been conspicuously devoted to the preservation of the old original and true ideals of our confederated Republic. This efforts have been directed to maintaining unimpaired the powers and duties of the States to govern their own people by such laws as shall seem to the majority of the people of the respective States best calculated to promote their respective social, economic, and moral well-being. Mr. Justice Holmes has stood for those principles of State autonomy popularly described by the words "State rights." He has had the vision to understand the philosophy back of our dual system of Government. He has understood that there was and is a profound reason for a sharp line of division between the powers of the Federal Government and those of the several States. He can truthfully maintain that he offered his young life and gave much of his youthful strength and energy and some of his blood to preserve the Union indissoluble. In like manner he can truthfully declare that the mature and ripened judgment of his manhood has been devoted, wherever the opportunity of the cases coming before the court offered, to preserve with vigor and energy the States of the Union as indestructible foundations upon which the whole Federal superstructure must rest and without which the same superstructure must fall.

Whether we contemplate Mr. Justice Holmes as the product of a home of great culture and character, as a sign of one whose name will live in the hearts of men so long as the English language survives, or as the student of America's oldest and most powerful educational institution, or as the young soldier winning promotion after promotion by his own bravery and performances of duty and rising grade by grade from second lieutenant to colonel, or as the wise counsellor and clean advocate at the bar, or as the learned and inspiring teacher of law students, or as the justice or chief justice of the highest court in Massachusetts, or as an Associate Justice of the great tribunal that commands the respect of this Nation and the admiration of the whole world, we are made to marvel at his achievements and to stand with reverence in contemplation of his character and intellectual accomplishments.

Let me explain that I have no personal acquaintance with Mr. Justice Holmes; I have never shaken his hand, have never argued a case before him, and yet I have been compelled by the majesty of his manhood, by the might of his intellect and the purity of his character, and the breadth and depth of his toleration as manifested by his opinions to acknowledge my sense of the debt of grateful appreciation that this Nation owes to him.

It is reported that a great lawyer consented to teach constitutional law but finally resigned his position in hopelessness, saying "constitutional law is not law but politics." And he was right in the sense that "politics" is statecraft, or statesmanship. It is undoubtedly true, as Bishop Hoadly has said, "Whoever hath an absolute authority to interpret any written or spoken laws, it is he who is truly the law giver to all intents and purposes, and not the person who first wrote or spoke them."

The Constitution is a brief document composed of general language with "convenient vagueness." Some of its words such as "liberty," "property," "commerce," "public purposes," "due processes of law," "equal protection of the laws," "direct taxes," "obligation of contract," "unreasonable searches and seizures," "freedom of speech and of press," "the right peaceably to assemble," "privileges and immunities," and many others, around which parliamentary and forensic battles have raged for more than 125 years, give rise to great diversity of honest opinion as to their meaning. The Supreme Court undertakes to tell us what the Constitution means, and we in turn undertake to understand what the Supreme Court means when it tells us what the Constitution means. In imagination it is easy to say that one thing would deprive the people of liberty or property without due process of law, or would deny to the people the equal protection of the laws, but when actual cases come before the court they are cases that are so near the border line, so much within the "twilight zone," that it can not be said a priori that the case falls clearly and undoubtedly on this side or that side the line. Here is where the law-giving power of the Supreme Court commences. Here is where the statesmanship of its justice must manifest itself. Here is where common sense, knowledge of and experience with the practical work-a-day affairs of the world are as important and essential as a knowledge of the language of the Constitution and of the prior decisions of the court upon its language. Mr. Justice Holmes has constantly reminded us in this connection that "general propositions do not decide concrete cases," and that, "a page of history is worth a volume of logic." He has been frank to confess contrary to the dogmas of many lawyers and judges that the mere language of the Constitution does not furnish sufficient material for its understanding and interpretation. He has confessed that you can not take the Constitution by its four corners and by some process of dialectics and metaphysics evolve by pure reason its meaning. He so wholly comprehends the science of human government as to realize that a constitution must be a lying thing if it is to be the framework for a living nation, and not a fixed and cast shell for a dying nation. He knows that an ounce of knowledge of the ways and wants of struggling humanity is worth a pound of theory and speculation.

FOURTEENTH AMENDMENT NOT SELF-EXPLANATORY

The Supreme Court, especially under the fourteenth amendment, has the last word in passing upon the validity of legislation in controversies between citizens and States, and between citizens and the Federal State, and between two or more States, and between one or more States and the Federal Government. Thus there is opened up a vast area of power in which the court must exercise that "judicial statesmanship" necessary in the nature of things. The fourteenth amendment has been invoked time without number to have the Supreme Court standardize State legislation and to reduce the whole country, regardless of historical, racial, climatic, or industrial differences, to one dead, monotonous level. It yas left to the court to determine the limitations and restrictions with which it should exercise the power to say that the statute of a State takes life, liberty, or property "without due process of law" or "denies the equal protection of the laws." To fix this limitation wisely and properly calls for the exercise not only of logic and learning but common sense and practical judgment and a knowledge of the history and existing conditions of the country. Mr. T. R. Powell, one of the ablest commentators on the Constitution, has said "the court has drawn its lines where it has drawn them because it thought it wise to draw them there." This "wisdom" depends upon the personal equation of the members of the court. This "wisdom" arises from the minds and hearts and lives of the justices themselves. It is, therefore,

difficult for the members of the court to resist the temptation to transmute their "idealized political picture of the existing social order" into their decisions and thus incorporate themselves into the law of the land. Mr. Justice Holmes has insisted that such temptations must be resisted and that the members of the court must realize that what seems to them manifestly wrong may appear to more than half their fellow countrymen as eminently right.

This statesmanship of Mr. Justice Holmes has revealed itself in his willingness to hear the other side, and especially to give the individual States the right to enact laws upon social and economic matters that do not agree with his own views, so long as those laws do not plainly impinge upon the provisions of the fourteenth amendment. Hear him utter a great dissent and voice a principle that has made for individualism, the aggressiveness, the personal initiative, and the progressive qualities of the citizenry of this Republic:

> There is nothing that I more deprecate than the use of the fourteenth amendment beyond the absolute compulsion of its words to prevent the making of social experiments that an important part of the community desires, in the insulated chambers afforded by the several States, even though the experiments may seem futuile or even noxious to me and to those whose judgment I most respect.
>
> The fourteenth amendment, itself a historical product, did not destroy history for the States and substitute mechanical compartments of law all exactly alike.

If we can not surely understand the Constitution from its mere language, how can we understand it and who can be trusted to expound for us its intentions, its purposes, and its plans? If the Constitution is the bare, bony framework of government, where may we find its flesh and blood, and nerve and brain? In the popular phrase, What is "the spirit of the Constitution"? Who is best qualified to perceive and explain that "spirit"? Surely it must be the man with knowledge of and a sympathy with the long, long struggle in all lands, and especially in England, for orderly government "deriving its just powers from the consent of the governed." It must be the man who has studied, comprehended, and rejoiced at the rise of the power of the people in the selection of those who are to make and interpret and enforce the laws by which the people live.

Mr. Justice Holmes exemplifies this sympathetic comprehension of how our political liberties have "broadened slowly down from precedent to precedent." He manifests familiarity with the whole bible of English and American liberty. He realizes the law is not an abstract science, living apart in lonely and logical seclusion, but is a changing conception of human progress revealed in history and formulated to meet multifarious human needs. It is preeminently essential that the Justices of our Federal Supreme Court should feel this "historical conception" of law. Certainly Mr. Justice Holmes, as few others have, has manifested a clear conception of the manysidedness of the great legal controversies that have come before the Supreme Court since he has been a member, and he has exhibited a high resolution to determine those legal problems not according to personal preferences or partisan feeling, but with humility, toleration, and fairness. His opinions are vibrant with the inspiration of Webster's classic utterance, "justice is the greatest interest of man on earth." Here are some of the great maxims upon which he has grounded his judicial services:

> Law embodies beliefs that have triumphed in the battle of ideals and have then translated themselves into action.
>
> The life of the law has not been logic; it has been experience. The Constitution is an experiment, as all life is an experiment.
>
> Great constitutional provisions must be administered with caution.
>
> Delusive exactness is a source of fallacy throughout the law.
>
> It must be remembered that legislatures are ultimate guardians of the liberty and welfare of the people in quite as great a degree as the courts.
>
> I am the last man in the world to quarrel with a distinction simply because it is one of degree.
>
> We need to learn to transcend our own convictions and to leave room for much that we hold dear to be done away with short of revolution by the orderly change of law.

These expressions manifest such humility, such craving for justice, such fairness to the adversary, as to stamp their author among the greatest that have ever graced the highest court on earth.

WHERE TO FIND RECRUITS FOR SUPREME COURT

Since the Supreme Court Justices have great powers of "judicial legislation" and are called upon to exercise "judicial statesmanship," the selection of such Justices is manifestly a delicate and difficult responsibility. But Mr. Justice Holmes came to the service of the highest Federal court with the clearest demonstration of his existing fitness for that sacred office. As teacher of law and as author of legal commentaries, he had exhibited a thorough comprehension of the whole field of common law, which is the matrix from which grow all other forms of legal development. For 20 years he had been a member of the Supreme Judicial Court of Massachusetts. Therefore the elevation in 1902 was no experiment. His talents and aptitude for judicial service had already been tried, tested, and demonstrated. To appoint a lawyer without judicial experience, however great may be his abilities as a counselor or his success as an advocate, is apt to be an experiment in the sense that he is untried. However high in political counsels one may be, however great his learning, or powerful his intellect, yet these are no guaranty of that judicial balance of temperament, that mental and spiritual fairness and toleration, that intellectual humility and sense of justice so desirable, yea, so essential, to the delicate responsibilities of the Supreme Court. And here is an example and thought for him who nominates and for those who confirm.

There are 161 United States circuit and district judges and 277 justices of supreme courts. All these have been tried and found either fit or wanting. They have either manifested some of the ideal judicial qualifications or they are simply holding a mediocre average. Would it not be an inspiration for all these judges to feel their work, their careers, their conduct are constantly under the observation of those having the power to say "come up higher." If the justices and judges of the courts above named realized that vacancies upon the Supreme Court of the United States would be filled by the promotion of those already exercising judicial office, it certainly would stimulate their energies, and the effect would be not only to find the fitted material for the Federal Supreme Court, but would attract and hold better material to the lower courts.

Talented lawyers would thus be encouraged to accept the humbler judicial stations as stepping stones to the great goal of any honorable lawyer's ambition. Judges would be fired by a praiseworthy ambition so to serve as to deserve promotion. Then our great judicial keystone that completes the arch of our constitutional structure would always be composed exclusively of tested material. Then there would be no disappointments and misfits. There would be higher proficiency and greater efficiency all along the line. Confidence in the court would undoubtedly increase. Complaints should certainly cease. This suggestion is put forth with great humility and respect.

It is extremely interesting to observe, in view of much violent discussion in recent months, that Mr. Justice Holmes has said, "I do not think the United States would come to an end if we [the court] lost our power to declare an act of Congress void." This seemingly radical utterance of a Boston conservative but evinces the historical understanding underlying all his mental processes. "Comparative jurisprudence" makes men wise. "The historical instinct" is an invaluable trait for a judge. Of course, this statement does not confess any existing want of power in the court to uphold our written Constitution, even in defiance of contrary statutes. Though many contend that such power is an assumption on the part of the court, yet there is no fair escape from the conclusion that under a written Constitution, predicated upon the principle of popular sovereignty, the courts must possess the power to decide which is the law as between the Constitution and the statute when the issue is necessarily presented in an actual case before the court.

SUPREME COURT SHOULD NEVER BE A "COUNCIL OF REVISION"

But we have been recently surprised by a suggestion made on December 20, 1924, by the Hon. James M. Beck, Solicitor General of the United States, in a speech before the Pennsylvania Society in New York City. His suggestion is to have the Supreme Court by resolution of Congress pass upon the constitutionality of bills even before they may be enacted into law. The danger and fallacy of such an arrangement is completely exposed by the following brief article published in the Washington Post on December 28, 1924:

SOLICITOR GENERAL BECK'S PROPOSAL

To the EDITOR OF THE POST.

SIR: I don't agree at all with Mr. W. F. J. in approving Solicitor General Beck's proposal to have Congress and the President obtain the advice of the Supreme Court in advance as to the constitutionality of proposed laws:

1. A bill is never completed until it is enacted or beaten. The court might approve a certain bill, and then, by a change of a word during enactment, it might be made to violate the Constitution, and the court would then be obliged to declare it void.

2. If the court should find a bill constitutional, the opponents of the bill would attack the court for interference.

3. If the court should report adversely on a bill, the supporters of the measure would condemn the court for interference.

4. The proposed plan would commit the President in advance on legislative measures.

5. The public would hold Congress morally bound to enact measures found by the court to be constitutional. Many legislators would be greatly embarrassed.

6. Many, if not most, of the questions arising in legislation of doubtful constitutionality are political in their nature. The Supreme Court has repeatedly held that it can not pass upon political questions.

7. If the opinions of the court were to be taken as persuasive, they would circumscribe the independence of the legislature. If they were not to be taken as such, they would be superfluous and would impair the dignity of the judiciary.

8. By asking the opinion of the court Congress would be announcing its distrust of its own knowledge of the Constitution. This would impair the dignity of Congress.

9. Since neither Congress nor the court could properly be bound by advance opinions of the court, such opinions in many cases would have mischievous consequences.

10. The absolute independence of the legislative and judicial powers would be jeopardized by this plan.

PUBLIUS.

WASHINGTON, *December 27.*

It is remarkable that this suggestion of Solicitor General Beck's is practically the same as "Council of Revision" proposed in the Constitutional Convention in Philadelphia in 1787. The matter first came up on June 4 and was postponed by vote of 6 to 4, and came up again on June 6 and was voted down by 8 to 3. However, its advocates were undaunted and had the subject reconsidered on July 21, and it was voted down 4 to 3. The matter was again brought up on August 15 and was finally and decisively voted down 8 to 3. The arguments of those who opposed the proposition are uncanny and prophetic in their wisdom. One of the most concise statements against the proposition was made by Mr. Rutledge, of South Carolina, who "thought the judges of all men the most unfit to be concerned in the revision counsel. The judges ought never to give their opinion on a law until it comes before them." Surely Mr. Justice Beck has ere this repented of his suggestion. Undoubtedly he is a sincere friend of our great judicial system and of our entire constitutional structure. Surely the sober second thought has revealed to him that for a supreme court to undertake to advise on legislation while the same is still in the formative stage would be to involve it in questions of policy, and "policy" is closely related both etymologically and psychologically to "politics," and to draw the Supreme Court into the storm of politics would be to destroy its influence and thus to destroy its power which rests on influence. Surely the Supreme Court can pray to be delivered from some of its misguided friends.

THE JEWISH FARM MOVEMENT OF TO-DAY—A QUARTER CENTURY OF PROGRESS BY AMERICAN JEWISH FARMERS

Mr. BLOOM. Mr. Speaker and gentlemen of the House, during the session of the Sixty-eighth Congress I have listened very attentively to the proposed legislation with reference to the farm industry of the country. At this time I would like to bring to the attention of the Members of this House the work that is being done by the Jewish farmers of the United States to-day.

The association of the Jew and farming will no doubt be a revelation to many Members of this House. The general impression has been that the Jew is commercial and is not fitted to become a farmer. The history of the Jew on the farm for the past 25 years, according to the report of the Jewish Agricultural Society, a national organization, proves conclusively that the thought that the Jew can not become a good farmer is erroneous.

Mr. Speaker, what I am interested in and what I want to bring to your notice is the Jewish farm movement of to-day.

To-day the Jewish farm population is over 75,000. To-day more than 1,000,000 acres are farmed by Jewish hands. To-day the value of the real estate and personal property of Jewish farmers aggregates more than $100,000,000. To-day every State in the Union has its quota of Jewish farmers. To-day every branch of agriculture has its Jewish followers.

To-day there is no branch of farming in which Jews have not achieved signal success. A few examples, taken from the report of Gabriel Davidson, the general manager of the Jewish Agricultural Society, will be illuminating.

Petaluma, Calif., is known as "The Egg Basket of the World." Jewish farmers are taking a leading part. The Toms River section of New Jersey, which is rapidly becoming the rival of Petaluma, has been developed by Jewish farmers. Jewish poultrymen everywhere rank high. What is said to be the second largest duck plant on Long Island, N. Y.—a well-known duck section—is operated by a Jew. Last year he raised 60,000 ducks. A former manufacturer is developing on Long Island what promises to become the largest pigeon farm in the East—a unique enterprise.

Jewish farmers have contributed materially to the development of the famous Connecticut River Valley tobacco belt. They are among the largest individual producers and they raise a product of the highest quality. One of them is a pioneer in combining cattle fattening with tobacco growing. Last summer he was invited to discuss the subject at a gathering held at the State agricultural college. Members of the faculty were in his audience.

The Benton Harbor (Mich.) fruit section contains many flourishing Jewish farmers. In the Geneva (Ohio) grape district Jewish farmers, although in the minority, raise more than half the crop. A Jew there is known as the "Grape King."

Jewish farmers are in the front rank of the truck growers in the vegetable sections of South Jersey and Long Island. The son of a pioneer South Jersey farmer is the recipient of many prizes for excellence of product. A comparatively recent Long Island farmer showed such outstanding proficiency that his farm was selected by the State agricultural college for project work. In so highly a specialized field of horticulture as hothouse vegetable growing we find two brothers in Wisconsin each operating large greenhouses that turn out products which are prize winners.

In the field of floriculture, another highly specialized branch, Jews are not without representation. One of them has developed a type of gladiola regarded by judges as one of the finest varieties.

Monmouth County, N. J., ranks second only to Aroostook County, Me., in the production of potatoes. The largest New Jersey potato farm is operated by a Jew.

Jews supply their quota of successful dairymen and cattle raisers. A Georgia Jew runs a 700-acre ranch stocked with 300 head of cattle.

Finally, Jews are represented among the successful grain growers. Near Rochester, N. Y., for instance, a Jewish farmer owns a 300-acre farm devoted almost entirely to wheat and other grains. A 30,000-acre wheat farm in Kansas, a truly gigantic enterprise, is in the hands of a Jew. Enormous quantities of grain are yearly being harvested from stretches of land which had never before seen the plow. This man's service to the agriculture of his region was fittingly recognized at a celebration arranged in his honor in which high state officials participated. The day of celebration was declared a legal holiday.

But, Mr. Speaker, the Jew is not only a dirt farmer. The agricultural profession, as distinguished from the business of farming, includes some eminent Jewish scientists, such men as Dr. Jacob G. Lipman, the dean of the New Jersey Agricultural College and director of the New Jersey Agricultural Experiment Station; his brother, Dr. Charles B. Lipman, professor of soil physics in the California Agricultural College; Dr. Joseph A. Rosen, formerly superintendent of the Woodbine Agricultural School, who introduced "Rosen Rye" into this country, and who is now the head of the comprehensive agricultural reconstruction project in south Russia; Dr. J. J. Taubenhaus, plant pathologist in the Texas Agricultural College; J. Levine, plant pathologist at the Minnesota Experiment Station; Prof. M. E. Jaffa, nutrition expert at the California Agricultural Experiment Station; Dr. Bernhard Ostrolenk, director of the National Farm School; and Benjamin C. Stone, the editor of the Jewish Farmer. All are men who rank among the foremost of American agriculturists. We need agricultural scientists. In the words of the late Secretary Wallace, they are "a national asset."

And, Mr. Speaker, the apostle of agricultural cooperation is a young Jewish lawyer—Aaron Sapiro, the man who has virtually organized the cooperative agricultural movement in the United States, and the man who has just been selected to organize agricultural cooperation in Czechoslovakia. And the late David Lubin, an immigrant Jew from Poland, was the father of the International Institute of Agriculture.

Mr. Speaker, let me recite briefly something of Jewish farming history in this country.

Here in this blessed land, where neither race nor creed forms a barrier between man and man, where the heavens smile down upon all and the rays of the sun diffuse cheer and comfort, Jews have been farming almost from the very time that white men set foot upon this fertile soil. It was a Jew,

Abraham de Lyon, who brought the wine and silk culture from Portugal to Georgia, and in colonial times Jews in the South were engaged in the production of indigo, rice, corn, tobacco, and cotton. Soul-stirring and heart-breaking were the pathetic efforts of early American Jews to regain a foothold upon mother earth. The earliest organized attempt to establish a Jewish agricultural colony in the United States was made in 1820 by Maj. Mordecai Manuel Noah, a Revolutionary veteran and a former United States consul general to Tunis. The venture proceeded little beyond the purchase of 17,000 acres of land on Grand Island in the Niagara River. The Jewish population was too small to make mass colonization possible, and all that remains to mark this premature project is the corner stone of a monument which reposes in the Buffalo Historical Museum.

The second attempt at the formation of a Jewish agricultural colony took place in 1837, when a small band of Jews from New York City settled on farms near Wawarsing, Ulster County, N. Y., in the district which is now inhabited by many thriving Jewish farmers. Many a tragic tale can be told of the sufferings of these Jewish pioneers. A decade of heroic struggle, of battle against impossible odds, and this colony, like its predecessor, met its inevitable death. The founders called their colony Sholem, which means peace. But Sholem turned out to be merely another tragedy of the Jew seeking peace and finding it not. In the words of Jeremiah, "Peace, peace, but there is no peace."

From that time until 1881 no organized movement toward the farm took place, but the streams of immigration set in motion as a result of the fiendish persecution of the Jews in eastern Europe caused feverish efforts to be put forth to place these unfortunates on farms as a means toward their early rehabilitation and their easier absorption into our body politic. No less than 15 colonizing efforts were projected in the eighties in Louisiana, Oregon, Colorado, Arkansas, Kansas, North Dakota, South Dakota, and New Jersey.

Several sporadic attempts followed in the succeeding decade, but of all these earlier efforts only the so-called South Jersey Colonies and Woodbine survive. Inexperience, lack of capital, injudicious selection of land, the absence of leadership, doomed these early, hastily conceived, illy planned, poorly executed projects to certain failure. The New Jersey Colonies were the sole exceptions, because they were more favorably located and close enough to New York and Philadelphia to command the attention of the Jewish public in the two largest centers of Jewish population.

These repeated failures chilled the ardor of farm enthusiasts. But the fresh outbreak of persecution in Russia in 1889 brought a heavier influx of immigration and interest in colonization was reawakened. At this stage Baron Maurice de Hirsch, who had previously assisted the farmers in South Jersey, offered to establish a fund of $2,400,000, the income from which was to be utilized for the improvement of the conditions of the Jews driven from their homes through political and religious oppression. On February 12, 1891, the Baron de Hirsch Fund was incorporated under the laws of the State of New York. Its establishment gave the Jewish agricultural movement that guidance which it had theretofore lacked. The fund founded Woodbine and aided individual farmers in Connecticut and elsewhere.

The Baron de Hirsch Fund had a broad program, of which agricultural and industrial aid was simply one of numerous functions. It was soon found advisable to entrust the latter activity to a separate organization, and the Baron de Hirsch Fund united with the Jewish Colonization Association in founding the Jewish Agricultural and Industrial Aid Society. The new society was incorporated on February 12, 1900, under the laws of the State of New York and has therefore just celebrated its twenty-fifth anniversary.

The Jewish Agricultural Society has wielded a potent influence upon the American Jewish farm movement. The history of the Jewish farmer—his struggles, his needs, his failures, his successes—is so closely bound up with the activities of the society that a brief statement of its work will no doubt be of interest to the Members of this House. Reduced to its simplest terms, the Jewish Agricultural Society has for its object the promotion of farming among Jews in the United States. It functions through various departments, each charged with a specific task—the farm-settlement department, the farm-employment department, the farm-loan department, the extension department, the rural sanitation department.

The prospective Jewish farm buyer is introduced to the society by means of its farm settlement department. Here he is enlightened as to what farming actually embraces. He is told that it is not merely an occupation, but also a mode of living; that as an occupation it requires capital, experience, physical vigor, and a knowledge of business practices; that as a mode of life it requires the capacity of adaptation to new surroundings and changed conditions, not merely on his own part but principally on the part of his family. He is, in brief, given a true perspective of what farming implies so that he can approach the subject with intelligence and understanding. The duty is not a light one.

Mr. Speaker, let me quote from the Jewish Agricultural Society's report:

> The uninitiated can have no conception of what farm settlement involves. It is a delicate, complicated, and responsible piece of work. It deals not only with material equipment, but also with the human element, a most subtle factor. It comprises four, sometimes five, distinct processes—sifting the applicant, finding the farm, fitting the one to the other, conducting the purchase negotiations, and in some instances making a farm-settlement loan.
>
> To this department comes a constant stream of farm seekers—people from all stations of life and from every conceivable occupation. There is the workingman, tired of his daily grind; the small storekeeper, chafing under the enslavement of long hours and constant confinement. There is the idealist, oppressed by the complexities of city life. There is always the man whose health demands outdoor life, and the man who, fearing a turn in the wheel of fortune, sees in farming the means of an assured livelihood.

These farm aspirants have but the haziest idea of what farming comprehends. It is the task of the society to enlighten them. They are, so to speak, given a point of view to guide them in their ultimate decision. Some are ready to embark at once and are settled; others are advised to wait until they can start upon their venture with greater promise of success. Those palpably unfit are discouraged from entering upon a business which would bring them no profit and the cause no benefit.

Permit me, Mr. Speaker, to introduce some striking figures giving the extent of the farm-settlement transactions of the Jewish Agricultural Society in the last few years:

	1924	1918–1924
Number of applicants	750	7,587
Applicants taken out to examine farms	197	1,260
Number of farms examined	374	2,391
Number of applicants settled	83	665
Number of settlement loans granted	45	311
Total capital possessed by applicants settled	$253,648	$2,415,945
Average capital possessed per applicant settled	3,056	3,633
Aggregate cost of farms bought	446,016	4,438,226
Average price of farms bought	6,969	8,805
Total down payments	155,328	1,591,128
Average down payments	2,427	3,154
Total amount of settlement loans	55,500	473,342
Average amount of settlement loan	1,233	1,522

The new farmers were settled in the States of Connecticut, Delaware, Illinois, Massassachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin.

The figures quoted are far from representing the actual accretion to the Jewish farm population. Many Jewish farmers settle on their own initiative. From the contacts which the society makes with the farmers it believes that 10,000 is a conservative estimate of the gross increase to the Jewish farm population during the six-year period under discussion.

These figures bring into bold relief that the Jewish farm seekers are not drawn from urban failures. More than half the farmers settled required no settlement loans. Those who did receive loans invested on an average two and a half times the amount borrowed.

A pleasing indication, Mr. Speaker, of the caliber of the new farmer is seen in the fact that 65 per cent of the new Jewish farmers were under 40 years of age; 94 per cent have been in the United States over 10 years; 54 per cent were either natives or came here before they were 20. But most pleasing of all is that, with one exception, they are all either citizens or declarants.

A striking example of successful Jewish farm settlement is the Lakewood-Toms River (N. J.) Jewish farm community. Toms River was selected for settlement in 1920 because of its adaptation to poultry and truck farming. By way of experiment, six farmers were settled there the first year. Now the section has 76 Jewish farm families. The farms were selected with scrupulous care and bought at low prices. Poultry houses were built and other improvements carried out with the society's advice and under its guidance. Toms River to-day is a leading egg-producing center, and Jewish farmers are among the largest producers. Hand in hand with material progress went advance in communal life. The community is now erecting a community center.

Mr. Speaker, the Jewish farm buyer is not only guided in his purchase but he is protected against the depreciations of the land shark.

Too many immigrant farm buyers of all nationalities are mulcted of vast sums of money through the machinations of dishonest real-estate brokers and rapacious land sharks. Such harmful practices have their pernicious reaction, not only in that hard-working immigrants are filched of their savings, but also in that, after a futile struggle, they are thrown back upon the city, shorn of their means, robbed of their hopes, disgruntled and discouraged, to take up anew the burdens from which they toiled so hard to escape. The cause of agriculture suffers. The defrauded immigrant loses faith in American institutions. His Americanization is retarded.

Through the society's intervention many a crooked deal has been nipped in the bud. Acting the rôle of watchdog, the Jewish Agricultural Society has been measurably successful in preventing frauds. It caused the prosecution of malefactors, drove one such pirate by indictment out of the State of Massachusetts, by means of a civil suit compelled a band of swindlers to disgorge their ill-gotten gain, and in various ways took up the cudgels in behalf of defrauded farm buyers.

So much for the farm settlement department. But, Mr. Speaker, the society, through its farm labor department, is doing a work for Jewish young men which can not be overestimated. That department has secured farm employment for 15,355 Jewish young men since its establishment in 1908. These Jewish youths were able to gain entrance into the farm industry and, through a course of practical farm training, were enabled to test their fitness for farming as a vocation. Records show that many of these men bought farms of their own upon the termination of their period of service. Nor must it be forgotten that through this department's activities thousands of established farmers were also furnished with valuable farm help.

Mr. Speaker, it is generally conceded that even with the increase in credit facilities in recent years, agricultural credit is not yet entirely adequate. In the beginning of this century, when the Jewish Agricultural Society was founded, farm credit was woefully insufficient. The lack was naturally felt acutely by Jewish farmers, strangers as they were in a strange land and in a strange calling. Banks, implement dealers, and local storekeepers were reluctant to repose trust in such unknown quantities. That condition was what prompted the establishment of the farm loan department as the fundamental activity of the society. But it was not intended that the help thus rendered should in any sense be charitable. It is aid extended through the grant of loans against security, repayable with interest; aid that any self-respecting man can accept without the loss of prestige or dignity.

The farm loan department, since its establishment in 1900, has granted a total of 7,441 farm loans, aggregating $4,762,000, covering 39 States. Many of these loans are made on marginal securities—second, third, fourth mortgages, chattel mortgages, and unsecured notes. The repayment of these loans is spread over a long term of years, and there is no exaction of bonus or commission or payment of renewal charges. By making loans for the purchase of stock and equipment, the construction or repair of buildings, the payment of mortgages or other debts, and working capital, this department has helped numerous persons to undertake agricultural pursuits and has enabled farmers who were struggling along to continue in their chosen pursuit and to obtain a firm foothold.

But, Mr. Speaker, do not imagine that the Jewish farmer is a hothouse plant, artificially sustained by philanthropic or quasi philanthropic endeavor. Their number has grown so big that the society can not reach them all in a pecuniary way, even were this necessary. Its resources are by far insufficient. Jewish farmers for the most part finance their operations in exactly the same way as other American farmers. They have a substantial stake of their own in their business. The little financial lift that the society gives plus its educational services, in most cases, simply eases the period of transition and accelerates adjustment to the new occupation and mode of life. The 1924 borrowers had an average equity of $4,592 in their farms. The uprightness and business probity of Jewish farm borrowers are well demonstrated by the fact that during the entire 25 years of its history the society's losses have been only 4 per cent.

Mr. Speaker, it may be superfluous for me to call your attention to what our Nation does to promote agriculture. There is no country that does as much to foster agriculture as the United States. Our Government spent almost fifty millions during the fiscal year 1924 for the maintenance of its Department of Agriculture—the largest, best equipped, and most comprehensive and scientific in any country on the face of the globe. The department has a staff of 20,000 workers. This army is supplemented by 6,000 extension agents and specialists employed jointly under Federal, State, and county auspices. Each of our 48 States has an agricultural college and one or more experiment stations. They spend in the aggregate a huge sum in the cause of agricultural education and research. Over 31,000,000 bulletins, circulars, surveys, reports, and other agricultural publications, embracing 1,200 separate titles, were distributed this year by our Federal Government alone. If to these are added the publications sent out by State agricultural departments and the many excellent farm magazines, a conception can be gained of the vast mass of agricultural information to which the American farmer has access.

The value of this immense educational machinery can not be overestimated, but unfortunately immigrant farmers can not derive the full benefit from it. Government work is designed essentially for farmers already grounded in the rudiments of agriculture. It assumes an elementary knowledge of farm practices and builds upon that. Work with Jewish farmers can take nothing for granted, not that they are backward in intelligence but because Jewish farmers have no farming history behind them, restrictive and oppressive laws having deprived them of an agricultural background. The novice must climb the fence which the seasoned farmer can hurdle. These considerations led to the formation of the society's extension department.

This service was intended to supplement, not to supplant, Government extension work. It was designed to open up the storehouse of agricultural knowledge to Jewish farmers, to translate it into terms of their understanding, to fit them for these other agencies. But the society envisaged a still closer relationship toward its farmers. It strove to get at their most intimate problems, those human problems that are so often deciding factors in the success or failure of a pioneer venture.

To prevent an undesirable farm purchase is better than to grant a loan to reduce the handicaps resulting from such purchase. To fix proper mortgage terms at the outset is better than to make a loan to prevent foreclosure. To guide a new farmer aright is better than to make him a loan to pay for his mistakes. Valuable as financial aid may be, it is not surpassed in importance by extension service and good advice.

To show you the magnitude of this work let me quote you again from Mr. Davidson's report:

> Our extension work is carried on with individual farmers, with small neighborhood groups, with larger farm communities, with State associations. We work with the prospective farmer, with the new farmer, with the old farmer. We work, too, with the advanced farmer. We handle normal, we handle emergency problems. We reach out to the farm wife, the farm youth, the farm boy, the farm girl. We grapple with matters agricultural, social, religious, and communal. We draw upon Federal and State departments of agriculture, agricultural colleges and experiment stations, farm bureaus, and a host of other agencies, public and private. This system preceded by several years the institution of the county farm bureau, regarded by educators as the most potent factor in agricultural education.

A medium which has been a great help to the Jewish farmer in the United States is the Jewish Farmer, a monthly magazine published by the Jewish Agricultural Society. This magazine furnishes the Jewish farmer expert advice in agricultural subjects of every character. But it does more. It takes cognizance of the farmer's duty to his community and to the State. He is encouraged to participate in community affairs. He is helped to become naturalized, instructed in good citizenship, and urged to vote in elections. During the war many columns of the Jewish Farmer were devoted to the stimulation of the patriotic impulses of its readers. Its issues contained appeals for Liberty loan subscriptions, Red Cross contributions, the purchase of war-savings and thrift stamps, food conservation, and increased crop production. As a result the area in crop was materially increased and the Liberty loan quotas exceeded in the districts in which the main Jewish farm settlements are located. The contributions to other patriotic causes, although not definitely reported, are also known to have been heavy. Other publications issued by the society are specially prepared textbooks on poultry, cattle, horses, and timely leaflets on special phases of farming.

Mr. Speaker, a survey of 34 leading agricultural colleges in the United States shows that the average enrollment has decreased from 458 in 1914 to 289 this year, a decrease of 34 per cent in a decade. In the University of Wisconsin, one of our best agricultural colleges, the enrollment during that period fell from 616 to 207. Cornell has 550 fewer students now than it had 10 years ago. This is a sad state of affairs. In a day when farming is no longer a mere groveling in the earth but a scientific practice we need more than ever scien-

tifically trained farmers. We also need agricultural scientists. Recognizing this, the society fosters the acquisition of a scientific training through agricultural scholarships and students' loans.

The scholarships aim to make the child of the Jewish farmer an important factor in the economy of the parental farm; to instill in him a pride in his calling, and to implant in him a love for the soil. In the beginning they were intended solely for the Jewish farm youth, but later their scope was broadened so as to include others who show a special aptitude for farm work. These scholarships give their recipients a training in the short courses conducted by the State agricultural colleges. The courses vary in length from 10 weeks to 3 months and are given in the winter at a season when the young folks can best be spared from the farm. They comprise general farming and practically all special branches, as well as domestic science for the girls. The scholarships are awarded by competition and cover all college expenses, including board and lodging. Students who attain special merit in their studies are allowed to compete for a second scholarship. It is interesting to note that Jewish students have carried off more than their proportionate share of the prizes awarded for collegiate proficiency. The society makes loans to agricultural students on promissory notes payable in installments after graduation. Thus far 268 scholarships in the agricultural colleges of California, Connecticut, Georgia, Massachusetts, Michigan, North Dakota, New Jersey, New York, Ohio, Wisconsin, and Wyoming were awarded, and 39 loans to students at the New York, Missouri, Michigan, Ohio, Massachusetts, Minnesota, and New Jersey Agricultural Colleges were granted.

Many of these scholarship students and loan recipients returned to their parental farms, there to put into operation the scientific practices learned at college. These men proved themselves so proficient that they easily held their own with the sons of the best native farmers. Ofttimes they won the highest prizes in competitions at State and county fairs. Some branched out into farming on their own account. Others were placed into remunerative farm jobs. Still others obtained responsible professional positions. A recent scholarship student is now connected with the Indiana State Experiment Station. A 19-year-old lad was, upon completion of a short course at the New York State College, placed by the college on a job paying him $90 a month and board. A last year's student was made assistant to the superintendent of a Government experiment station. A girl student showed such proficiency in dairy husbandry that she was made a cow tester—an unusual position for a woman.

The society conducts a correspondence course similar to that given by leading agricultural colleges. It maintains a night school for prospective farmers. It conducts a purchasing service bureau to help farmers buy farm commodities of approved type and at reduced prices.

Mr. Speaker, few of even the most intelligent realize the woefully backward sanitary conditions obtaining in our rural districts. How important a part sanitation plays in country life can be gleaned from a study made several years ago by Dr. L. L. Lumsden, of the United States Public Health Service. Basing his conclusions upon a survey made of 18 counties in 16 States—North, East, South, and West—he reported that in less than 2 per cent only of the rural homes in the United States are the most essential principles of sanitation consistently in practice, and that less than 3 per cent of our rural population is provided with health service approaching adequacy. Aside from the humanitarian aspect, the economic loss from resultant disease is stupendous. In a recent report of the United States Public Health Service, the loss from malaria and typhoid alone—diseases caused by unsanitary conditions and largely preventable—is estimated at $900,000,000 a year, and Prof. Irving Fisher places the annual loss from all preventable diseases at $2,000,000,000.

This was the thought in the mind of the Jewish Agricultural Society when it established its department of rural sanitation. By teaching, by demonstrating, by giving sanitation addresses, stereopticon and movie lectures, by distributing sanitary posters, pamphlets in Yiddish and in English, in short, by pressing into service every recognized method of public health education the society is doing an original and valuable piece of work in improving the sanitary status of farm districts.

Mr. Speaker and Members of the House, I have gone at some length into the recital of the activities of the Jewish Agricultural Society, not for the purpose of advertising the society—it needs no advertising—but to show you what is being done to foster farming among the Jews of the United States and the results of this effort. Yet a review of these labors is illuminating because of the fact that the society is unique in conception and operation, probably the only organization in the world that functions in so comprehensive a manner to build up a farming class. It labors in a field so broad as to touch every phase of farming, every aspect of farm life. Farm settlement, farm employment, farm credit, fraud prevention, agricultural extension, rural sanitation, social welfare, scholarships and students' loans, a farm magazine, agricultural textbooks, a correspondence course, a night school, a purchasing bureau—each in its own sphere, and all coordinated into a unified plan, are directed toward a single goal. The farm seeker, the established farmer, the farm woman, the farm boy, and the farm girl find places upon its program.

Let us now take a glance at the status of the American Jewish farmer to-day. I repeat, there is no State in the Union that has not its Jewish farmers and no branch of agriculture that has not its Jewish votaries. Within the short space of 25 years, or less, during the very period when the general drift was away from the farm, when during two years of that period over 2,000,000 American farmers drifted cityward, when even our foreign-born farming population declined well-nigh 15,000 Jewish families, comprising 75,000 souls, have returned to the soil, and a million of America's fair acres spread over every State of the Union, representing a valuation of a hundred millions of dollars, have been made to respond to the toil and to the genius of Jewish husbandmen. Compared with the total farm population, the number may still not be impressive. But, viewed in the light of the people with which this class has been built, it is by no means unimposing. After all, 25 years is but a short span to change customs, habits, a manner of life stamped upon a people by almost that number of centuries.

Another thing: The value of an agricultural movement should not be judged entirely by the number on farms. Migration to the farm is followed by migration to neighboring towns and villages. The Jewish migration to the soil has carried with it a Jewish migration to rural districts. If removal of congestion is an end to be desired, then this incidental result is by no means insignificant.

City congestion brings with it a train of evils for the correction of which budgets reaching into the millions must be provided. At best such effort is largely palliative. The other is constructive. May it not be that the building up of the one will reduce the need for the other?

It seems hard for some to conceive that the Jew can actually fit himself into farming and to life in the country. These doubters overlook the Jew's power of adaptation. Driven from pillar to post, unable, like the dove which Noah sent forth from the ark, to find a resting place for the soles of their feet, ever faced with the necessity of rapid, ofttimes violent, change, the Jew has developed that facility for adaptation which enables him to fit himself into new conditions. It is that power of adjustment which stands the immigrant Jew in good stead when he emerges as an American farmer.

To those who harbor misgivings as to the aptitude of the Jew for farming, I frankly admit that there are some failures. But failure is not peculiar to the Jewish farmer. Not all non-Jewish farmers are models of success. There is, Mr. Speaker, no biological difference between Jew and non-Jew which militates against the former. Nor do all city folk, Jewish or non-Jewish, succeed in their chosen vocations. Be it through the ordination of God or the machination of man, more of us seem doomed to fail than are destined to succeed.

The Jewish farmer is no exception to the rule. His failures stand out more prominently simply because, being a new product, closer attention is focused upon him. My own conviction is that the percentage of success and failure—highly relative conceptions—is about the same among Jewish farmers as among people in all walks of life.

Gradually but steadily the Jew is taking his place in American agriculture. He is forging to the front as a dirt farmer. He is contributing to the enrichment of agricultural science. Agricultural cooperation, which our leading economists believe is a solution to our farming ills, owes much to his genius.

Yes, Mr. Speaker, the American Jewish farmer has become part of the woof and fiber of our national fabric. What better index is there than the record of his entrance into American citizenship. A recent survey of a cross section of Jewish farmers selected at random showed that 86 per cent were citizens of the United States. In one of the older communities the results showed that 94 per cent were citizens.

Mr. Speaker and gentlemen of the House, when the Jew immigrates into this country he burns his bridges behind him. He comes here not merely for a temporary sojourn, but to make this country his permanent home, to enter fully and completely into the spirit of America.

I thank you.

HOSPITALIZATION OF WORLD WAR VETERANS

Mr. LUCE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11633) to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to provide sufficient hospital and out-patient dispensary facilities to enable the United States Veterans' Bureau to care for its beneficiaries in Veterans' Bureau hospitals rather than in contract temporary facilities and other institutions, the Director of the United States Veterans' Bureau, subject to the approval of the President, is hereby authorized to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans act, 1924, by purchase, replacement, and remodeling or extension of existing plants, and by construction on sites now owned by the Government or on sites to be acquired by purchase, condemnation, gift, or otherwise, such hospitals and out-patient dispensary facilities, to include the necessary buildings and auxiliary structures, mechanical equipment, approach work, roads and trackage facilities leading thereto; vehicles, livestock, furniture, equipment, and accessories, and also to provide accommodations for officers, nurses, and attending personnel; and also to provide proper and suitable recreational centers, and the Director of the United States Veterans' Bureau is authorized to accept gifts or donations for any of the purposes named herein. Such hospital plants to be constructed shall be of fireproof construction and existing plants purchased shall be remodeled to be fireproof, and the location and nature thereof, whether for the treatment of tuberculosis, neuropsychiatric, or general medical and surgical cases, shall be in the discretion of the Director of the United States Veterans' Bureau, subject to the approval of the President: *Provided, however*, That the director, with the approval of the President, may utilize such suitable buildings, structures, and grounds, now owned by the United States, as may be available for the purposes aforesaid, and the President is hereby authorized by Executive order to transfer any such buildings, structures, and grounds to the control and jurisdiction of the United States Veterans' Bureau upon the request of the director thereof.

SEC. 2. The construction of new hospitals or dispensaries, or the replacement, extension, alteration, remodeling, or repair of all hospitals or dispensaries heretofore or hereafter constructed shall be done in such manner as the President may determine, and he is authorized to require the architectural, engineering, constructing, or other forces of any of the departments of the Government to do or assist in such work, and to employ individuals and agencies not now connected with the Government, if in his opinion desirable, at such compensation as he may consider reasonable.

SEC. 3. For carrying into effect the preceding paragraphs relating to additional hospitals and out-patient dispensary facilities there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000,000, to be immediately available and to remain available until expended. That not to exceed 3 per cent of this sum shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants at the customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the projects authorized herein and for the supervision of the execution thereof, and for traveling expenses, field-office equipment and supplies in connection therewith.

SEC. 4. Upon completion of the hospital program provided for in this act no contract or other hospital or institution other than those hospitals and institutions under the jurisdiction and control of the United States Veterans' Bureau or those governmental hospitals or institutions specified in section 10 of the World War veterans' act, 1924, shall be used, except where due to the nature of a claimant's disease or disability it would endanger his life to remove him from such hospital to a Veterans' Bureau hospital, or in the event of extreme emergency in the discretion of the director.

The SPEAKER. Is a second demanded?

Mr. LAGUARDIA. Mr. Speaker, I demand a second.

Mr. LUCE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. LUCE. Mr. Speaker, Saturday afternoon, when the general bill for revising the legislation relating to veterans came up for consideration, severe strictures were voiced at the necessity of passing upon so important a piece of legislation in so brief a time. With them I completely sympathized, and I regret that this morning it is necessary to dispose of another important piece of legislation in this same field, involving an appropriation of $10,000,000, with no more debate than the present situation permits. I have thought that if the House would consent to modify its rules in some particulars, along lines already tested by all the other great parliamentary bodies of the world, such situations as this might be much less frequent and much less damaging to good legislation.

Under the circumstances, it is impossible for me to take the time that I had hoped would present itself to report to the House the result of the examination of hospitals, nearly forty in number, that was made by the members of your Committee on World War Veterans' Legislation last summer and fall. Condensing to the utmost possible degree, I would assure the House that your committee found the hospitals in excellent condition as a rule, found very few occasions for severe criticism, and found various opportunities to make suggestions to the Veterans' Bureau, which have been made and which, I think, will be acted upon; at the same time your committee qualified itself in greater degree for passing upon such proposals as that now before you.

Mr. McKEOWN. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. McKEOWN. Could the gentleman give the House information as to how much money we have already spent since the World War in the construction and purchase of hospitals?

Mr. LUCE. I was about to do that. The proposal before you contemplates an additional $10,000,000 of permanent investment. We have already provided permanent investment to the amount of about $45,000,000. This bill, together with the provisions in the independent offices appropriation bill, will increase the investment somewhat more than $10,000,000. The bureau asked an appropriation of $15,000,000, very nearly, for this reason: The legislation enacted by the House and Senate last June tied up with the service certain disabilities that could not previously be so tied up. In other words, it admitted to the hospitals and to compensation several thousand men who had prior to that been refused. At the same time the policy was adopted of putting at the command of the veterans of all wars, regardless of service-connected disabilities, such hospital facilities as were not in use.

Mr. McKEOWN. Will the gentleman yield further?

Mr. LUCE. May I finish my statement; and hope I shall say everything the gentleman desires, if he will let me proceed in an orderly manner?

The peak of hospitalization had been reached in the summer of 1922, when nearly 31,000 patients were under the charge of the bureau; two years later this had fallen to 22,457; the result of our legislation last June was to increase this load to 29,292 on the 15th of January, and inasmuch as the load was growing even then at 400 a week it is probable that at this moment the number is something more than 30,000. The bureau desired, in view of this increase of the load, which, you will observe, has been one-third, an increase of the permanent investment by one-third. We have thought it unwise to grant the request in full measure, because we do not yet know what may be the recession of the load after the peak is passed. This peak will be reached in a few days, or weeks, if it has not already been reached, because the last date for tying up disabilities with the service was the 1st of January.

Furthermore, we thought that if we should increase the permanent investment by one-third, $15,000,000, in five or six years we might find ourselves with a large amount of unused space, which would be put at the command of the veterans of all wars suffering from disabilities incurred in civil life. Furthermore, we do not yet know how much of this recent increase of 7,000 or 8,000 has been due to the service-connection phase and how much to the other phase of putting facilities at the command of all suffering veterans. Until this is ascertained we can not act intelligently.

We therefore took the purely arbitrary figure of $10,000,000, namely, two-thirds of what the bureau desired, believing that it would suffice for the immediate requirements.

Those requirements are of four classes; First, the addition of something more than 1,000 new beds; secondly, the replacing of certain temporary structures that are falling down or are very much unsuited to the work with new structures; thirdly, the replacing of certain leased facilities with our own structures; and fourthly, the acquisition of one leased hospital.

We believe it wise to make this a lump-sum appropriation and to leave the apportionment to the bureau, being confident that the bureau would act with more wisdom than we could supply. Should you, item by item, go over the list of the recommendations of the bureau, I think you would have my own experience. You can not put your finger upon a single one of them which you would say to be unwise. Yet by judicious selection on the part of the Veterans' Bureau we feel that through an expenditure of $10,000,000 more we shall meet the present needs.

Gentlemen will be as surprised as I was to learn that this should be necessary. We thought the end had been reached. We were given to understand so, I think I may fairly say, but the bureau itself met contingencies it did not foresee, and now we are faced by necessities that we can not, in all humanity to these suffering veterans, avoid.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LUCE. I yield.

Mr. LAGUARDIA. Will the $10,000,000 be sufficient to complete the program of hospitalization?

Mr. LUCE. We can only rest in hope as we did a year ago. There is no knowing. We must face these things as they come. I may point out in this connection, however, that we are finding a most lamentable, a most pathetic degree of returns by patients suffering from tuberculosis, who come back to the hospitals three, four, five, six, and even as many as nine times, it is recorded. Men go out into civil life and can not cope with the cruel necessities of our competitive system. They break down under the work and come back again and again with hope ever living in their breasts that they may at last secure complete recovery. For many years the pitiable victims of the great tragedy will be knocking at the doors of our hospitals asking for a renewed opportunity to alleviate their sufferings.

Mr. BROWNING. Will the gentleman yield?

Mr. LUCE. I yield.

Mr. BROWNING. Will the gentleman explain to the House the objections the director had to our designating just where this money should go, in that he would be held up for exorbitant prices where the land was designated, and it was known just where these hospitals would go?

Mr. LUCE. The gentleman's question I think brings out the point without the necessity of dwelling upon it, for the gentleman has pointed out quite sufficiently an adequate reason for appropriating in a lump sum rather than attempting to specify.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. OLIVER of Alabama. Could the gentleman either now or in extending his remarks in the RECORD furnish us with a list of hospitals that are available to the veterans, with their location and the number of beds in each, and then in addition thereto, the number of leased hospitals we now have and the number of hospitals that the gentleman states are of such temporary character that they will have to be rebuilt?

Mr. LUCE. Most of that information is set forth in great detail in the annual report of the bureau, but I would like to put in the RECORD these few figures at least.

We have 49 veterans' hospitals, we are using 40 other Government hospitals, and we are using 354 civil hospitals.

Mr. RANKIN. If the gentleman will yield, let me suggest to the gentleman from Alabama [Mr. OLIVER], that the information he seeks is set out in the hearings, and if he will call at the committee rooms of the Committee on World War Veterans' Legislation he can get a copy of those hearings at any time.

Mr. LUCE. Mr. Speaker, I reserve the rest of my time.

Mr. LAGUARDIA. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker and gentlemen, I do not want to appear as seeking to obstruct legislation at this time. I fully agree with what the distinguished gentleman from Massachusetts [Mr. LUCE] said, that we should have more time to discuss this very important bill, as well as the bill which passed Saturday evening amending the Veterans' Bureau law.

I deem it my duty to call the attention of the House to legislation which we are passing for the veterans year after year, and always, it seems to me, under suspension of the rules in the last hours of a session, without the opportunity of complete consideration, discussion, and freedom of amendment. During the closing days of the last session we had a bill before us from the Committee on Public Buildings and Grounds which authorized an expenditure of $16,800,000. Some of us at that time inquired what the money was for, and we were told that it would complete the building program for the Veterans' Bureau.

Mr. WATKINS. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WATKINS. It would probably have done so but for the last bill giving the soldiers the right to come in whether their disabilities were connected with the service or not.

Mr. LAGUARDIA. I am coming to that. The very same reasons given now were presented at the time. If the gentleman will recall, the bureau stressed the point that it anticipated that legislation which was later passed, and therefore required additional money to complete these buildings and to build new structures. When the matter was before us under suspension of the rules the distinguished chairman of the Committee on Appropriations pointed out that the appropriation for building, just as the bill under consideration here, called for over $35,000,000. Then we authorized $16,800,000. I asked the chairman, on page 10213 of the RECORD, on June 2:

> Mr. LAGUARDIA. And am I not correct in the statement that I made previously that notwithstanding $35,500,000 was originally appropriated with the assurance that it would complete our hospital program, yet, owing to negligence and criminal conduct, to which the chairman of the Committee on Appropriations has referred, it is not completed?
>
> Mr. MADDEN. It is not completed, and you can not complete it without this money.
>
> Mr. LAGUARDIA. And this will complete it?
>
> Mr. MADDEN. I hope so.

Now, gentlemen, every time that we seek to give direct relief to the disabled veterans we are confronted with the figures of what has been appropriated and expended in behalf of the veterans, and these millions of dollars that we are spending for buildings, every cent of it, is charged up to the veterans.

Gentlemen know that the reason we must appropriate at this time is because a former Director of the Veterans' Bureau stole this money from the veterans and is now under sentence to jail, and he should have been shot years ago instead of being sent to jail. [Applause.]

I have a telegram from a veteran in a hospital at Colorado, who is lying on his back with weights at his head and feet for seven years, and yet we are unable to bring on the floor of the House a bill which would give this man a sufficient compensation to take care of him.

Mr. CONNERY. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. CONNERY. The gentleman says he has a friend lying in the hospital on his back with his arms stretched out; I want to say to him that there are in this House men who did not want the Medical Corps in the bureau, so that the boys can get good care. It is now filled with quack doctors.

Mr. LAGUARDIA. I want to say that you are not going to get the right kind of doctors in the Veterans' Bureau.

Mr. CONNERY. Not until you pay a decent salary.

Mr. LAGUARDIA. You do not provide a decent salary now. You are making a grave mistake in the fourth paragraph of this bill. You compel all veterans to go to Government hospitals. In New York City we have a budgetary item for hospitals going into millions of dollars, and we find it is more economical to concentrate in large hospitals than to have a number of small hospitals. [Applause.]

Gentlemen, I want to say this: Let us not get into the attitude of voting with our eyes closed on anything which may come here on behalf of the veterans. We are doing them more harm than good. Let us examine these measures; let us see to it that we are giving adequate relief to the veterans who need it. Let us legislate and appropriate more for the veterans and not so much for real-estate contractors and create soft jobs for politicians.

The distinguished gentleman from Massachusetts [Mr. LUCE] pointed out the increased number of tubercular patients. That is true, but I want to say to the gentleman from Massachusetts that you can not adequately cure tubercular patients by compelling them to go to any one hospital. I know from experience in my own family, to my sorrow, that a tubercular patient is dissatisfied, no matter where you place him. Instead of building a hospital to compel patients to go to under rigorous military discipline, we should give each patient a sufficient allowance to go to any hospital in the land where the cure might be effected in his own way and thereby save millions of dollars in overhead expenses.

I know it is not popular to stand here and oppose legislation of this kind. I know it is being indorsed by big service organizations. I belong to those organizations, but I am going to stand up every time I believe that we are doing injustice to the veterans and fight against any legislation that is not of direct and actual benefit to the veteran.

Mr. CONNERY. Does the gentleman know that in a bill passed Saturday there was a provision allowing a man to go home when it was thought better for him, and to receive compensation at his own home?

Mr. LAGUARDIA. Yes; but I have section 4 of this bill before me now. And as to the bill the gentleman refers to, I do not believe the compensation he has in mind is sufficient.

Now, gentlemen, I believe that if the Members of this House want to render a distinct service to the veterans, let them insist that every employee that was in any way connected with Mr. Forbes be brought to justice. Let us ferret out every individual who grafted or stole the funds belonging to the veterans and land them behind prison bars. You have not brought them

all before the bar of justice as yet. A few days ago we authorized the sale of one of the hospitals. We are buying and constructing to-day only to sell to-morrow.

The SPEAKER pro tempore (Mr. SNELL). The time of the gentleman from New York has expired.

Mr. LUCE. Mr. Speaker, I yield three minutes to the gentleman from North Carolina [Mr. BULWINKLE].

Mr. BULWINKLE. Mr. Speaker, during the recess of Congress last year many members of the Veterans' Committee, under a resolution passed in the House in the closing days of the first session of the Sixty-eighth Congress, visited the Veterans' Bureau hospitals, the national soldiers' home, and many of the other hospitals in which veterans of the World War were patients. The Members who made this examination were therefore highly fitted by experience and observation to pass upon this question of whether or not additional hospitals should be built for the care of the disabled men.

For the information of the House I wish to say that on the 15th day of January, 1925, there were 29,292 patients in the hospitals. Of this number, 11,205 were tubercular patients, 11,958 were neuropsychiatric, and the general medical and surgical patients numbered 6,129. There has been an increase in the number of patients in the hospitals since the passage of the World War veterans' act of June, 1924, of 6,835.

The hospital building bill can be divided into three classes, namely, appropriations for permanent buildings to replace the temporary ones, additional hospital facilities, and permanent hospital facilities to replace those which are now leased.

I shall here read the proposed additional construction which was recommended by General Hines:

District	Additional beds				Total cost of construction or acquisition	Purpose of new beds											
						Additional beds			Permanent beds to replace temporary		Permanent facilities to replace leased facilities				Purchase of leased facilities	
	Tuberculosis	Neuropsychiatric	General	Total		Tuberculosis	Neuropsychiatric	Total	Tuberculosis	Total	Tuberculosis	Neuropsychiatric	General	Total	Tuberculosis	Total
1		300		300	$880,000							300		300		
2	450			450	1,162,500						450			450		
4		200		200	365,000		200	200								
5	600			600	2,400,000				600	600						
6	400	120		520	1,610,000		120	120	400	400						
8		300		300	830,000		300	300								
9		100		100	220,000		100	100								
10	200	60	300	560	2,000,000	200	60	260					300	300		
12	650	200		850	2,350,000		200	200	650	650						
13		100	300	400	1,570,000		100	100					300	300		
14	479			479	1,500,000										479	479
Total	2,779	1,380	600	4,759	14,887,500	200	1,080	1,280	1,650	1,650	450	300	600	1,350	479	479

As to the question raised by Mr. LAGUARDIA, that he is opposed to a lump-sum appropriation for the building of these hospitals, I think that I can safely say that the Democrats on the Veterans' Committee are entirely willing to leave this matter to General Hines, Director of the Veterans' Bureau. We are willing that he shall say what hospitals should be built or replaced in the United States, and there is no fear of one cent being misappropriated under his direction. Personally, I feel that General Hines will do all in his power for the disabled service men of America.

Included in the appropriation authorized in this bill, I know that the director contemplates rebuilding or replacing the temporary structures now at Oteen, near Asheville, N. C. There is no better location and site for a tuberculosis hospital than at this place, and after several investigations that I have made of Oteen I am thoroughly convinced that the temporary wooden structures built during the war should be replaced by permanent hospital buildings, and in answer to my question at the hearings General Hines stated that he intended to replace the temporary constructions and would spend something like two and one-half million dollars in all on this much-needed plant. At the time I inspected the hospital there were 1,016 patients, and the condition of the buildings was very bad. I know there is not a man in Congress who would be against replacing this temporary construction.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. No; I have not the time. I hope that every Member of the House will vote for this bill because of all the work being done for the disabled men by the Federal Government none exceeds that of hospitalization, and I can assure you there is not a Member here who will ever regret having voted for this bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that all Members of the House be permitted to extend their remarks in the RECORD for five days on the problems affecting the ex-service men. The request is made because there are many Members of the House, like the gentleman from Georgia [Mr. BELL], the gentleman from Alabama [Mr. McDUFFIE], the gentleman from Maryland [Mr. HILL], and many others, who rendered the Veterans' Committee invaluable service in preparing these bills, and because of the method in which the matter is brought up they will have no opportunity to speak upon it.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that all Members of the House have five days within which to extend their remarks in the RECORD upon problems affecting the ex-service men. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, owing to the way in which this bill is brought up, owing to the fact that the same procedure was resorted to last year, I do not feel that I can accede to that request. I have served notice on the committee that from this time on I am going to oppose bringing legislation in here and forcing it through under suspension of the rules. I am opposed to bringing in this kind of legislation and rushing it through in a few minutes without time for debate or amendment and then filling the RECORD with extensions of remarks that were never uttered on the floor of the House. I object. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent to proceed out of order. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Speaker——

Mr. LUCE. Mr. Speaker, may I ask whether the gentleman requested permission to speak out of order?

The SPEAKER pro tempore. He did, and the Chair waited some time for objection, and no one objected.

Mr. LUCE. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I can not yield. I have only five minutes.

Mr. LUCE. Just for a brief question.

Mr. WOODRUM. Very well.

Mr. LUCE. Does the gentleman think it fair when $10,000,000 for the soldiers are at stake to take five minutes out of forty in which to discuss some other question?

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Mr. Speaker, the gentleman has been recognized.

The SPEAKER pro tempore. The gentleman from Virginia is recognized.

Mr. WOODRUM. Mr. Speaker, I shall answer the question of the gentleman from Massachusetts. The gentleman from Massachusetts, a distinguished member of the administration party, has asked me if I think it is fair when the soldiers'

interests here are at stake to take five minutes as I shall do to speak for 400,000 Government employees to whom his party promised relief in this Congress, and whom you are now denying relief. [Applause.] One million hands are outstretched to the American Congress asking the Republican Party to keep faith with them in the passage of the Federal retirement act. A year ago, Mr. Speaker, the Civil Service Committee unanimously reported out the civil service retirement bill, liberalizing the methods of retirement for Federal employees. That bill was placed upon the calendar of this House, and the distinguished gentleman, the chairman of the Committee on Rules, the gentleman from New York [Mr. SNELL], who is now temporarily presiding over this House, I am told, promised the chairman of the Committee on the Civil Service that the bill would be taken up early in this session.

Mr. Speaker and gentlemen of the House, an obituary notice appeared in the Washington Herald of to-day upon which I desire to make a brief comment. Its heading is as follows:

Retirement bill dying of neglect; unless leaders of House act to-day, measure seems doomed this session.

Mr. Speaker, the bill referred to in this obituary notice is Senate bill No. 3011, entitled "An act for the retirement of employees in the classified civil service," and so forth, which has passed the United States Senate and has been reported out of the House Committee on the Civil Service without amendment, and is now upon the calendar of the House awaiting its action. The faces of 400,000 faithful and loyal Government employees are anxiously turned toward the Nation's Capitol where this piece of legislation is making a fight for its life. But I desire to say here, Mr. Speaker and gentlemen of the House, that the bill is not dying from neglect. Indeed such a statement is far from being a correct one. When this legislation was introduced in the first session of the Sixty-eighth Congress, joint hearings were had between committees of the House and the Senate, and the matter was given the most careful and painstaking consideration, and in March, 1924, the House committee reported out H. R. 8202, which is substantially the bill that has been passed by the Senate, and immediately made a request to the Rules Committee of the House for its consideration. Since that day this legislation has been carefully nursed and nurtured, and every possible effort has been made to bring it into life by final passage, but without avail. And as stated in the newspaper, heretofore quoted, apparently to-day it is dying, but I repeat, Mr. Speaker, not of neglect. It is about to be the victim of a foul murder, and the tragedy of it is that its assassins are those who have been definitely and unequivocally committed to its consideration and passage.

I do not mean, Mr. Speaker, to make extravagant statements, to be partisan, or unduly critical. What I am saying is without any intention to personally offend any person, but this legislation that means almost life and death to this vast army of faithful men and women is to-day slowly dying of strangulation. And that the RECORD may be correct and that responsibility may be placed where responsibility belongs, I here now say and charge that its demise will be upon the heads of the steering committee of the Republican Party in this House. Indeed, I now lay at the door of this committee, individually and collectively, an indictment charging them with the murder of the Federal retirement legislation that they are pledged to enact into law at this session of Congress.

There is probably no bill upon the calendar of this House which occupies the unique situation occupied by this legislation. It passed the Senate practically without opposition. In a humble and inconspicuous way I have been doing what I could for its passage, both in the committee and on the floor of the House. I have canvassed among the Members of the House in both parties and I have yet to find a man who is opposed to it. The governmental heads have almost without an exception indorsed the Federal retirement bill and pointed out its benefits to the Government.

The Secretary of the Interior calls attention to the decrease in resignations, the consequent decrease in turnover of employees being noticeable.

The Commissioner of Patents, through his chief clerk, states that the effect has been highly favorable in stabilizing the service.

The Secretary of Agriculture has no doubt that the retirement system has had a helpful and thoroughly stabilizing effect upon the personnel of his department.

The Secretary of Commerce states that the retirement act has doubtless effected economy, both directly and indirectly, in his department. Directly, by reducing the number of employees and by bringing about higher efficiency. Indirectly, by improving morale resulting from increased opportunities for promotion and a better outlook for the future. In some cases the positions held by those retiring were dispensed with while the turnover among employees was decreased 50 per cent. This decrease was only partly due, of course, to the new law.

The Postmaster General stated that the retirement act had resulted in a decreased number of resignations in his department. He also stated that one of the best results of the new system has been the clearing from the Government service of superannuated employees who no longer were able to perform their duties but who had been retained on the principle that it would be unjust and inhuman to turn them adrift without means of support.

The Assistant Secretary of the Navy also refers to this phase of the retirement system as being of great benefit in several ways to the service.

The Acting Secretary of the Interior also touches upon this phase and states that the retirement of the superannuated employees has been helpful to the department.

The Commissioner of the General Land Office states that his records show that during the last 15 years employees who had passed their productive period had been reduced in salary, sometimes more than once. Under the new system they are now retired at an annuity very much less than the salaries to which they were formerly reduced.

The Commissioner of Indian Affairs also touches upon this phase and expresses the opinion that it has undoubtedly speeded up the work of his bureau.

The Chief of Ordnance also refers to this phase of the act and states his belief that the increased efficiency and output of work due to the retirement of the superannuated would more than cover the cost of the annuity.

The Adjutant General also notes the old tendency to retain in service employees who had passed their productive period. The replacement of these employees, under the retirement system, he states, has undoubtedly resulted in an improvement of the service. He believes that the resulting gain to the Government is many times the amount of the annuities paid to retired employees.

The Chief Engineer believes that the tendency to keep employees on the pay rolls long past their productive period has not been entirely overcome by the operation of the retirement act because of the meager annuities therein allowed.

The Judge Advocate General is of the opinion that the new law has operated advantageously in overcoming the tendency to retain in service the superannuated.

The Inspector General believes that the retirement act has increased the efficiency of the Government service and has relieved, to a great extent, the stagnation in promotions in the higher grades.

The Secretary of the Interior refers to the effect of the retirement law as to the retention of capable and efficient employees as being self-evident.

The Commissioner of Pensions states that the immediate effect of the new law in his bureau was the replacement of the lethargy which permeated many branches by a spirit of hopefulness. As soon as the law became effective about 140 employees with salaries ranging from $720 to $2,250 per annum were retired. This was followed by the promotion of a large number of other employees, many of whom had not been promoted for a great number of years. The beneficial effect of this was immediately noticeable. Since then these promotions have continued as fast as retirements were made, each retirement resulting usually in several promotions. This has undoubtedly had a stimulating effect generally upon the employees, many of whom were dissatisfied and in despair and were consequently seeking transfers elsewhere. The bureau, in fact, has experienced a rejuvenation since the retirement act went into effect.

The administrative assistant of St. Elizabeths Hospital states that, due to the retirement of superannuated, more work has been accomplished for the same pay.

The Quartermaster General reported that up to June 22, 1922, 179 employees had been retired on account of age or total disability. Only 20 of the resulting vacancies were filled either by promotion or by new employees. A saving of approximately $160,000 had been effected by such retirement.

In The Adjutant General's office the saving effected by the retirement act may properly be said to be the salary of 77 employees at $1,200 and 10 at $720 per annum, a total of $99,603.

The Chief of Engineers reports only four employees as having been retired. The saving effected was the difference between the salaries received and the annuities which they received, or $1,496.

In the Engineer Department at large 164 employees were retired, resulting in a net saving of $28,819.92.

Not only is this true, but on January 26, 1925, the Secretary of the Interior released to the public press a carefully prepared statement indorsing this legislation, calling attention to its benefits and stating that the indorsement was authorized by the members of the President's Cabinet. I desire here to call your attention to the deliberate statement of the Secretary of the Interior upon that subject:

I am authorized to state that the members of the President's Cabinet favor increased annuities for retired Government employees and hope that Congress at the present session will come to the assistance of the thousands of retired Federal workers by increasing their annuities under the retirement law.

The average annual rate paid annuitants under the present law is $546.30. About one-third of the total of 10,548 annuitants receive a maximum of $720; almost another third less than $432, while the lowest annuity now being paid is $30.60 per annum.

The retirement fund from which these annuities are paid has been created by deductions withheld from the salaries of the employees themselves for this purpose. It is their own money. The Government so far has not been called upon to appropriate for the support of the retirement fund, and the time when such paternalistic assistance will become necessary by reason of the depletion of the fund is not yet in sight.

Before the passage of the present law it was estimated that 10 years would elapse before additions to the retirement fund by Government appropriation would be necessary. The Board of Actuaries now report that this estimate was too conservative, and announce that the fund will survive as at present maintained for a longer period.

The actual time when Federal assistance will be required, however, can not be determined from available records, but that the self-sustaining period under the present plan will be prolonged considerably over the original estimate can not be doubted upon an examination of the condition of the fund after almost five years' operation.

The amount placed in the fund during the fiscal year 1921 was $12,586,389.37; the balance at the end of the year, after all claims had been met, was $9,672,842.03. This balance has increased to $33,586,193.19 for the fiscal year 1924 and it is estimated that on July 1, 1925, there will be at least $42,000,000 in the fund, despite the greater drafts upon it by reason of the increasing number of annuitants.

Several factors contribute to delay the period when Government assistance may become necessary. One of them was the increase in salaries in the Postal Service, which netted many thousands of dollars annually not previously estimated. The more recent general increase in Government salaries provided by the reclassification act will also result in larger accretions to the retirement fund in the future. It is believed that more than $1,000,000 will be added to the fund annually, over the normal increase, prior to the operation of the reclassification law of July 1, 1924.

The recent decision of the Attorney General, bringing employees possessing a classified status, but holding unclassified positions within the scope of the retirement act, will likewise result in large additions to the fund. Practically all such employees are receiving the higher rates of pay, and the amount of their contributions per capita will be proportionately greater.

More liberal retirement annuities would relieve actual distress now existing in many cases, and for humanitarian reasons, if for no other, the Government should provide a more suitable retirement pay than the present annuity, which is often insufficient to meet the necessities of existence.

From an administrative standpoint, the effect of an increase in annuities would operate to the benefit of the Government by lessening the pressure for retention in the service of employees who have reached the retirement age, but whose resources do not permit them to face the future on the present slender retirement pay with equanimity.

Another member of the President's Cabinet, the distinguished Secretary of Labor, on January 28 addressed a communication to the Secretary of the Interior in which he indorsed this legislation, and expressed the hope that it would be enacted into law during the present session of Congress.

Now, in the face of such elaborate and unqualified indorsements from the administration and the almost unanimous approval of this House, the steering committee of the Republican Party have up to this good hour refused to allow this legislation to come up on the floor of the House. What is the sinister influence, Mr. Speaker, which has sealed the lips and tied the hands of the steering committee of this House? The President's Cabinet, which includes the President, has called upon Congress to enact this legislation. Why is it then that we are not given an opportunity to consider it when much time of the House has been taken up by matters of far less importance to the people of the country? How will you, my friends in the Republican Party, answer to your constituents when you are confronted with the fact that although you promised this relief it was not given? What do you, gentlemen of the steering committee of the House, have to say upon this subject? And now, Mr. Speaker, I desire to call the roll of the steering committee of the Republican Party with the object that, individually and collectively, they may feel constrained to throw some light upon the situation and to give to the House and to the country and to this vast army of employees some reason, if there is a reason, for their failure to keep faith with them in this respect:

The distinguished gentleman, the next Speaker of this House, Mr. LONGWORTH; the gentleman from Pennsylvania, Mr. MAGEE; the gentleman from Pennsylvania, Mr. DARROW; the gentleman from Kansas, Mr. TINCHER; the gentleman from Minnesota, Mr. ANDERSON; the gentleman from Oregon, Mr. SINNOTT; and the distinguished secretary to the President, the gentleman from Indiana, Mr. SANDERS.

Mr. Speaker, I am unwilling to believe that the President and his Cabinet were insincere when on January 26, more than a month ago, they called upon Congress to enact this legislation, and yet we all know that if the distinguished Chief Executive of this Nation will but speak the word this bill will be immediately brought up on the floor of Congress for its consideration. I am one of those, Mr. Speaker, who enthusiastically support the bill appropriating $14,000,000 for the building of the Arlington Memorial Bridge.

This legislation had the approval of our distinguished President. By virtue of such approval, it was placed upon the calendar of this House and brought up on the floor by the steering committee for our consideration and passage. While it may not be a testimonial of his so-called policy of economy, yet it is a magnificent and splendid monument to his patriotism and high ideals. And as this bridge, when it spans the placid waters of the majestic Potomac, linking forever the Nation's Capital with Virginia, the grand old mother of States, as it will be, sir, an imperishable memorial of a great and united Nation, just so will a failure to pass this legislation in which is wrapped up the hopes of the faithful employees of this Government be a colossal monument of a terrible injustice done to a great army of faithful people by the party in power.

This legislation, Mr. Speaker, does not call for the present expenditure of a single dollar of the public money. There has been amassed a huge sum of more than $37,000,000, which is now in the Treasury of the United States, having been accumulated there by deductions from the salaries of the employees in the classified civil service. It is their money and the passage of this legislation would not call for an appropriation for years to come of a single dollar of the people's money.

I beg of you, Mr. Speaker, and you gentlemen of the House, and I implore you gentlemen of the steering committee, not to allow the gavel to fall on March 4 without the passage of this bill. If such an event should occur, the sounding of that gavel will blast the hopes of more than 400,000 men and women that we have promised to help.

I want to say to you that 400,000 Government employees will not hold you blameless for this. The Government employees have amassed a great amount, more than $37,000,000, which they have deducted from their salaries and put into a fund that this Government now holds for them, and they simply ask you to permit their annuities to be increased. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LAGUARDIA. I yield one minute to the gentleman from Texas [Mr. HUDSPETH].

Mr. HUDSPETH. Mr. Speaker and gentlemen, I know the people of the country have full confidence in General Hines, Director of the Veterans' Bureau, and especially the veterans of the World War. If I understood his program correctly, it was for the expenditure of $15,000,000 for further hospitalization of disabled and tubercular veterans, and I ask the distinguished chairman of this committee, in his own time, not mine, because I could not get sufficient time to discuss this important measure. If he will answer me why this was cut down from $15,000,000 to $10,000,000 when General Hines asked for $15,000,000 and stated it was necessary to have that sum in order to properly hospitalize the ex-service men of the country?

Mr. LUCE. A full explanation may be found in a report accompanying the bill.

Mr. HUDSPETH. I want to state to the gentleman I do not think that satisfies the Director of the Veterans' Bureau, and I do not think he can properly carry out the plan that he has made with the sum that has been allowed. Mr. Speaker,

I am for this bill heart and soul; it is in the interest of humanity and paying a debt of honor to our sick soldiers. While it is understood that the Government will take over the Legion Hospital, now owned by the State at Kerrville, Tex., if satisfactory agreement can be entered into between State and Government; still the full amount asked by the able director of the bureau, General Hines, should have been allowed. He will not waste a dollar, but place every cent to a useful purpose.

Mr. LAGUARDIA. I yield two minutes to the gentleman from Oklahoma [Mr. MCKEOWN].

Mr. MCKEOWN. Mr. Speaker and gentlemen, I have always supported all legislation for the gallant soldiers. I think they are entitled to have the support of this House, but I rise to voice my opposition to this method of passing legislation carrying large appropriations under suspension of the rules. I say that in the name of the soldiers we are creating enormous appropriations without consideration. It is not right. This Congress ought to have a chance to consider this legislation.

You force this veterans' legislation to come up under suspension of the rules in every session of Congress. Why do you not come out in the open and give us a fair chance to have legislation considered? I agree with the distinguished gentleman from Massachusetts [Mr. LUCE] when he says the rules of this House ought to be amended so that legislation of importance will not be crowded out here to be passed under suspension of the rules by a two-thirds vote. I agree heartily with him, and I say it is not the right way to pass enormous sums of money out of the Treasury of the United States simply because of the old soldiers, and you know that if the soldiers were not involved you could not pass the legislation. You know that.

Mr. HASTINGS. If my colleague will permit, I want to ask the chairman of the Veterans' Committee [Mr. JOHNSON] a question in my colleague's time, if I may. On Saturday last we passed Senate Joint Resolution 189, which authorized the Director of the Veterans' Bureau to investigate the desirability of purchasing the municipal hospital adjoining the veterans' hospital at Muskogee for a price of not to exceed $150,000, and, in the event it was considered a wise thing, to purchase it, and we also added an amendment in the House providing for an amount sufficient to be taken out of any lump-sum appropriation. I want to know whether or not all of this $10,000,000 has been allocated, and whether, if this bill passes, the director would be authorized to purchase this municipal hospital out of the $10,000,000?

Mr. JOHNSON of South Dakota. I think it would.

Mr. LUCE. I yield two minutes to the gentleman from Alabama [Mr. JEFFERS].

Mr. JEFFERS. Mr. Speaker and my colleagues, I will consume only a few minutes. This bill should pass, and I feel sure it will pass the House by an overwhelming vote.

Its purpose is fourfold: First, to provide additional new beds; second, to replace unsafe and unsatisfactory temporary buildings with permanent hospital structures; third, to replace leased hospitals with regular Government institutions, where such leased quarters are unfit for use or where the lease can not be renewed or where it is not desired to renew the lease; and, fourth, to purchase buildings now being occupied under lease where it is desirable and advantageous to do so.

Let me give you just a few illustrations of existing conditions which will show very clearly the need of new construction: At Tucson, Ariz., for example, the present hospital is a group of old wooden buildings which originally constituted a pleasure resort or an old beer garden or some such institution as that. It was, after a fashion, revamped and made over into a hospital for tuberculous patients; but, having looked over the plant, I must say that I regard it as being unsatisfactory, and it is putting it very mildly indeed to simply class it as unsatisfactory. I wish I could go on more into the details about all these places where replacements are needed, and I know all Members are interested in this subject, but the time is not available to-day, and it is not actually necessary, anyway, that all the details be set forth here now. Perhaps it will suffice to say that these conditions have been carefully gone into by the committee which has reported this bill to the House.

I will also mention the plant at Tacoma, Wash., called Cushman Hospital, where the hospital is quartered in wooden buildings which were formerly an Indian school—not built as a hospital—so you can imagine how unsuitable the buildings must be for use as a hospital. It should be said, to the credit of those who are doing the work there, that some fine results have been and are being accomplished in spite of the handicaps and difficulties presented by the character of the old wooden structures with their tortuous hallways and their narrow, steep stairways. It is impossible to convert such buildings into anything approaching a modern hospital. If a hospital is to be maintained there at Tacoma to handle that general medical and surgical load—and I may say that this statement goes also for the situation at Tucson, Ariz., which I have just mentioned, and other places where they are in practically the same shape, or worse—then certainly our Government should go ahead and construct buildings which will be worthy to be called modern hospitals and take care of our sick and disabled veterans in properly equipped institutions which will be comfortable and safe places for them to receive that care and attention to which they are entitled.

Another illustration of the point is the plant at Alexandria, La. Down there the buildings are not what they should be, and I believe that institution would come under the head of temporary structures which should be replaced with suitable, permanent buildings. This hospitalization problem is going to be with us for a long time, gentlemen, and we must make provisions to properly take care of it. Let me say to you very seriously that your committee which reports this bill to the House would not ask Congress to authorize this $10,000,000 for hospitalization purposes if the committee had not studied the situation as it exists in the several sections of the country and found it to be absolutely necessary to recommend to you that the amount be authorized. And I will say frankly that it may be that future Congresses will be called upon to authorize additional appropriations for these purposes. But they are purposes which we can not deny and which, I am sure, no one really wants to deny if the need exists; and the need does exist, and will exist, for proper and permanent facilities to replace quarters now being utilized but which are purely temporary quarters or leased quarters which must be vacated, or to provide new beds that are needed in certain sections and for certain types of diseases. Now, if at a later date, say a year from now, or two years from now, it is apparent that further additions or replacements are needed to take care of the hospital load as it exists at that time, another Congress will, of course, be in session here, and I am sure that that Congress will take care of the situation in the light of the then existing facts and conditions the same as we are trying to meet the situation now by recommending the authorization of the $10,000,000 provided for by this bill. The committee can not undertake to say that this is the last amount that will have to be requested for these purposes; but the committee does say that the amount called for in this bill is fully warranted and justified by conditions as we can see them now.

I appreciate the indulgence of the House and your kind attention to these brief remarks. I trust the bill will pass speedily here and that it will receive the approval of the Senate. [Applause.]

Mr. LAGUARDIA. I yield one minute to the gentleman from Oregon [Mr. WATKINS].

Mr. WATKINS. Mr. Speaker and gentlemen of the House, this legislation ought to pass for three reasons. First, this is a unanimous recommendation of the committee having charge of veterans' affairs, which has been considering this subject since December 1. In addition thereto, it has the approval and recommendation of the director.

Furthermore, in district 13, comprising Oregon, Idaho, Washington, and Alaska, there are approximately 3,700 disabled veterans of the World War actually receiving compensation. In addition to these there are about 3,500 more veterans in this same district who have actual disabilities of record, but who do not receive any compensation because their disabilities are rated at less than 10 per cent. They are, nevertheless, entitled to hospitalization under the law.

Portland is the medical center of the Northwest. The University of Oregon Medical School is situated here. It is the only medical school north of San Francisco and west of Denver. Adjacent to said institution Multnomah County, Oreg., has built a million-dollar hospital, and recently a big estate made provision for a similar hospital. These buildings and grounds are situated within 10 minutes from the business district and yet isolated at an elevation of 500 feet, overlooking the city, the beautiful Willamette River, and surrounding country—the most beautiful and restful to gaze upon in the entire world. Here at this medical center the patients would have the hospital laboratories and libraries and facilities as well as the best specialists and the foremost surgeons in the whole country.

Portland is the hub of the thirteenth district. It is the railroad center of the entire Northwest. It is the only point within the thirteenth district so favored with transportation facilities as to eliminate delays and transfers. It is but a night's ride to Portland from the remotest point in the district.

Portland offers wonderful advantages for the rehabilitation and the vocational training of the men. Trade and technical schools are here maintained. A State school for the blind is situated here. Industries of every kind and nature are here and available for rendering the men aid and contentment. Portland will donate to the Government a site in fee adjoining the several hospitals and medical university heretofore described. There is probably 80 acres upon that high point, and it is reserved for just such things as this. The University of Oregon is situated there, with its medical school.

Last, but not least, Portland is the best place to nurse the sick boys back to health. Its women attend to that. They visit the boys, take them fruit, magazines, newspapers, and the like—entertain them with music, play Victrolas, and take them auto riding and render them that comfort and help so necessary to convalescing persons.

Now, to pass this legislation means a saving of $380,000 yearly in rentals, and in addition it means the replacement of dangerous fire traps. Finally, it means the taking care of those soldiers now in leased hospitals. I hope every man on the Democratic side will vote for this bill, regardless of how Forbes and his administration have squandered the soldiers' money. Those wrongs do not justify us in defeating this legislation; I hope you will approve it. [Applause.]

Mr. LUCE. Mr. Speaker, how much time have I?

The SPEAKER. The gentleman has five minutes remaining.

Mr. LUCE. I yield one minute to the gentleman from Massachusetts [Mr. CONNERY].

The SPEAKER. The gentleman from Massachusetts is recognized for one minute.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD, and I just want to take occasion to pay a deserved tribute to my distinguished colleague from Massachusetts, the chairman of this subcommittee [Mr. LUCE]. He has worked diligently day in and day out on this bill and on everything connected with veterans' legislation.

The only thing I have to say about the bill passed on Saturday evening, about which so much turmoil was occasioned, is that it does not go far enough in taking care of the veterans. It takes care of the tuberculosis and the neuropsychiatric patients under the six-year conclusive presumption clause, but it does not take care of the men who fought in France in the front-line trenches and who are now suffering from constitutional diseases and who though disabled would not go to the hospital but stayed in the lines to fight. These men are disabled now but have no hospital record, and therefore their diseases can not technically be connected with the service. This injustice to these brave men can and should be eliminated. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, concluding the debate, I wish to join in the tribute paid to the gentleman from Massachusetts [Mr. LUCE], who reported this bill. I want to add that if fire traps are still used to-day, and if inadequate buildings are still in use to-day, after our having appropriated and expended almost $80,000,000, then some one is responsible, some one is to blame——

Mr. WATKINS. Forbes.

Mr. LAGUARDIA. Oh, he is in jail, and he is not the only one who ought to be in jail. When you figure out the cost of the veterans to the Government you should admit that much of it has been squandered and paid out to real-estate speculators and contractors, and that but a small percentage of these large sums has been spent for the direct benefit of the veterans. That is the reason why I am protesting to-day. [Applause.]

Mr. LUCE. Mr. Speaker, the gentleman from New York [Mr. LAGUARDIA] says that the legislation contemplating the ending of the use of contract hospitals is unwise. I will call his attention to the fact that, so far as I know, the veterans' organizations are unanimous in the desire that the veterans shall be taken out of the civil hospitals as rapidly as possible. It was one of the cardinal propositions that they laid before us. On the 1st of January, 1923, there were in such institutions 7,600 veterans, a year later there were 5,498, and on the 8th of January of this year there were 4,358. It will be seen, therefore, that we are rapidly reducing the use of civil institutions. This is both at the desire of the veterans' organizations themselves and in accordance with the view of the medical branch of the Veterans' Bureau.

In this, as in all other particulars, we have endeavored to meet the desires of the veterans' organizations within reasonable limits. We have heard them patiently and thoroughly, and I want to take this opportunity of putting on record the recognition of our debt to the representatives of those organizations who have helped us so greatly in the preparation of this legislation—the representatives of the American Legion, and the Disabled American Veterans, and the Veterans of Foreign Wars. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired. All time has expired. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

WEIGHTS AND MEASURES FOR FOODSTUFFS

Mr. VESTAL. Mr. Speaker, I call up the bill H. R. 3241, and move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill H. R. 3241. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 3241) to establish the standard of weights and measures for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes

Be it enacted, etc., That the standard of weights for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, shall be 100 pounds avoirdupois, and the standard measure for such commodities, when the same are packed for sale, shipped, sold, or offered for sale in packages of 5 pounds or over, shall be a package containing net avoirdupois weight 100 pounds, or a multiple of 100 pounds, or one of the following fractions thereof, 5, 10, 25, or 50 pounds; and, in addition, for wheat flour, rye flour, and corn flour only, 140 pounds; and for commercial feeding stuffs only, 60 or 80 pounds; each of which packages shall bear a plain, legible, and conspicuous statement of the net weight contained therein.

SEC. 2. That the standard packages for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, when the same are packed, shipped, sold, or offered for sale in packages of 5 pounds or over, shall be those containing net avoirdupois, weight 100 pounds, or multiples of 100 pounds, or the following fractions thereof, 5, 10, 25, and 50 pounds; and, in addition, for wheat flour, rye flour, and corn flour only, 140 pounds; and for commercial feeding stuffs only, 60 and 80 pounds.

SEC. 3. That it shall be unlawful for any person, firm, corporation, or association to pack or cause to be packed for sale, to ship or offer for shipment, or to sell or offer for sale, the following wheat-mill, rye-mill, or corn-mill products, namely, flours, hominy, grits, and meals, or any commercial feeding stuffs, in packages of 5 pounds or over, which, when in original unbroken package form, shall not be one of the standard measures established in section 2 hereof, and bear a plain, legible, and conspicuous statement of the net weight contained therein; and any person, firm, corporation, or association guilty of a violation of the provisions of this act shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding $500. By the term "original unbroken package form," as used in this act, is meant any form of original package or carton or other container made or prepared to contain products for sale in such original package or other container, and purporting to contain any specific weight or measure: *Provided*, That sale of irregular broken lots by actual weight shall not be unlawful.

SEC. 4. That the provisions of this act shall not apply to packages of the following wheat-mill, rye-mill, or corn-mill products, namely, flours, hominy, grits, or meals, or any commercial feeding stuffs, when intended for export to any foreign country, and packed according to the specifications or directions of the foreign purchaser, agent, or consignee; but if said wheat-mill, rye-mill, or corn-mill products, namely, flours, hominy, grits, or meals, or any commercial feeding stuffs shall, in fact, be sold or offered for sale for domestic use or consumption, then this exception shall not exempt said articles from the operation of any of the other provisions of this act: *Provided, however*, That when packages of said wheat-mill, rye-mill, or corn-mill products, namely, flours, hominy, grits, or meals, or any commercial feeding stuffs, originally intended for export, have been packed in the packages customarily used in any foreign country, and it becomes necessary to offer these for sale or to sell them for domestic use or consumption, then such export packages may be sold for domestic use or consumption by special contract, if approved by the Secretary of Agriculture.

SEC. 5. That rules and regulations necessary for the enforcement of this act, not inconsistent with the provisions hereof, shall be made by the Secretary of Agriculture, and said rules and regulations shall include reasonable variations or tolerances which may be allowed.

SEC. 6. That it shall be the duty of each district attorney to whom satisfactory evidence of any violation of this act is presented to cause proper proceedings to be instituted and prosecuted in a United States court having jurisdiction of such offense.

SEC. 7. That this act shall not be construed as repealing the act of July 28, 1866 (chap. 301, Revised Statutes of the United States, secs. 3569 and 3570), authorizing the use of the metric system, but such sections shall not be construed as allowing the packing, shipping, or offering for shipment, the sale or offering for sale of packages of any size other than those established as standards herein.

SEC. 8. That this act shall be in force and effect one year from and after the passage of this act.

The SPEAKER. Is a second demanded?

Mr. CONNALLY of Texas and Mr. BLANTON demanded a second.

The SPEAKER. The gentleman from Texas [Mr. CONNALLY] demands a second.

Mr. VESTAL. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second may be considered as ordered. Is there objection?

Mr. BLANTON. I object, Mr. Speaker.

The Chair appointed as tellers Mr. VESTAL and Mr. CONNALLY of Texas.

The House divided; and the tellers reported—ayes 86, noes 31.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and seventeen Members are present, a quorum.

So a second was ordered.

Mr. VESTAL. Mr. Speaker, this measure is one to establish the standard of weights for wheat-mill, rye-mill, and corn-mill products, namely, flours, hominy, grits, and meals, including commercial feeding stuffs.

I would not have asked recognition to pass this bill under suspension of the rules had it not been for the fact that this bill was reported at the last session of Congress unanimously by the committee and passed by the House by unanimous vote. So the bill is in the same condition as it was when it passed the House at the last session of Congress.

At the present time we have different standards of weights and measures for flour and corn mill products in the United States; that is, the standards vary in the different States. The common standard now fixed by statute, as you all know, is 196 pounds of flour to the barrel. We propose in this bill to put it upon a decimal basis, not the metric system, but a decimal system of 100 pounds or a decimal of 100 pounds, so that if flour is sold by the barrel it will be sold at 200 pounds in the barrel. If the housewife goes and buys a 25-pound sack of flour she will get 25 pounds instead of 24½ or 24 or 23½, as is now true in some cases.

Every flour miller in the country, so far as I know, is absolutely in favor of the passage of this bill, and they always have been. The Legislature of the State of Texas, immediately upon the reporting of this bill some two years ago, passed a bill exactly like it, and a number of other States have passed this bill, because they realize that the standard ought to be the same in every State in the Union.

Mr. BANKHEAD. Will the gentleman yield?

Mr. VESTAL. I will be glad to yield.

Mr. BANKHEAD. The gentleman stated that this bill passed unanimously at the last session of Congress?

Mr. VESTAL. Yes.

Mr. BANKHEAD. Is the bill now presented the identical bill that was passed at the last session of Congress?

Mr. VESTAL. It is identical, except that as to commercial feeding stuffs we have cut out the 70-pound sack and made it 60 and 80. The gentleman will understand that in the West the farmers take their wheat to the mill and then use the same sack in taking away commercial feeding stuffs. You can not put 100 pounds of bran in a sack, so we have fixed it at 60 and 80 pounds for commercial feeding stuffs, so that they may utilize the old sacks.

Mr. SCHAFER. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. SCHAFER. I note in the hearings a statement made by Mr. Jacobs, representing the American Macaroni Association. There he raises objections to the bill and sets forth clearly what I believe are valid reasons. He spoke in regard to a mill product known as semolina. Now, the proponent of this bill before the committee, representing the flour millers, admitted that provision should be made to exempt this product; but I do not find any such exemption in the bill.

Mr. VESTAL. I will say to the gentleman that I think that is true—that really semolina ought to be included in this bill along with flour, hominy, and grits. They were afraid that semolina would not be considered as one of the products mentioned; but I think it is considered one of the products, and I think this bill will cover it.

Mr. ALLEN. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. ALLEN. Does this include baking powders where there are only 12 ounces in a box?

Mr. VESTAL. No.

Mr. ALLEN. Does the bill include any other article of that kind?

Mr. VESTAL. No. As I say, I would not have asked that this bill be passed under suspension had it not been for the fact that the bill was considered at the last session of Congress in two days' debate and then later passed under unanimous consent, and the only difference in the bill is what I have stated to the gentleman from Alabama [Mr. BANKHEAD].

Mr. KINCHELOE. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. KINCHELOE. I am frank to say I do not know much about this bill and do not know what is in it. The gentleman states the millers of the country agreed to it. Is there anything in this bill fixing the standard of measures by which the farmer has to sell and if he violates some of those standards will some Federal officer be after him?

Mr. VESTAL. No; not at all. Only the millers will be affected as to the standard sacks they use.

Mr. KINCHELOE. Will not that be reflected back on the farmers in the measures they use?

Mr. VESTAL. No; I do not think so. I can not understand how it could be.

Mr. KINCHELOE. If the gentleman is not certain about it, I am certainly against it.

Mr. VESTAL. I am absolutely certain about it. A farmer can use any sort of container he wants, but if he is going to pack flour and sell it in the market, then, of course, he would have to use these standards.

Mr. KINCHELOE. The reason I want the gentleman to be sure about it is because it seems now the intention of Congress and this administration to regulate everything the farmer has except his Seth Thomas clock.

Mr. VESTAL. I will say to the gentleman that is not the purpose of the bill at all, and it will not do that. It is in the interest of the consumer as well as the manufacturer.

Mr. HUDSPETH. Will the gentleman yield?

Mr. VESTAL. I yield to the gentleman from Texas.

Mr. HUDSPETH. As I understand it, this bill is on a parity with the pure food law and the truth-in-fabric law and the purpose is to simply give you what you buy.

Mr. VESTAL. That is exactly the purpose of it.

Mr. LOWREY. Will the gentleman yield me a moment?

Mr. VESTAL. Yes; certainly.

Mr. LOWREY. I have asked the gentleman to yield in order that I may say a word to my Democratic friends on this side of the House. I should not take time to discuss this bill now, but, as the ranking Democrat on this committee, I want to say we have considered the bill for two years. We have had the millers before us from all over the Nation, and I have become convinced that it is a good bill through and through, with no dangers in it, and a bill that ought to be passed.

Mr. SEARS of Florida and Mr. DOUGHTON rose.

Mr. LOWREY. I yield to the gentleman from Florida.

Mr. SEARS of Florida. The gentleman says the committee had before them the millers of the country. Have the farmers also been before the committee?

Mr. LOWREY. I do not think we have had any farmers before us. I do not consider it a farmers' bill.

Mr. SEARS of Florida. But the gentleman from Indiana [Mr. VESTAL] said if the farmers wanted to sell flour they would have to use these standards.

Mr. VESTAL. I am saying there is nothing in any of the provisions of the bill that will affect the farmer or that will hurt the farmer in any way.

Mr. LOWREY. I will answer the gentleman's question.

Mr. SEARS of Florida. As I understood the gentleman from Indiana, the gentleman said if the farmers undertook to sell flour——

Mr. LOWREY. If they undertook to pack and sell flour, that would be true, but the farmers do not pack and sell flour. The millers pack and sell flour. This bill affects those who pack and sell mill products, flour, and so forth.

Mr. SEARS of Florida. A farmer can pack and sell flour now without this law.

Mr. LOWREY. I can hardly conceive how a farmer would want to pack and sell flour if he had no mill.

Mr. VESTAL. May I say that the farmer would have to sell under the State law, and this provides a uniform law throughout the country?

Mr. LOWREY. Every State has its own law on the subject.

Mr. SCHAFER. Will the gentleman yield?

Mr. VESTAL. I yield to the gentleman.

Mr. SCHAFER. In further reference to the question I just asked the gentleman, a representative of the macaroni industry fully explained that the bill should be amended or it would prove injurious to their business, and according to the testimony before the committee, Mr. Husband, who is championing this bill, admitted that the bill should be amended.

Mr. VESTAL. No; I do not think he admitted the bill should be amended.

Mr. SCHAFER. Mr. Husband, speaking for the wheat millers, said:

> Perhaps it is my fault that semolina is not specifically mentioned in there, because I have had many years' experience and the terms are almost synonymous with me. Semolina is a flour product, and we quote it as flour. It might be well to put semolina in there as one of the things allowable in a 140-pound sack.

Mr. VESTAL. I understand that.

Mr. RAKER. Will the gentleman yield?

Mr. VESTAL. I yield to the gentleman from California.

Mr. RAKER. I notice on page 2 of the report that the committee uses the following language:

> The committee has received letters from the agricultural departments of more than two-thirds of the States heartily approving of this measure.

Mr. VESTAL. That is correct.

Mr. RAKER. So the agricultural departments of the States stand behind this measure as one that will benefit agriculture as well as the mills; is that the statement of the gentleman?

Mr. VESTAL. That is absolutely correct.

Mr. UPSHAW. Will the gentleman yield further?

Mr. VESTAL. Yes.

Mr. UPSHAW. It simply means, does it not, that the farmers are unaffected in any private relationship, but if they go into the general markets with products that are nationally used and nationally transported, there must be a uniform standard?

Mr. VESTAL. Yes.

Mr. UPSHAW. That seems very fine and sensible.

Mr. VESTAL. Mr. Speaker, I reserve the balance of my time.

Mr. CONNALLY of Texas. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Speaker and gentlemen, I feel that this legislation is of too much importance to be passed by the House in this way without more consideration and discussion than we will have time to devote to it in the limited time allotted for its consideration.

This is a very important matter. It has been stated here that the millers of the country have appeared before the committee and have requested the enactment of this legislation. I would like to know from some one on the committee whether or not the small country millers were given a hearing on this bill and whether or not they have had consideration.

Now, in my opinion this bill will interfere with the small country miller and put him under such restriction that it will be difficult for him to comply with it. The fact is we have too much regulation and too much supervision. I am a farmer and live in a rural section. I have heard no requests and no demand among the people where I live for this legislation.

It means, Mr. Speaker, that if the small country miller does not conduct his business to the satisfaction of some Federal official that he may be arrested, carried away to a Federal court 50 or 100 miles from home, and made to answer, not in his home court or the State court but he may be carried away 200 miles to answer to some imaginary or alleged violation of Federal regulation to which he ought not to be subjected. This legislation is too important, and should not be considered and passed in this way. I hope the House will not pass it. I have not studied the measure as much as I would like to, but I know that it means Federal regulation and Federal interference where it is not needed.

Mr. VESTAL. Will the gentleman yield?

Mr. DOUGHTON. I will.

Mr. VESTAL. The gentleman says that this bill has not been considered in the House. I want to say that in the last session of Congress we debated it for nearly two days, and it was passed by unanimous consent after it was so considered. All of these same questions were brought up. I want to make it plain again that I would not have asked that the bill be passed under suspension of the rules if it had not been so considered and passed in the House.

Mr. DOUGHTON. It was brought up twice recently under suspension of the rules.

Mr. VESTAL. No; it was brought up in the ordinary way, debated, and passed by unanimous consent.

Mr. DOUGHTON. I am sure I have not and other Members of the House have not had an opportunity to give it sufficient consideration. What was done at the last session of Congress is not fresh in Members' minds, and the attention of the people was not brought to it.

Mr. KINCHELOE. Will the gentleman yield?

Mr. DOUGHTON. I will.

Mr. KINCHELOE. Does not this bill provide for standard packages and also a penalty not to exceed $500 to be imposed upon those who violate it? Does not the gentleman think that if the Federal Government is going to take charge of the millers to that extent, hold them down to that, that it will be reflected back to the farmers?

Mr. DOUGHTON. Undoubtedly.

Mr. KINCHELOE. Then why should we in the closing days of the session to be asked to go off half-cocked in considering such legislation?

Mr. DOUGHTON. The gentleman is quite right. The bill in section 5 authorizes the Secretary of Agriculture to make such rules and regulations with such variations as he may deem necessary. It gives him the authority to legislate, to make regulations.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. CONNALLY of Texas. I yield to the gentleman two minutes more.

Mr. DOUGHTON. I want to be understood. I am not prepared to say, and do not say, that the principle of this legislation is not sound; but I do say that it should not be passed with the limited consideration that it is receiving; that we are liable to get in all kind of trouble and do injustice to the people who have not had an opportunity to be heard. We have had two years of this Congress, and now at the very last moment they bring in legislation like this.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. GARRETT of Tennessee. This is a House bill. I do not think that a similar bill has been reported from any Senate committee.

Mr. VESTAL. I think, although I will not be sure about it, that there has been.

Mr. GARRETT of Tennessee. I am not positive; but I do know that in passing a House bill here at this hour there is very little hope of its ever becoming law. It looks to me like a time killer.

Mr. DOUGHTON. I do not think it is proper to consider legislation of this magnitude in this way. It seems to me as though there must be some ulterior reason for pressing it at this time.

Mr. CONNALLY of Texas. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, under suspension of the rules, there is not a Member on this floor who can change this bill in any particular. It has to be accepted or rejected just as it is under suspension. It is getting so now that the farm boy on a farm in Alabama and the other States can not turn around in his own horse lot without first ascertaining whether he is violating some Federal law.

There are little grist mills scattered around on the brow of the hill in almost every county in every State of this Union where the farm boy takes his little bag of corn to the mill to change it for meal. That exchange is a sale under the law. Under this bill they have to have a certain kind of bag holding a certain number of pounds and marked on the outside showing certain things. So they can not turn around without being afraid of violating some Federal regulation. You can not amend this bill to cover any defects, but must accept it as it is written.

Now that is the ridiculousness of the situation that Congress now finds itself in. This bill has been before this House for eight years, ever since I have been here, practically the same bill. My friend said that it once passed under unanimous consent. Well, that is an indictment against unanimous consent. I dare say that there was not a Member on the floor at that time, except the Member responsible for it, who knew what bill it was when it passed.

Gentlemen seek to bring up under unanimous consent bills sometimes containing 30 and 40 and 50 pages, with every kind

of regulatory matter that anyone can think of in them, and they pass because the membership does not know what is in the bills. That is why a few of us have had to work ourselves to death to find out what is in these bills and advise the membership of their contents when they do come up.

Mr. VESTAL. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. VESTAL. The gentleman wants to be fair.

Mr. BLANTON. Yes; especially to my friend from Indiana.

Mr. VESTAL. The gentleman made a statement about the little grist mills all over the country.

Mr. BLANTON. Does not this regulate the grist mills?

Mr. VESTAL. Certainly it regulates the packing and shipping and selling, but the man who takes his little bag of corn and gets it ground can take it home in a washtub if he desires.

Mr. BLANTON. Is the gentleman a lawyer?

Mr. VESTAL. I think I am.

Mr. BLANTON. He knows that an exchange is a sale, that the courts have so held, and if I give the gentleman a horse for a bottle of Old Crow that is a sale of Old Crow.

Mr. VESTAL. The gentleman has not found any trouble in his own State with the law, has he?

Mr. BLANTON. That is a sale of Old Crow, and whenever a farm boy puts a sack of corn on old Beck's back and takes it to the grist mill and exchanges it for some meal, it is a sale under the law, and such transaction must conform to this act, or the farm boy can be jacked up before a Federal court somewhere and punished

Mr. BARBOUR. Have we any power to regulate a sale of that kind?

Mr. BLANTON. That is exactly what this bill attempts to do. Under this bill the Federal Government can go into the State of Texas or into the State of California and tell our farm boys and our little grist mills exactly what they have to do, and make them conform to Federal regulations. I would rather have the State of California control it. I would rather have the State of Texas control it. They are capable of handling their own local affairs.

Mr. BARBOUR. I think the State of California and the State of Texas would control it even though this bill is passed.

Mr. BLANTON. We do not need a Federal bill to do it. I am getting tired of this Federal regulation of every local matter in our States.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Speaker, I yield two minutes to the gentleman from Indiana [Mr. COOK].

Mr. COOK. Mr. Speaker, this is a subject upon which Congress has the right to legislate because the Constitution provides that Congress shall have power to regulate coinage, weights, and measures. What would be the condition in the country if we had different dollars in every State, or different parts of a dollar? There is just as much necessity to have standard weights and measures as to have standards in money or in other subjects which might be mentioned. The committee heard the evidence on this bill very carefully and there was no serious objection to it. Of course, some Members object to it upon the ground that it might create more Federal action, but that objection might be made with respect to every subject of legislation. The standard of weights and measures should be the same throughout the United States. The founders of the Constitution must have thought so, or they would not have put it into the Constitution. I think the bill ought to pass.

Mr. CONNALLY of Texas. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Speaker and gentlemen of the House, this is another bill which seeks to regulate the private business of individuals by some Government agents. This bill was introduced on December 13, 1923, and was reported to the House on March 4, 1924. This bill seeks to regulate not only the big mills of the country but the little fellow who has one at the spring up at the head of the creek, and if the farmer takes his wheat to the mill and sells it he must be regulated by some Federal agency. Section 3 of the bill provides that whoever shall violate any of the provisions of the bill shall be subject to a fine not exceeding $500. Is the time ever going to come when this Congress is going to quit saying to private business, "You have to do so and so, and if you do not do it a Federal officer is coming around and he is going to have you fined and put you in jail."

Mr. TYDINGS. Mr. Speaker, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. TYDINGS. I am with the gentleman from Texas on this bill, but as I understand it, due to the bad condition of the roads in Indiana, they are raising so much corn that they have to take it out of the fields in jugs.

Mr. KINCHELOE. I do not know anything about that. I am talking seriously about this bill. If it is enacted into law every miller who is regulated under it is going to reflect that regulation back to the farmer, and every farmer who has a little bit of corn ground and offers it for sale will have the pleasure of having a Federal officer visit him. The bill has been on the calendar for nearly a year. No one can tell how far-reaching it is going to be. It does not come with a unanimous report from the committee, but the gentleman from Indiana comes in now in the closing hours of the Congress and proposes to drive it down your throat and my throat under a two-thirds vote, and telling us that we have to take it whether we want it or not. I appeal to Members on both sides to stop this kind of legislation, especially until the House has some intelligent idea of what it is and it comes in in an orderly way. I do not believe that two-thirds of this House at this late hour, with a bill that is so potent in its responsibilities and meanderings, will vote to pass it with so little consideration.

Mr. CONNALLY of Texas. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. UNDERHILL].

Mr. UNDERHILL. Mr. Speaker, four years ago my President, the late Mr. Harding, went into office on the slogan of less government in business and more business in government. My friend and President at the present time all last fall during the campaign spread from one end of this country to the other a similar slogan, and by radio, by writing, by voice, and by precept opposed a further extension of government into business.

Now, just because one good fellow on my side of the House, for whom I have an abiding and deep affection, comes forward with a proposition of this sort and asks my support I can not go back on two great leaders of my party [applause], two great friends of mine, and vote for an extension and interference of government in private business. I think we had better stop it right now before we go any further. [Applause.]

Mr. CONNALLY of Texas. Mr. Speaker, I have one minute, I believe. Mr. Speaker and gentlemen of the House, I reserved the time on this bill because it was called up amidst confusion and Members could not get copies of the bill. I reserved time as a protest against such method of procedure. The gentleman from Massachusetts very properly poiuted out that Members are not practicing here what they are always preaching about; less Federal interference. What is in this bill? "It shall be unlawful," making a new Federal criminal offense. But it is not content with that. Section 5 provides that in addition to a criminal offense which the bill lays down in the law, it gives the Secretary of Agriculture the power to make regulations which when made will have the force of criminal law. If Congress continues to increase criminal offenses in the Federal Penal Code, every citizen will have to have an individual lawyer to tell him what he can do and what he can not do. I protest against this kind of a criminal law being passed under suspension of the rules in the last hours of a session when it can not be given proper consideration. [Applause.]

Mr. VESTAL. I yield five minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Speaker and gentlemen of the House, I hesitate somewhat to discuss this matter because I have been connected with, and shall continue to be after I leave the House, the people who are to be wrongfully regulated under it as my friend from Massachusetts seems to think.

Speaking for the national organization of wheat millers of the country who are principally affected by this bill, I may say that they not only do not object to it but a very large percentage of them are heartily in favor of it as the only means by which competition in flour sales can be interpreted in terms of packages of uniform size throughout the entire country. There is no other commodity in the world which to-day moves so uniformly and competes so generally than wheat and flour. The freight structure under which these two commodities move has been built up on the basis of interchangeable movement and of practically universal competition. You can go to any considerable flour market in the United States and you will find there flour from practically every State in the Union. Practically every mill, with relatively few exceptions, does business in more than one State, and many mills have national and, in some instances, world-wide distribution. Under existing conditions most of the States have laws establishing the size of packages for flour and other mill stuffs, and these laws vary considerably, so that any mill which wants to sell flour

to-day in general distribution needs not only one lawyer to tell him what one Federal law is but a lawyer in every one of the 48 States to tell him what the law is in each.

What this bill seeks to do is to establish uniform packages for flour and mill stuffs on a metric basis, so that these commodities can move in commerce in packages which are uniform and standard and so that quotations for flour can be predicated upon the same uniform package basis.

A third and perhaps even more important consideration in the passage of this legislation is the prevention of deception in the sale of flour, particularly to the family trade, and the utilization of packages of short weights. Deception in such packages is more or less feasible because the variation of the size of packages to-day is relatively small, and a package containing 47 pounds or 46 pounds looks just about as big as one containing 48 pounds. In some States to-day there are laws establishing a 192-pound barrel, with the smaller packages based upon one-half, one-quarter, one-eighth, and one-sixteenth of the 192-pound barrel. The State of Texas, for example, has a 200-pound barrel. Most States, however, provide for a 196-pound barrel, with corresponding small-size packages based upon one-half, one-fourth, one-eighth, and one-sixteenth of a barrel. In addition, in some States there are utilized offsize packages with weights of a pound or two less than those which are generally considered standard.

Two evil results flow from this situation. Competition as between mills in different sections of the country instead of being upon an equal and fully competitive basis is upon an unequal and noncompetitive basis. The margin of cost and profit in the making of a barrel of flour is relatively small, and a difference of 4 pounds in a barrel of flour represents a considerable advantage or disadvantage in competition. Again, as I have indicated, the difference in the size of these packages is small in most instances, and while the weights contained in the packages are required to be stated on the package, packages are of so nearly the same size that the consumer may easily be deceived to the extent of anywhere from 1 to 8 pounds per package, depending upon the size.

The Department of Commerce has done a most remarkable piece of work in the standardization of packages and in securing simplified practices in business. This bill is distinctly along the lines on which the department has been working, and it is distinctly in the interest of the consumer as well as in the interest of the manufacturer, both of whom will be benefited by a reduction in the number and standardization of packages through the economy which such standardization makes possible.

This bill does not and is not intended to affect the small custom miller. His wheat can be brought to him in a washtub and flour delivered in the same way, if he desires; but why should a small miller desire to use an offsize package unless he expects by that practice to give the consumer less for his money than he would have to give if he used a standard package? Yet I would not be frank if I did not say that in my judgment the operation of this bill eventually must result in the general use of the standard package, because it will not be long under its operation before manufacturers will no longer make packages of sizes which are not standard.

There appears to be some feeling that this bill will impose irksome regulations upon the business of the country and that it will result in an army of Federal inspectors being sent over the country to secure its enforcement. Nothing could be more unlikely nor more absurd. The bill will be practically self-enforcing. Manufacturers of sacks will promptly conform in the manufacturing processes to the sizes established in this bill, and manufacturer and distributer of flour will use the standard packages as a matter of course.

Mr. SCHAFER. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. SCHAFER. According to the gentleman's opinion, will it affect between two and three million barrels of semolina, the makers of which have protested against this bill without amendment?

Mr. ANDERSON. Because these were not included, as I understand it.

Mr. SCHAFER. Unless they could use 140-pound bags. Mr. Husband, who represented the mills, admitted they should be included; and in view of the remarks of Mr. Husband, does the gentleman think that we should pass this bill under suspension of the rules without the amendment desired?

Mr. ANDERSON. I have no objection to the semolina people being included in this bill, but I do not think the exclusion of semolina is a reason for opposing its passage under suspension of the rules.

The SPEAKER. The time of the gentleman has expired.

Mr. VESTAL. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. VESTAL) there were—ayes 81, noes 71.

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

The SPEAKER. The gentleman from Texas makes the point of order there is no quorum present. It is evident that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 190, nays 144, not voting 97, as follows:

[Roll No. 96]

YEAS—190

Ackerman	Foster	Leavitt	Schneider
Aldrich	Fredericks	Lehlbach	Scott
Allen	Free	Lineberger	Sears, Nebr.
Anderson	Freeman	Longworth	Seger
Anthony	Fuller	Lowrey	Shreve
Ayres	Fulmer	Lozier	Simmons
Bacharach	Garber	Luce	Sinclair
Bacon	Gardner, Ind.	McClintic	Sinnott
Barbour	Geran	McFadden	Smith
Beck	Gifford	McKenzie	Snell
Beers	Green	McLaughlin, Mich.	Snyder
Begg	Greenwood	McLaughlin, Nebr.	Speaks
Berger	Griest	McLeod	Sproul, Kans.
Bixler	Guyer	Madden	Stengle
Bloom	Hadley	Magee, N. Y.	Stephens
Boies	Hall	Magee, Pa.	Strong, Kans.
Brand, Ohio	Hardy	Manlove	Strong, Pa.
Briggs	Harrison	Mapes	Summers, Wash.
Brumm	Hastings	Mead	Swing
Burtness	Hawes	Merritt	Taylor, W. Va.
Burton	Hawley	Michener	Temple
Cable	Hayden	Miller, Ill.	Thatcher
Campbell	Hersey	Miller, Wash.	Thompson
Cannon	Hickey	Minahan	Tilson
Chindblom	Hoch	Moore, Ohio	Timberlake
Christopherson	Holaday	Moores, Ind.	Tincher
Clague	Huddleston	Morin	Treadway
Clancy	Hudson	Murphy	Vestal
Clarke, N. Y.	Hudspeth	Newton, Minn.	Vincent, Mich.
Cole, Iowa	Hull, Iowa	Nolan	Wainwright
Colton	Hull, Morton D.	O'Connell, R. I.	Ward, N. Y.
Cook	Hull, William E.	O'Connor, La.	Wason
Cooper, Ohio	James	Oliver, N. Y.	Watres
Cooper, Wis.	Johnson, Ky.	Paige	Wefald
Cramton	Johnson, S. Dak.	Parks, Ark.	White, Kans.
Croll	Kearns	Patterson	White, Me.
Crowther	Keller	Perkins	Williams, Ill.
Cummings	Ketcham	Phillips	Williams, Mich.
Dallinger	Kiess	Purnell	Williamson
Darrow	King	Ramseyer	Wilson, Ind.
Denison	Knutson	Rathbone	Winslow
Dickinson, Iowa	Kopp	Reece	Winter
Dowell	Kurtz	Reed, N. Y.	Woodruff
Dyer	Kvale	Reid, Ill.	Wyant
Elliott	LaGuardia	Robinson, Iowa	Yates
Fairchild	Lampert	Robsion, Ky.	Zihlman
Faust	Leach	Rogers, N. H.	
Fleetwood	Leatherwood	Sanders, N. Y.	

NAYS—144

Abernethy	Cullen	Lee, Ga.	Richards
Allgood	Davey	Lindsay	Romjue
Almon	Davis, Tenn.	McDuffie	Rouse
Andrew	Deal	McKeown	Rubey
Arnold	Dickinson, Mo.	McReynolds	Sabath
Aswell	Dickstein	McSwain	Sanders, Tex.
Bankhead	Doughton	MacGregor	Sandlin
Barkley	Drane	Major, Ill.	Schafer
Bell	Drewry	Major, Mo.	Sears, Fla.
Black, N. Y.	Driver	Martin	Shallenberger
Black, Tex.	Evans, Mont.	Milligan	Sherwood
Bland	Fenn	Montague	Smithwick
Blanton	Fisher	Mooney	Spearing
Bowling	Garrett, Tenn.	Moore, Ga.	Stalker
Box	Garrett, Tex.	Moore, Va.	Steagall
Boyce	Gasque	Morehead	Stedman
Boylan	Gilbert	Morris	Stevenson
Brand, Ga.	Goldsborough	Morrow	Swank
Browne, N. J.	Graham	Nelson, Wis.	Sweet
Browning	Hammer	O'Connell, N. Y.	Taber
Buchanan	Hill, Ala.	O'Connor, N. Y.	Tague
Bulwinkle	Hill, Md.	O'Sullivan	Thomas, Ky.
Busby	Hill, Wash.	Oldfield	Thomas, Okla.
Byrnes, S. C.	Howard, Okla.	Oliver, Ala.	Tillman
Byrns, Tenn.	Hull, Tenn.	Park, Ga.	Tydings
Canfield	Humphreys	Parker	Underhill
Carew	Jacobstein	Peery	Underwood
Carter	Jeffers	Pou	Upshaw
Celler	Johnson, Tex.	Prall	Vinson, Ga.
Cleary	Johnson, Wash.	Quayle	Vinson, Ky.
Collier	Jones	Quin	Ward, N. C.
Collins	Kincheloe	Ragon	Weaver
Connally, Tex.	Lanham	Rainey	Weller
Connery	Lankford	Raker	Wilson, La.
Crisp	Larsen, Ga.	Rankin	Wilson, Miss.
Crosser	Lazaro	Reed, Ark.	Wright

NOT VOTING—97

Beedy	Frothingham	Logan	Sites
Britten	Fulbright	Lyon	Sproul, Ill.
Browne, Wis.	Funk	McNulty	Sullivan
Buckley	Gallivan	McSweeney	Sumners, Tex.
Burdick	Gambrill	MacLafferty	Swoope
Butler	Garner, Tex.	Mansfield	Taylor, Colo.
Casey	Gibson	Michaelson	Taylor, Tenn.
Clark, Fla.	Glatfelter	Mills	Tinkham
Cole, Ohio	Griffin	Moore, Ill.	Tucker
Connolly, Pa.	Haugen	Morgan	Vaile
Corning	Hooker	Nelson, Me.	Vare
Curry	Howard, Nebr.	Newton, Mo.	Voigt
Davis, Minn.	Johnson, W. Va.	O'Brien	Watkins
Dempsey	Jost	Peavey	Watson
Dominick	Kelly	Perlman	Welsh
Doyle	Kendall	Porter	Wertz
Eagan	Kent	Ransley	Williams, Tex.
Edmonds	Kerr	Rayburn	Wingo
Evans, Iowa	Kindred	Reed, W. Va.	Wolff
Fairfield	Kunz	Roach	Wood
Favrot	Langley	Rogers, Mass.	Woodrum
Fish	Larson, Minn.	Rosenbloom	Wurzbach
Fitzgerald	Lea, Calif.	Salmon	
Frear	Lilly	Sanders, Ind.	
French	Linthicum	Schall	

So, two-thirds not having voted in the affirmative, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. Davis of Minnesota with Mr. Gallivan.
Mr. Sanders of Indiana with Mr. Wingo.
Mr. Frothingham with Mr. Griffin.
Mr. Vare with Mr. Mansfield.
Mr. Funk with Mr. Buckley.
Mr. Wood with Mr. Dominick.
Mr. French with Mr. Sumners of Texas.
Mr. Mills with Mr. Watkins.
Mr. Butler with Mr. Jost.
Mr. Ransley with Mr. Kindred.
Mr. Fish with Mr. Linthicum.
Mr. Connolly of Pennsylvania with Mr. McSweeney.
Mr. Kendall with Mr. Corning.
Mr. Taylor of Tennessee with Mr. Lyon.
Mr. Reece with Mr. Favrot.
Mr. Wurzbach with Mr. Sites.
Mr. Michaelson with Glatfelter.
Mr. Welsh with Mr. Woodrum.
Mr. Tinkham with Mr. Howard of Nebraska.
Mr. Fitzgerald with Mr. Kerr.
Mr. Beedy with Mr. Lea of California.
Mr. Morgan with Mr. Tucker.
Mr. Newton of Missouri with Mr. Gambrill.
Mr. Burdick with Mr. Salmon.
Mr. Porter with Mr. Logan.
Mr. Britten with Mr. Williams of Texas.
Mr. Watson with Mr. Garner of Texas.
Mr. Haugen with Mr. Taylor of Colorado.
Mr. Vaile with Mr. Casey.
Mr. Sproul of Illinois with Mr. Fulbright.
Mr. MacLafferty with Mr. Sullivan.
Mr. Wertz with Mr. Hooker.
Mr. Kelly with Mr. O'Brien.
Mr. Frear with Mr. Johnson of West Virginia.
Mr. Swoope with Mr. Eagan.
Mr. Fairfield with Mr. Clark of Florida.
Mr. Rogers of Massachusetts with Mr. Doyle.
Mr. Dempsey with Mr. Lilly.
Mr. Roach with Mr. Kunz.
Mr. Curry with Mr. McNulty.
Mr. Perlman with Mr. Kent.
Mr. Browne of Wisconsin with Mr. Wolff.

MUSCLE SHOALS COMMISSION

Mr. MADDEN. Mr. Speaker, I move to suspend the rules and pass House Resolution 457, with preamble.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass House Resolution 457, with the preamble. The Clerk will report it.

The Clerk read as follows:

House Resolution 457

Whereas the national security in war and the welfare and permanence of agriculture in peace require that the United States should have an air-nitrogen industry firmly established within its borders; and

Whereas the nitrate plants at Muscle Shoals authorized June 3, 1916, have been completed and allowed to stand idle for upward of six years with no decision as to what constitutes the best, cheapest, and most available means for utilizing these properties for the production of nitrates; and

Whereas it is believed that an investigation will show that the largest measure of benefit can be secured by the establishment and continuance of an operating industry, efficiently managed by private enterprise, regulated in the interest of the public, but granted a fair opportunity for commercial success, rather than by the maintenance of the nitrate plants in stand-by condition, or by Government operation of these plants; and

Whereas proposals for utilizing the properties have been before Congress for nearly six years; and

Whereas the House of Representatives indorses the position taken by the President in his messages to Congress, wherein he repeatedly has recommended action to the end that these plants shall be operated in time of peace for the benefit of agriculture and maintained in readiness for the national defense, and the House concurs in his statement that "the support of agriculture is the chief problem to consider in connection with this property"; and

Whereas the House on March 10, 1924, passed a bill (H. R. 518) to obtain for the country the benefits of a private lease of these properties after having given the subject many months of careful consideration; and

Whereas it appears that the Sixty-eighth Congress is about to expire without taking action on this important question; and

Whereas section 124 of the national defense act of 1916 (Public, No. 85, 64th Cong.) authorizes and empowers the President of the United States "to make, or cause to be made, such investigation as in his judgment is necessary to determine the best, cheapest, and most available means for the production of nitrates and other products for munitions of war and useful in the manufacture of fertilizers and other useful products by water power or any other power as in his judgment is the best and cheapest to use"; and

Whereas said section 124 also authorizes and empowers the President "to employ such officers, agents, or agencies as may in his discretion be necessary to enable him to carry out the purposes herein specified, and to authorize and require such officers, agents, or agencies to perform any and all of the duties imposed upon him by the provisions hereof": Therefore be it

Resolved, That it is the sense of the House of Representatives of the United States in Congress assembled, that the President create a Muscle Shoals Commission of three members comprised of a representative citizen familiar with the Muscle Shoals enterprise, a representative of agriculture versed in the use of commercial fertilizers, and a chemical engineer versed in the methods of air-nitrogen fixation; and be it further

Resolved, That the President be, and is hereby, requested to secure, through the commission, such information as in his judgment is necessary or desirable in order to determine the best, cheapest, and most available means for the production of nitrates in accordance with said section 124 of the national defense act, with particular reference to the properties acquired by the United States under said section 124 at Muscle Shoals, Ala. In order to obtain information making it possible to determine definitely "the best, cheapest, and most available means for the production of nitrates," the President is requested through the commission to ascertain the most favorable conditions under which this property may be leased, primarily to secure nitrates for fertilizers in time of peace and explosives in time of war, and to lay all of his information, together with his recommendations, before Congress at the beginning of the next session; and be it further

Resolved, That it is the sense of the House that the value of the nitrate plants to agriculture depends upon the supply of cheap water power from the Wilson Dam and that as a protection to the farmers this power should not be disposed of for other purposes until Congress shall have taken action upon the recommendations of the President.

Mr. BLANTON. Mr. Speaker, I make a point of order against the resolution. I make the point of order that the powers attempted to be conferred upon the President by this resolution authorizing him to appoint a commission, which will be a charge on the Treasury, can not come from a simple resolution of the House, but can be conferred only either through a concurrent resolution or a joint resolution. What authority has the House alone to authorize the appointment of the advisory commission contained in this simple resolution? Such an authorization must come from a concurrent resolution or from a joint resolution and not by a simple resolution of the House.

Mr. MADDEN. Mr. Speaker, we are only advising the President.

Mr. BLANTON. I know; but you are directing him to do something that only the Congress can do, not merely the House of Representatives but the Congress. If it concerned only the House of Representatives, we would have the power, but we are advising the President to do something concerning Congress, which embraces both the House and the Senate.

Mr. MADDEN. We have the right to express our opinion.

The SPEAKER. There are two answers to be made. This does not appoint simply a commission but it goes further. But at any rate that would be a point against the effect. The House can pass anything it pleases, though it may be entirely inefficient, and if so, it would be ineffective.

Mr. BLANTON. Suppose we attempted by passing a simple resolution to create a new Cabinet office.

The SPEAKER. You could not do it, but you could not raise a point of order against it.

Mr. LaGUARDIA. Mr. Speaker, I demand a second.

Mr. MADDEN. I ask unanimous consent, Mr. Speaker, that a second be considered as ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker, I hope we will not need to take much time to discuss the question. This proposal to request the President to create a commission to study this problem and bring order out of the Muscle Shoals chaos under the authority which we gave him in 1916, is an unusual one, but we have an unusual situation:

In June, 1916, Congress authorized the President to select a suitable site and to build a plant or plants for the manufacture of nitrates. There were two compelling reasons for this action. First, such a course seemed necessary and wise in the interest of the national defense. A great World War was in progress in which explosives were being required in unheard-of quantities. We had no adequate means, either natural or artificial, for supplying the nitrates to make these explosives within our own borders, but were dependent upon a foreign source 4,000 miles away, which might be shut off at any time or might become exhausted by reason of the heavy demands of the war in other quarters.

In this situation, with a threatened shortage of nitrates confronting us, Congress authorized section 124 of the national defense act, and under its provisions the President selected the site at Muscle Shoals, Ala., and proceeded with the construction of nitrate plants and a dam for the generation of the necessary power to be used in the operation of these plants. The nitrate plants were completed shortly after the armistice in November, 1918, at a total cost of approximately $80,000,000.

The second reason for establishing these plants was declared by Congress in the original act, for it was provided that they should be so constructed as to be available for the production of nitrates for the use of agriculture in times of peace.

Military protection in war and agricultural production in peace were the two purposes which Congress had in mind when this huge investment was authorized. We never went to Muscle Shoals to develop water power except as an incident to the main purpose of producing nitrates, although every effort has been made since that time to turn the whole enterprise away from the national defense and away from the promotion of agriculture into a project for the mere generation and distribution of electric power. But the House has remained unshaken in its original purpose, and in my opinion it will insist that this property shall be used primarily for the purposes for which it was originally intended—defense in war and agriculture in peace.

We may well indorse the position taken by the President regarding this great property in his messages to Congress on more than one occasion, for his views are identical with those of the majority of this House. He contends that "the support of agriculture is the chief problem to consider in connection with this property," and he repeatedly has recommended that these plants be operated in time of peace for the benefit of agriculture and at the same time maintained in readiness for the national defense. Not only has he expressed this view but he has indicated a determination, in so far as he has the authority, so to use this property.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. I do not want to yield now.

Mr. BLANTON. I do not want to interrupt the gentleman, but I want to make a point of order against another matter and I want to reserve it now.

Mr. MADDEN. In connection with this resolution?

Mr. BLANTON. Yes. Mr. Speaker, I desire to reserve my right to make a point of order, otherwise I would not interrupt the gentleman. I make the point of order, Mr. Speaker, that the effect of this resolution is a charge upon the Treasury of the United States. The appointment of this commission will incur expenses that will be paid out of the Treasury of the United States, and such a resolution can not be considered in the House but should be considered in the Committee of the Whole.

The SPEAKER. This motion is to suspend the rules, so that the rule the gentleman refers to is suspended. The point of order is overruled.

Mr. MADDEN. We may be assured therefore of the President's hearty and earnest cooperation to the end that we may know with certainty what are the most favorable conditions under which this property may be leased, primarily to secure fertilizers in time of peace and explosives in time of war. We may be assured that the President will keep these fundamental purposes in view and that he will not permit this great national enterprise to become a mere cog in the superpower system of the Alabama Power Co. or anyone else.

What is the present situation of the Government's properties at Muscle Shoals? The nitrate plants have been completed and left standing idle for more than six years. Many millions have already been lost in the cost of upkeep, depreciation, and obsolescence. No benefit has come to the farmer from all this huge investment. Rust and decay are daily doing their work of destruction while agriculture in distress asks that this property be used to relieve it from the excessive cost of nitrates necessary to soil fertility.

Nearly three years ago Henry Ford made an offer to lease this property. The House nearly a year ago passed the bill authorizing the acceptance of his offer. Congress, however, adjourned last June without completing this legislation. Disgusted by delay, procrastination, and misrepresentation, Mr. Ford finally withdrew his offer and while through no fault of ours the country has lost this opportunity, still I believe that it is entirely feasible to lease these properties under satisfactory terms and under conditions that will assure to agriculture the benefits which we have so long sought to make possible.

As is well known, after Mr. Ford's offer was withdrawn, an effort was made to clothe the President with authority to make a lease under certain limitations, but judging from recent events this legislation too will fail and the Sixty-eighth Congress, like its two predecessors, will expire without taking action, and we will be no further on the road to a solution of this important problem than we were six years ago.

Fortunately, however, this does not mean that the many months which must elapse before Congress meets in December must be lost. On the contrary the way is open to utilize these coming months in working out a solution of the Muscle Shoals problem that will assure us that the people at large, and the farmers in particular, will receive the benefits which we sought to secure for them in passing the original act.

Now, what is the purpose of this resolution? First of all, it is to let the President of the United States know in an official way that the House intends to stand behind him in his declared purpose to use Muscle Shoals as an asset for the relief of American agriculture. We want him to know that we approve his stand against the evident purpose in certain quarters to make Muscle Shoals a mere matter of water-power development. We want him to know that we stand with him against the sale and distribution of the power generated by the Wilson Dam while these great nitrate plants are left on the banks of the Tennessee River to rust away or become obsolete and in a few years useful only as scrap to be sold to the junk dealer.

In this resolution we are also calling the attention of the President to the fact that section 124 of the national defense act of 1916 gives him authority to investigate the best, cheapest, and most available means of producing nitrates, and for this purpose gives him full authority to employ all necessary assistants, technical and otherwise. The President does not need this resolution to get his authority.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. Let us write him a letter and tell him he has that authority.

Mr. MADDEN. This will do it; this is a good letter. This resolution suggests that the President appoint a commission of three persons, one of whom shall be familiar with the Government developments at Muscle Shoals, one representing agriculture, and one who is an expert in nitrogen fixation.

Let this commission, acting on behalf of the President, investigate the entire situation and determine the best, cheapest, and most available means of operating these plants. Let this commission conduct preliminary negotiations during this summer and fall with prospective lessees with a view to ascertaining the best, cheapest, and most effective agencies for the operation of these great works. The President then will be in a position to lay all this information before Congress at the beginning of the next session, together with such recommendations for the operation or disposition of the property as the facts may warrant.

To pass legislation attempting to lay down hard and fast requirements in total ignorance of whether or not there is a single responsible lessee in the country who can meet our conditions is, to my mind, a fruitless and ill-advised effort to place the cart before the horse. If we would again act constructively in this matter, we should first determine the best ways and means to secure satisfactory operation of the nitrate plants for fertilizers and explosives, and not until then will we be in position to legislate intelligently.

In conclusion, let me say that if any new evidence were needed to show the inability of the Government to deal

promptly and effectively with great business enterprises, a mere recital of the vicissitudes of the Government's $80,000,000 investment in nitrate plants at Muscle Shoals will be all that is required. Think of it! An $80,000,000 nitrate plant idle for over six years and the Government impotent to decide its fate! How long would the stockholders of a private corporation support a board of directors who would allow an $80,000,000 plant to remain idle for more than six years, with customers on every hand clamoring for the product of the plant? Such a thing is a blasting indictment against Government operation and management in industry. A competent board of directors could settle every question connected with the operation and disposition of the Government's properties at Muscle Shoals in 30 days. The Government has been trying to decide what to do down there for six years, and we are exactly where we started six years ago.

Let us pass this resolution, backing up the President in his determination to develop the nitrate industry through private enterprise. Let us pass this resolution, backing up the President in his desire to make Muscle Shoals an asset for agriculture in times of peace. Let us pass this resolution, to the end that the President may lay before Congress next December all the facts essential to speedy action, together with a definite, positive Executive recommendation, in the hope that at last an end may be made of the controversy which has been raging around the disposition of the Government's properties at Muscle Shoals.

Now, the gentleman from Texas says that they have not the money and that we can not appropriate it, but I want to say in reply that when section 124 of the national defense act was passed we gave the President of the United States $20,000,000 to be used under his own direction; he used that money, so far as it has been used, to build the Wilson Dam and to build the nitrate plants to make fertilizer in time of peace for agriculture and to make nitrates for use in war in times of danger. He has $150,000 of that $20,000,000 at his disposal. He can spend the money without this resolution; he can appoint the commission without this resolution, and the only purpose of the resolution is to let the President know there is somebody thinking along sane lines with him [applause]; that the country is expecting action during the recess of Congress; that they expect him to appoint a commission, and that they expect him to acquire information that will enable him to advise us, when we come back, as to what shall be done to preserve and to protect this wonderful institution, on which nearly $200,000,000 has been spent. We desire to let the President know that something should be done to preserve and protect that investment for agriculture in time of peace and for national defense in time of war. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. LAGUARDIA. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, the gentleman from Illinois [Mr. MADDEN] says that the President does not need this resolution to spend money or to appoint a commission. I agree with him. In law he needs it, but in fact he does not. He appoints a commission whenever he gets ready. He appointed the agricultural committee without lawful authority, and then came to Congress afterwards for the money, and no good has come out of it. The $50,000 was wasted. Then he appointed the other oil commission without lawful authority, you will remember, within 10 days of the meeting of Congress, and then came to us for the money and Congress paid it. And that $50,000 was wasted.

For the first time since I have been watchful of the action of Congress—and that has been a number of years—the chairman of the Appropriations Committee brings in a resolution made up of two pages of whereases and two pages of resolutions, and the gentleman from Illinois is seeking by a simple resolution of this House to create a commission that could spend money indiscriminately, and for which we would be morally bound afterwards.

Mr. MADDEN. You can trust the President, and he has the money, anyway.

Mr. BLANTON. I can trust the President as far as one Democrat can trust a Republican. [Laughter.] I want to say this: You can not do this kind of business by simple resolution of the House of Representatives. The House of Representatives is just merely a component part of Congress. There is another body which, with the House, constitutes Congress, and you have got to have these two bodies concurring in order to give the President authority to appoint a commission, and I put the gentleman on notice right now that under this simple resolution of the House he is never going to have one dollar spent out of the Public Treasury to pay this commission.

I promise him that, if I have to go into the courts myself and stop it by injunction. He is not going to spend the taxpayers' money in any such way. It has got to be done by joint resolution or concurrent resolution, and it is not going to be done by this simple resolution. Whenever you attempt to bring in a simple resolution which may result in hereafter taking money out of the Treasury to pay the expenses of a commission—which is by this simple resolution unlawfully created—you are not going to get the money out of the Treasury without a fight.

Mr. WEFALD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WEFALD. Does not the gentleman think the power companies could furnish the money? They have lots of money.

Mr. BLANTON. Oh, the power companies! I want to state this to my friend from Minnesota: When this Muscle Shoals bill was up before the House in the last session I was one of the few Democrats who stood on this floor and fought against it and voted against that $150,000,000 plant being turned over to Henry Ford for a mere bagatelle. I wanted it protected for the American people. I went to my district, composed of 315,000 people, on that issue, with an opponent criticizing me every day on my vote on Muscle Shoals, and the people of my district, by a majority of 49,000, approved my action in trying to protect the people's property to the extent of $150,000,000 worth of it. The people want that property protected; they do not want it frittered away, and we are attempting now by resolution to pave the way for some worthless contract to be entered into by somebody during the vacation of Congress, and then have the President come to us, when we meet again, recommending that we approve what he has done during the vacation.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BYRNS of Tennessee. Does not the gentleman know that just to the contrary, if this resolution is adopted and the President should accept the suggestion of the House for a commission to report back next December, that will prevent the making of any contract which may be made in the meantime under the present law?

Mr. BLANTON. I am not in favor of passing simple resolutions for the President to use as so-called authority of Congress to create commissions. I am against expensive commissions. I am against wasteful special committees. I am against these so-called governmental institutions of 3 or 5 or 7 or 10 men that junket all over the United States and Europe in vacation and spend the people's money.

Mr. BYRNS of Tennessee. But does not the gentleman know that under the act of 1916 the President now has this authority without any action on our part?

Mr. BLANTON. Then what is the use of passing additional authority?

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. LAGUARDIA. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. JACOBSTEIN].

Mr. JACOBSTEIN. Mr. Speaker and gentlemen of the House, I want to direct your attention, first, to that portion of this resolution (H. Res. 457) on page 3 under which the Muscle Shoals Commission would be empowered and requested to find the facts necessary to determine definitely "the best, cheapest, and most available means for the production of nitrates." While the commission is requested to search for information which might bring about this result, it is definitely precluded from giving consideration to Government operation as one possible means or method of developing these valuable properties. The commission is restricted in searching for information "to ascertain the most favorable conditions under which this property may be leased."

While I am not urging, or even advocating, Government operation as the best or even a necessary means of solving the problem, it does seem to me that we are unnecessarily and unwisely directing a fact finding commission to close its eyes as to one of the facts. This closes the door very unfairly upon Government operation, which upon investigation may appear to be the sound method of solving the problem. It seems to me, therefore, in this respect the resolution is very weak.

Mr. McSWAIN. Will the gentleman yield?

Mr. JACOBSTEIN. Let me finish my second point and then I will be glad to yield if I have any time.

The second objection to this resolution is this: Even though we loudly proclaim that this project is for the development of commercial fertilizer and the development of air nitrogen, nevertheless it has been shown in the debate on this question that this may turn out to be a splendid power proposition.

Why, then, do you not have one of the three commissioners a power engineer? Why do you appoint on it a representative citizen familiar with the enterprise, one representative of agriculture, one chemical engineer, and say nothing about a power engineer? It seems to me one of the three members of this commission ought to be versed in the matter of power, water power as converted into electrical power, because the commission may find that the development of electrical power at Muscle Shoals is a very important link in the whole proposition. Therefore in those two respects it seems to me the resolution is weak.

First, it ought not to preclude consideration of Government operation, and in the second place there ought to be on the commission a power engineer.

Mr. McSWAIN. Does not the gentleman, however, think it is a good thing for this House to go on record in favor of the sentiments expressed in the last resolution, on page 4, to the effect that we believe that this great natural resource should be used first of all for the production of cheap fertilizers, so as to enable the farmers to produce more crops at better profits and enable the people who live in the cities to buy good stuff at lower prices?

Mr. JACOBSTEIN. I would not say in this resolution that the production of cheap fertilizers is the first and primary consideration. Investigation may develop the fact that Muscle Shoals is most valuable in its potential water and electrical power.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. LaGUARDIA. Mr. Speaker and gentlemen, we have had the Muscle Shoals proposition before us in various forms. Permit me to say that all the resolutions you may bring in, all the speeches that you may make on this subject will not change the fact that Muscle Shoals is a water-power project, first, and incidentally a nitrogen plant. There is no use fooling ourselves and there is no use in continuing to fool the farmer. I do not pretend to be the champion of the farmer, but I do not use the farmer for every piece of legislation that I desire to oppose or to support. I will not kick him around or use him as a shield. I am ready and willing to help him every time the opportunity presents itself.

Gentlemen, on page 3 of the resolution we find the startling necessity of ascertaining more about the cost of nitrogen. "In order to obtain information making it possible to determine definitely the best, cheapest, and most available means for the production of nitrates," reads the resolution. If we do not know that by this time we never will know. We have had reports after reports, thousands of pages of testimony, and all sorts of expert testimony. The Department of Agriculture knows. It knows to-day. It has the information and it has had the experience. It has the scientific knowledge, and if the President wants to know the last word on the manufacture and production of nitrates, all he has to do is to call upon the Department of Agriculture and they can furnish him with the information.

Mr. McSWAIN. Will the gentleman yield?

Mr. LaGUARDIA. In just a moment.

On page 4, attention to which was called by the gentleman from South Carolina [Mr. McSWAIN], it is admitted there that your production of nitrates depends upon the supply of cheap water power. So, by all means and in the name of common sense, let us proceed at once to utilize the water power.

At the last moment you come in with a resolution, and I do not believe there are 10 men on the floor of the House who know what is in this resolution. We only obtained a copy after the clerk was half way through reading it.

Mr. MADDEN. It has been printed a week.

Mr. LaGUARDIA. Yes, and we all have been working hard. Personally I do not believe the resolution means much.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. LaGUARDIA. I yield to my colleague.

Mr. McKENZIE. The gentleman from New York said this is a power project primarily; the gentleman must understand that the legislation which made it possible to initiate and dedicate this project did so to provide for the production of nitrates in time of war and fertilizer in time of peace; but the fight from the day that legislation was passed until now has been by the power companies trying to get control of the project, and this resolution simply does one thing, and that is to keep within the hands of Congress for a little while longer the determination of whether or not they shall get this power.

Mr. LaGUARDIA. Will this resolution do that? It has a lot of "whereas clauses," and we should not be asked to vote on them. Why not say in plain language that we do not want the Secretary of War to lease any part of the property?

There is only one way to keep the power companies from getting control and that is for the United States Government to keep control and operate the plant. I do not hesitate to say that I want the United States Government to operate this great plant. Until you do that you will not produce the nitrates for the farmer, that you say you are so eager to obtain. Why, gentlemen, we have had this thing on ever since 1918. I concede to the gentleman from Illinois [Mr. McKENZIE] exactly what he says; I tried to make that point when the conference report was up. The gentleman now admits that the power companies have had sufficient influence to prevent the Government going in and operating its own plant. That is the point I made, the point I want to make, and tried to do all I could including the time the Henry Ford offer was before the House. I do not want the power companies to get hold of the property, but I fear the effect of this resolution.

Now with this resolution, if you really intend to hold control from now until we meet again, why do you not provide in the resolution that the President of the United States and the Secretary of War shall enter into no contract, shall make no lease until we meet again. Put that into your resolution and I will support it.

Mr. McSWAIN. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. McSWAIN. Does not the gentleman know that the great masses of population like that in the city of New York which the gentleman represents in part, are more vitally interested in the success of the farmer than the farmer himself?

Mr. LaGUARDIA. Of course I do, and I want to help the farmer with deeds, not words. I will say to the gentleman that nothing for the farmers has been accomplished in the whole Congress. The Republicans have not done a thing; the Democrats have done nothing; what are you talking about? Why you can not fertilize your soil with speeches by Members of Congress; you can not help the farmer by simple declarations that you are for him. I am not the champion of the farmer, and his champions of this House have not brought in a single constructive measure to help him.

Mr. WEFALD. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. WEFALD. Does not the gentleman know that the farmers are now raising so much that they can not get a sufficient price to cover the cost of production?

Mr. LaGUARDIA. I know that the people of my district can not earn enough to buy sufficient food for nourishment. I know something is wrong. I want to repeat again that with all your protestations on behalf of the farmer you had no constructive measure to help him. I have sat here patiently waiting and ready to vote for any constructive measure, but the farmer asks for help and you give him resolutions. He asks for aid, and you send him a farmers' bulletin. For goodness sake do something for the farmer, and you will have all the help and approval of the industrial centers.

Mr. MOORE of Virgina. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. MOORE of Virginia. Conceding all that the gentleman says, what harm does he see that can possibly be done by this resolution?

Mr. LaGUARDIA. I have this objection: I do not like the whereas clauses—that is, the preamble. Then I want a definite inhibition against leasing any part of the property. There is a commission to be appointed and no appropriation to pay for the expenses of that commission. Further, the Department of Agriculture has made researches, made a study of the subject, and all the necessary information can be obtained from the Department of Agriculture. I fear that the power companies which have been so powerful, as suggested by the gentleman from Illinois, who have interfered up to date, will further encroach on this matter and prevent action.

Mr. MOORE of Virginia. I do not think that the President of the United States will put himself into the hands of any interests at all.

Mr. LaGUARDIA. Why could you not have written in the resolution that no definite or final action should be taken either by lease or disposition of the plant?

Mr. MOORE of Virginia. That will not be done.

Mr. LaGUARDIA. I am not so sure about that.

Mr. SCHAFER. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. SCHAFER. Does not the gentleman think it is unfair to appoint a fact finding commission, asking it to find the facts, and at the same time commit ourselves in favor of private operation as against Government ownership?

Mr. LaGUARDIA. That is my position exactly.

Mr. McSWAIN. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. McSWAIN. I have in my office a letter from the Secretary of War saying that he will not lease the power to anyone for more than one year at a time, subject to recapture within the year.

Mr. LAGUARDIA. Does not the gentleman know—has not the gentleman had experience enough to know—that if you let a power company lease that plant for one year you will never get them out?

Mr. McSWAIN. I think Congress could get them out.

Mr. LAGUARDIA. I do not want any power company to go in there for five minutes, for you will never get them out.

Mr. BYRNS of Tennessee. Does the gentleman from New York realize that it is important to pass this resolution to hold control of this plant until next December?

Mr. LAGUARDIA. Yes; but I want to be sure that it will be held. This is merely a request. This resolution is not binding on the President or the Secretary of War.

Mr. BYRNS of Tennessee. That is all the House can possibly do.

Mr. LAGUARDIA. That is just the trouble. Let us do something really effective.

Mr. BYRNS of Tennessee. Let us do what we can and not speculate.

Mr. LAGUARDIA. This measure is offered under suspension of the rules. No one can offer an amendment. I would be satisfied with one line providing that no lease shall be made.

Mr. BYRNS of Tennessee. What force of law would that have in a House resolution?

Mr. LAGUARDIA. It should be a joint or concurrent resolution, of course.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. OLIVER of Alabama. With the unanimous report from the Committee on Military Affairs in favor of this resolution, with the unanimous indorsement from the Representatives of nearly every State, does not the gentleman feel that at least the resolution has merit?

Mr. LAGUARDIA. Oh, Mr. Speaker, the question is embarrassing. The gentleman should not force me to set myself up against the united action of all the distinguished statesmen whom he has included in his question. Please do not put me to that embarrassment. I say this: You let some of the New York companies, or the northern power companies, get down there and develop this water plant, and they will change the whole political complexion of the South. They will control your industries; they will control your finances; they will control your social and political life, and I say that the gentleman from the South better look further into the matter and be not so willing to accept any resolution that comes in.

Mr. MADDEN. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. I know of no more effective assistance that could be rendered to the power companies upon this matter than has just now been rendered by the gentleman from New York [Mr. LAGUARDIA], though innocently, I am sure. We might as well understand the situation. This resolution is a gesture only, it is true, but it is a very powerful gesture on the part of one of the coordinate legislative branches of the Government, made after it has been demonstrated that in the other legislative branch of the Government, on account of the combination, the influences of the power companies and the Fertilizer Trust, and those who favor Government ownership, it is impossible to secure legislation. The gentleman from New York [Mr. LAGUARDIA] should know, if he does not know, that the Judge Advocate General has rendered an opinion that the Secretary of War, under the law as it stands now, without any action on the part of Congress, has the authority to lease this power, and the Secretary of War has stated officially that if Congress shall adjourn without taking action, it is his purpose to lease this power on short-time leases, when it is ready, somewhere from July to September; and the gentleman from New York [Mr. LAGUARDIA] says that once those power companies secure a lease, no matter for how short a time, it will never be taken from them; yet he stands here and resists an effort upon the part of this House to declare its opinion that the Secretary of War shall not lease the power until the Congress has had further opportunity to act.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. MADDEN. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker and gentlemen, we are now at the last stand so far as this great asset of the American people is concerned. From 1916 up until this hour certain interests in this Republic have stood in the way of this great project at Muscle Shoals. Every man on this floor is familiar with section 124 of the national defense act. Every man on this floor knows that under that act a sacred, solemn pact was entered into by the American people through their Congress and President to the effect that Muscle Shoals is dedicated to the manufacture of fertilizer for farmers in time of peace and for the manufacture of explosives in time of war. The United States Senate, through its conduct and activities, has succeeded in killing not only the Ford bill, but the conference report of the conferees between the House and the Senate, and also the second report, and it is now sleeping over there under the masterful influence of the Power Trust, the Fertilizer Trust, and the combination of gentlemen who believe in Government operation—all of them working together against the great farming activities of this Republic, all of them acting against the bedraggled people that our distinguished friend from New York [Mr. LAGUARDIA] represents and whom he says have not enough money to buy enough to eat, yet he joins hands with the enemies of the farmers to prevent the passage of this resolution to save Muscle Shoals for the production of fertilizer. [Applause.] Mr. Speaker, this resolution ought to pass to show our integrity of purpose to the American people. [Applause.]

Mr. MADDEN. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, I am heartily in favor of this resolution. It is, indeed, regrettable, to say the least of it, that the bill providing for a lease by the President of Muscle Shoals, known as the Underwood bill, having received the approval of both Houses of Congress, can not be enacted into law because a vote can not be had upon the conference report in the Senate of the United States on account of a filibuster on the part of a few Members of that body.

This bill not only carries out the recommendations of President Coolidge to Congress on this subject, but has his approval. That being true, it will be necessary for the next Congress to determine what disposition shall be made of Muscle Shoals. This resolution provides for the creation of a Muscle Shoals commission by the President, to consist of three members—one a representative citizen, familiar with the Muscle Shoals enterprise; one a representative of agriculture, versed in the use of commercial fertilizer; and one a chemical engineer, versed in the methods of air-nitrogen fixation—and report to the next Congress such information as will be helpful to Congress in disposing of Muscle Shoals in such a manner as to carry out the purposes for which it was intended, namely, for the manufacture of fertilizer in peace times and for munitions in times of war.

While the Congress has obtained much information on the subject of the fixation of air nitrogen and has expressed itself in favor of private operation of Muscle Shoals, still, as there can be no legislation on the subject until the next Congress convenes, it is most desirable that this commission be created and secure additional information that will be helpful to the next Congress in disposing of this most important question. Among other things, the commission will no doubt be able to report how such war plants are being utilized for the benefit of agriculture in European countries.

Another purpose of this resolution is to express to the President the sense of the House that there should not be any disposition of the water power from the Wilson Dam until Congress shall have taken action in regard to the disposition of Muscle Shoals.

Dam No. 2, known as the Wilson Dam, was built by an Executive order of the President primarily for the purpose of creating power with which to operate the nitrate plants, and it should be preserved for that purpose, and we trust that the President will not permit any disposition to be made of it until the next Congress is given an opportunity to enact legislation defining the policy and the disposition of Muscle Shoals. Not even a temporary lease.

While I regret that the Underwood Muscle Shoals leasing bill was not enacted into law at this short session of Congress for the want of time, still I do not feel discouraged, for I am confident that the next Congress will act favorably upon this legislation. Besides we have secured at this session of Congress $10,000,000 with which to complete the Muscle Shoals Dam No. 2 and $2,000,000 with which to construct Navigation Dam No. 1 at Muscle Shoals, and $315,800 with which to complete the survey of the Tennessee River.

Failure to pass the Underwood bill only means a delay of about nine months in the operation of the nitrate plants for the manufacture of fertilizer, the farmers being the chief sufferers to that extent.

I hope that the Members of the House will make further study and investigation of this important question during the recess. A visit to Muscle Shoals and a personal inspection would no doubt be helpful to you in determining your course and action in the House during the next session. It is of such vital importance to agriculture that it is entitled to the very best thought and consideration of the Members of the House. If you will come to Muscle Shoals you will find it most interesting for the reason that the water-power dam is the largest that has ever been constructed in any country, being a mile in length, 100 feet high, with an artificial lake already created from 1 to 3 miles wide, and 15 miles in length. Besides, the largest air-nitrogen plant in the world.

If you decide to come I will be pleased if you will advise me of the time of your arrival, as my home is only 5 miles away, and I shall be glad to see you and to show you over the wonderful Muscle Shoals. [Applause.]

The SPEAKER pro tempore (Mr. LEHLBACH). The question is on the motion of the gentleman from Illinois to suspend the rules and pass the resolution.

The question was taken; and on a division (demanded by Mr. SCHAFER) there were—ayes 173, noes 3.

Mr. SCHAFER. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-one Members present, a quorum.

So the rules were suspended and the resolution was passed.

THE STATE OF THE UNION

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker, the Constitution provides that the President shall from time to time give to the Congress information of the state of the Union. This duty being imposed by the Constitution on the President, it is inferentially a duty also of the Members of the Congress to give to the citizens of the districts and States they represent certain information which relates to the state of the Union.

The Constitution was ordained and established by the people of the United States in order to form a more perfect Union by establishing justice, insuring domestic tranquillity, providing for the common defense, promoting the general welfare, and securing the blessings of liberty. Unless each succeeding Congress does a little to make the Union more perfect and to make more secure the blessings of liberty, that particular Congress has not been successful in doing its part in the work of the American Government assigned to Congress by the Constitution. Therefore a few observations on the state of the Union as affected by the Sixty-eighth Congress are proper from any of its Members.

Every American citizen, more or less, observes from time to time the state of the Union. In recent years the individual citizen has become more acutely conscious of the Federal Government. Twenty-five years ago, when as a student in history and political science at the Johns Hopkins University I first began to observe the state of the Union, the municipal and the State governments were more personal and imminent to the average citizen than was the Federal Government, even though the centralization of power for the prosecution of the Spanish War had brought the Government at Washington more conspicuously into public consciousness. I recall the remark of Woodrow Wilson, made in the preface to the fifteenth edition of his Congressional Government, which I studied in 1900, that—

> much the most important change to be noticed is the result of the war with Spain upon the lodgment and exercise of power within our Federal system.

At the same time that keen student of government observed that—

> the plain tendency is toward a centralization of all the greater powers of government in the hands of the Federal authorities, and toward the practical confirmation of those prerogatives of supreme overlordship which Congress has been gradually arrogating to itself.

In 1904 I observed somewhat the state of the Union as an assistant in government at Harvard, lecturing specifically on the functions of the Federal Government, and I recall with regret at my lack of power of prophecy a statement I then made and repeated in 1916 that—

> the old cry of "State rights" may occasionally be raised as a political slogan, but the ancient jealousy of the Union no longer plays an important part in the promulgation of political policies.

This was in the days when the centralization of the Spanish war had ceased and the normal state of the Union had returned. This was also before the recent war, from whose centralization we are only gradually even now emerging. From 1900 until 1919 "State rights" was not a vital question. I fought the Baltimore city organization of my party in 1905 for nomination for the State legislature, and after being beaten, was two years later the party nominee. Then, in 1908, I was a candidate for Congress, but in all those days "State rights" were not vital popular questions.

Woodrow Wilson in 1908 in his "Constitutional Government in the United States" expressed the prevailing view that:

> We are certified by all political history of the fact that centralization is not vitalization.

There was no obvious tendency to centralization in 1908.

From 1910 until 1915 I was United States attorney for the district of Maryland and in those days I noted, but not with discerning apprehension, that in antitrust prosecutions, in the crusade against the white slaver, in the enforcement of the pure food laws, in interstate commerce cases, in the suppression of fraudulent use of the mails, the power of the Attorney General runs forward and back throughout all the States of this great Union, and the activities of the Department of Justice wipe out State lines and from year to year increase the power of the Federal Government.

"State rights" was then not a vital question, although the Federal Criminal Code was gradually encroaching on certain purely State police powers, only, however, as an incident to strictly proper Federal duties.

From 1916 to 1919 came a period when nobody thought of "State rights" or about the internal "state of the Union." We were thinking of a possible war with Mexico and actual war abroad. During this period, however, came necessary and extreme centralization. In time of war the President is Commander in Chief of the Army and Navy and of the Militia of the several States when called into the actual service of the United States. It is necessary and inevitable that the Federal Government be all absorbing and dominant during a war, but the most disturbing element in the state of the Union since 1919 has been the failure of prompt and efficient Federal demobilization. In the Sixty-sixth and the Sixty-seventh Congresses the eyes of the Nation, through its Representatives in the Senate and the House, were centered still on Washington. Federal legislation was looked upon as an all covering and all powerful panacea for any public ill, whether it happened to be the boll weevil, the Georgia moonshiner, the too-oft marriage of Broadway chorus girls, or the failure of certain backward States to adequately regulate the labor of children.

During the period of the Sixty-eighth Congress, however, the recession had begun. The Sixty-eighth Congress stands like the French at Verdun. Although within Congress the so-called child labor amendment passed, the fight for State's rights made against it appealed to the country, and the closing day of the Sixty-eighth Congress witnessed the practical death of the proposed twentieth amendment, more destructive of the old balance of State and Federal powers even than the eighteenth amendment. Realizing the evils of improper Federal centralization, learned from the eighteenth amendment, the fight in Congress against the child-labor amendment was taken up by the States themselves in the interest of a sound constitutional balance of Federal and State duties.

The Sixty-sixth Congress was the high-water mark of Federal regulation, under the war-adopted expedient of Federal prohibition. In the Sixty-eighth Congress none of the legislation of the Anti-Saloon League become law.

The Cramton bill, creating a separate division of the Treasury for the Prohibition Unit, with increased salary for the Anti-Saloon League's man Haynes, was killed in the Senate. The Stalker bill, providing a mandatory jail sentence for the maker of one-half of 1 per cent homemade beer, but permitting the free manufacture of homemade cider and homemade wine of one-half of 1 per cent and more, never even came to a vote in the House. The alien deportation bill, a pet measure of the Anti-Saloon League, died in the Senate. Had it passed, an alien could have robbed and assaulted, with any number of jail or penitentiary sentences of an aggregate of 18 months, and still remained in the United States; but if his several violations of the Volstead Act alone amounted to only

12 months, he was subject to deportation, no matter if such 12 months' sentences were only for making homemade beer for exclusive use in his own home. This bill also died in the Senate. So the state of the Union is better in many ways than it was when the Sixty-eighth Congress held its first session.

The principle of "State rights," given its clearest definition in the first inaugural address of Lincoln, has become militant throughout the Union, and the pre-war balance of Federal and State spheres of duty and power is gradually returning. The most encouraging aspect of this phase of the state of the Union is that the old doctrine so well set forth by Lincoln has to-day militant supporters. The fight against further Federal encroachment is not yet won, but it is being won. We want a strong Federal Government, and in that desire we are Hamiltonian Federalists, but a strong Federal Government means one strong in its own sphere of action, with the States equally strong in local matters, wisely reserved for them by the Constitution.

IMMIGRATION

While we are discussing the state of the Union it is quite proper to comment on our relations to other nations. When the Johnson immigration bill was discussed in the House I opposed it for what I considered sufficient reasons, founded upon the fundamental theory of American Government.

There is no one in this Nation who does not favor proper limitation of the number of aliens who shall be permitted to enter this country and become an integral part of its citizen fabric. The immigration laws, if properly enforced, which existed before the recent legislation would keep out all undesirable persons. A definite limit upon those otherwise desirable, based on the sole question of admissible numbers, is a very different thing from the discriminatory quota provisions of the Johnson Act. I opposed this measure before the Committee on Immigration and in the House. I discussed before the committee the following bill, which I introduced on December 15, 1923:

A bill providing for admission into the United States of certain specified relatives of American citizens

Be it enacted, etc., That the parents, brothers, sisters, and children of American citizens who otherwise comply with the mental, moral, and physical standards prescribed by immigration laws of the United States shall be admitted into the United States regardless of limitations imposed by quota regulations.

I advocated this measure on the theory that, regardless of the numerical limit placed on immigration, those who came here into an atmosphere of family stability, those who came into the influence of related and coordinated citizenship, would be the most desirable additions to the personnel of the Nation. Some parts of my suggestion were adopted, but not all.

The Japanese question was important in the Johnson bill, and, following the advice of the President, I voted to treat this great question on the basis that the President advocated. This advice of the President was disregarded, and so there was added another reason for some of us to vote against the Johnson immigration bill.

It will be of interest in this connection to note the observations of the Rev. William Bancroft Hill, D. D., professor emeritus of Biblical literature at Vassar College, and trustee of the Fukien Christian University of China. In the New York Times of March 11, 1925, he summed up the results of the treatment of the Japanese immigration question as follows:

JAPANESE EXCLUSION—AN APPRAISAL OF THE ADVANTAGES AND DISADVANTAGES RESULTING FROM IT

What have we gained and what have we lost by shutting out the Japanese? The exclusion clause was adopted in the heat of a political campaign when all parties were chiefly interested in its effect upon the coming election. True, the Japanese ambassador predicted "grave consequences"; but this was interpreted as a threat rather than a prophecy and made thoughtful action still more impossible. Shall any foreign nation dictate to us our domestic policy? So the bill went through with an overwhelming majority.

To-day we are able to weigh the matter more dispassionately and to look beyond the limits of the present hour and our own shores. Suppose, then, we try to reckon what we have gained and lost through our hasty action. It is too early to make up the whole account, but certain items are already on the ledger.

There are three things we have gained.

First, we have shut out the entrance annually of about 150 Japanese who probably, though by no means certainly, might remain permanently with us. These could have been excluded just as completely by the gentlemen's agreement which Japan stood ready to continue. But we preferred to shut them out without consulting her. Why should we condescend to ask her cooperation?

Second, we have brought our immigration law somewhat into harmony with our naturalization law. An applicant for citizenship must be "a free white person"; and the Supreme Court has ruled that "white" means just what the ordinary reader would understand it to mean. To be sure, we naturalize Finns and Turks, all of whom the ordinary reader has been taught belong to the yellow race; and also, after the fourteenth amendment, we opened naturalization to "persons of African birth or African descent." But the Supreme Court in 1922 decided that Japanese can not be naturalized because they are not "white"; so, logically, they come under the clause that declares "No alien ineligible to citizenship shall be admitted to the United States." And we must be logical even if we are not diplomatic.

Third, we have finally, it is to be hoped, ended the anti-Japanese agitation in California, which began in 1900 and has been increasingly a source of trouble ever since. It is true that the immigration law can not remove from California the Japanese who already are there; but the strict laws against their holding or renting land will do much to drive them out, either back to Japan or to other States, where the propaganda against them is not so bitter. Whether California will be happier in their absence remains to be seen. If she is not, she will promptly tell us, for reticence is not her most prominent characteristic.

These are the gains of the exclusion act. What are the losses?

First, we have thrown away the friendship of Japan. Despite the efforts of the yellow press in both lands to destroy it, we have had her friendship ever since, by strong yet kindly insistence, we forced her to open her doors to the world. We have put it to acid tests sometimes by our treatment of her people on the Pacific coast, but it never has been destroyed. And our recent acts of helpfulness, when she was in sore distress from earthquake and fire, made it greater than ever before. The Japanese felt that America was their best friend. More than that, we became in many ways their ideal. American principles and institutions were highly popular, and the inclination was to adopt them as far and as fast as possible. That is all ended now. The general belief among the Japanese is that Americans despise them utterly and have pronounced them unfit for civilized society.

Second, our action has been a severe blow to trade between the two countries. We need an outlet for our goods, and Japan, especially since the earthquake, needs lumber, machinery, and a host of things that we can supply. We lent her money; she stood ready to spend it in our markets. That readiness is gone. The men who say, "No matter how Japan feels, she will buy from us if we can sell cheaper than our competitors," are deceiving themselves. "Made in America" is now for the Japanese what "Made in Germany" was for us a few years ago. Indeed, it is even more so, for traffic with an unfriendly country is impious as well as disloyal.

Third, we have strengthened the militaristic party in Japan. That party, which took Germany as its ideal, was greatly discredited by the results of the Great War. Japan recognized that the strength of a nation does not depend solely on the size of its army and navy, and that friendship rather than fear exerts the best control over neighboring nations. The change of policy in her treatment of Korea and her treatment of China came from the rise to power of the antimilitarists. Now the military party is coming back to its own. There is no thought of attacking the United States; all realize that Japan is too weak in men and money to do this. But there is a widespread belief, fostered by yellow journals, that sooner or later the United States will attack Japan, and that the nation must be kept in readiness to defend itself.

Fourth, it need hardly be said that Christianity in Japan has met with a severe blow. Its progress has been set back 25 years; such is the general verdict of the missionaries.

Fifth, we have turned the face of Japan away from Europe and America toward China. If she is to be treated as other Asiatics, she must cast in her lot with them for better or worse. China has what Japan greatly needs—a boundless store of high-grade iron and coal. Japan has what China greatly lacks—modern science and the art of government. Let the two combine, and they form a yellow peril, indeed. China has looked to Japan as her natural leader and has sent her young men to Japan in large numbers for an education, but hitherto Japan has treated China in a way that would arouse only hatred. There are plain indications that Japan has changed her attitude and is now trying to win the friendship of her great neighbor, and the attempt can hardly fail of success, because friendly relations are so obviously to the advantage of both countries. China at present is kindly disposed toward America; but how long will she continue to be so if she listens to Japan? Then, with Europe disliking us and South America distrusting us, where will be our friends? We must also remember that Russia to-day is doing her utmost to win over China. She is sending her ablest diplomats to represent her and spreading her Bolshevist literature broadcast. She will be ready to join with China and Japan in any attack upon the peace of the world, and such a union would be serious beyond imagination.

Placing against each other the gains and losses of Japanese exclusion, we are forced to confess that we have made a sorry bargain.

But it is not too late to wipe the slate clean and start afresh. We do not wish the Japanese to come here, and Japan assures us that she does not wish them to come. Surely when both nations are agreed as to the desirability of exclusion, a way can be found to accomplish it without affront to either.

I entirely agree with the observations he has made.

NATIONAL DEFENSE

A specific purpose of the Constitution was and is to "provide for the common defense." We appropriated this year about $500,000,000 for this purpose. The hearings by committees of Congress on the question of a separate air ministry and the whole question of the coordination of land, sea, and air defenses have raised grave questions for consideration by the Federal Executive and by the Federal Legislature. Personally, the result of all of these investigations has convinced me that the whole matter of national defense should be gone into fully by the Sixty-ninth Congress. In order to secure such an investigation I introduced on February 26, 1925, a House joint resolution, which is as follows:

Joint resolution for investigation of the advisability of the creation of a department of defense, with undersecretaries of the Army, the Navy, and the Air

Resolved, etc., That subcommittees of five members from the Committees on Military Affairs, the Committees on Naval Affairs, and the Appropriations Committees of the Senate of the United States and the House of Representatives be, and hereby are, authorized to sit jointly during the sessions or adjourned intervals of the Sixty-eighth and Sixty-ninth Congresses, at such times and places as may seem advisable to the said joint committee, such subcommittees to be appointed by the respective committee chairmen, to make investigations of the condition of Army posts and forts and other defenses maintained for the military arm of the Government, of the condition of naval stations and other defenses maintained for the naval arm of the Government, and of all phases of military and naval aviation for the purpose of considering the advisability of a consolidation of the functions of the War Department and the Navy Department as a unified department of defense; to employ such clerical or other assistance as may be required in the judgment of said joint committee; to send for persons, books, and papers, to administer oaths, and to employ a stenographer or stenographers, at a cost of not to exceed 25 cents per hundred words, to report such hearings as may be had in furtherance of the purposes hereof, the expenses thereof to be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers certified to by the chairman of the said joint committee and properly approved.

This resolution was not adopted by the Sixty-eighth Congress, and I shall reintroduce it immediately upon the convening of the Sixty-ninth Congress. If there is lack of coordination of the national defense in time of peace, we are not adequately protected. As President Roosevelt so often said, nine-tenths of preparedness is being prepared in time.

President Coolidge in his inaugural address said:

Our country represents nothing but peaceful intentions toward all the earth, but it ought not to fail to maintain such a military force as comports with the dignity and security of a great people. It ought to be a balanced force, intensely modern, capable of defense by sea and land, beneath the surface, and in the air.

The best way to make peaceful intentions concrete facts is to be prepared to keep the peace and be thus prepared in time.

INSURING DOMESTIC TRANQUILLITY

On the 4th of March the President said in his inaugural address:

In a Republic the first rule for the guidance of the citizen is obedience to law. Under a despotism the law may be imposed upon the subject. He has no voice in its making, no influence in its administration, it does not represent him. Under a free government the citizen makes his own laws, chooses his own administration, which do represent him.

Under a free Government the citizens make their own laws. They can also remake or repeal laws that are found not to be in accordance with the aspirations or customs of the citizenship.

The Volstead Act is the most prolific element in a lack of "domestic tranquillity." I shall not here attempt to discuss the remedies for the unrest induced by this congressional interpretation of the eighteenth amendment, but I desire to call attention to two of the specific conditions which result from it.

The Volstead Act has created a Federal police jurisdiction for minor misdemeanors and there is to-day no adequate provision under the Federal judicial system for the prompt handling of these matters. I oppose the assumption by the Federal Government of State local police powers, but when such an invasion of States' rights has been made the Federal Government, as long as it assumes such burdens, must do the work it has taken upon itself to do.

The Federal district courts are overtaxed by police-court cases arising from the Volstead Act. There should be a reorganization of the Federal judicial system to take care of such matters. On March 3, 1925, I proposed the following measure as a basis for consideration of the question of the creation of inferior Federal courts:

A bill to authorize United States commissioners to try certain classes of cases

Be it enacted, etc., That on and after the approval of this act, United States commissioners shall have the power to try criminal cases in the United States district courts in which the penalty is a fine of not exceeding $500 or a sentence of confinement for not more than six months, or both; such United States commissioners shall have all the powers of Federal district judges in the trial of such cases.

I shall reintroduce this measure when the Sixty-ninth Congress convenes and urge its consideration.

Another source of lack of domestic tranquillity is the absurd attempt to treat the prohibition criminal laws as different from all other Federal penal offenses. The failure of the Cramton bill, although insistently urged by the Anti-Saloon League, shows that the normal balance is returning to the state of the Union.

In the Sixty-seventh Congress I introduced a bill providing that the criminal provisions of the Volstead Act should be enforced by the Department of Justice instead of by a bureau of the Treasury Department. I am glad to see that such a reformation of Federal criminal procedure has now been recommended by the Chief Justice and is at present meeting with widespread popular favor. The January issue of the Periscope collects editorials from the leading newspapers of the Nation on this question, which are as follows:

SHOULD THE DEPARTMENT OF JUSTICE TAKE OVER THE ENFORCEMENT OF PROHIBITION?

We have been culling out editorials which indicate the reaction of the press to the recommendation made by Chief Justice Taft and the conference of the United States senior circuit judges that the Prohibition Unit be transferred from the Treasury Department to the Department of Justice. For some mysterious reason the Anti-Saloon League is making a fight against it, and is backing the Cramton bill, now before the Senate, which would create a bureau of prohibition in the Treasury Department. Perhaps the Washington (D. C.) Post pointed out the why of it when it said that "Prohibition Commissioner Haynes's tenure in office is inexorably linked with the Sterling-Cramton bill."

The Post sums it up in these lines: "The Anti-Saloon League demands that the dry law shall be under the jurisdiction of a bureau in the Treasury Department. Why not turn the whole thing over to the Anti-Saloon League?"

The St. Louis (Mo.) Post-Dispatch declares that "Mr. Wheeler and his cohorts know that the proposed transfer would mean a wholesale overhauling of jobs and job holders. That, and not law enforcement, is the cause of his opposition."

The St. Louis Star says: "The arraignment of the total inefficiency of prohibition enforcement is to be read in every word of the Chief Justice's letter. It sticks out with suppressed indignation from between every line. It crushes utterly Wheeler and all of his sort, who shut their eyes to facts."

The Louisville (Ky.) Herald says: "It is a recommendation not lightly to be dismissed. It comes from men who, through personal contact and an intimate first-hand knowledge, have been acquainted with the wasteful character of a large proportion of the cases now brought into the courts."

The Newark (N. J.) News declares: "Nobody, it is safe to say, is in better position to judge of the breakdown of prohibition enforcement through the overloading of the courts than the senior Federal circuit court justices.

"As to the specific recommendation of transferring the enforcement unit to the Department of Justice, it ought to receive a thorough consideration."

The New Haven (Conn.) Union holds that, "This request deserves the serious consideration of the citizen who is interested in law enforcement.

"From the standpoint of Federal prosecutors such a change should be most welcome. As the judges note, it would have the merit of making the prosecutor personally responsible for cases, and in addition it would eliminate much of the buck passing now possible."

The Sacramento (Calif.) Bee points out that: "This request from the Federal judiciary amounts to a severe arraignment of the methods long pursued by the Federal authorities intrusted with the duty of enforcement of the Volstead Act.

"Aside from the fact that law is not even half-backed by public opinion, the 'trivial and futile' manner in which dry agents have proceeded has made it more and more unpopular from month to month.

"What is most needed is a material modification of the Volstead Act, such as would permit the making and sale of beer and light wines, under reasonable regulations; in the interest of true temperance, and to help do away with the present shameful manufacture and sale of poisonous spirits, due chiefly to drastic and fanatical provisions of that law."

The Charleston (S. C.) American goes to the root of the matter, thus: "The recommendation and approval of the plan by the senior circuit judges of the United States, reflecting the opinion of the district judges also, will undoubtedly have great weight, or certainly should have, with the legislative body, but, aside from this important element in favor of the plan, there is and has for long been a great body of popular opinion on the same side. If such a thing as genuine enforcement of the prohibition law is possible in this country, it will come only with such a plan of administration.

"It requires little argument to prove that the Bureau of Internal Revenue has made a mess of prohibition enforcement. To begin with, there was no good reason for placing it with that bureau. The Government has a law department, very thoroughly organized. Aside from its courts and judges and its numerous attorneys, generally men of a high order of ability, it has large forces of investigators. The success of Federal detection of crime in such fields as counterfeiting, postal violations, narcotic violations, and the many other things outside of prohibition that the Federal criminal courts commonly deal with has been so striking for generations that the criminal classes have far more respect for and fear of the Federal jurisdiction than of any of the State law-enforcement bodies."

The Peoria (Ill.) Transcript says: "It is not surprising that recommendations adopted by the conference of senior circuit judges should contain the suggestion that the prohibition enforcement unit be turned over to the Attorney General's office for administration and removed from the red tape and ignorance which the judges now find in the Internal Revenue Department.

"The judges may have hit upon the remedy for crowded dockets. In any event their conclusions are significant of the revolt against crowded Federal court dockets. A Federal grand jury can not meet without wading through a score or more of trial rum cases while ignoring, in many instances, important matters which demand adjudication."

The Syracuse (N. Y.) Herald speaks of the proposal as "a desirable change," and the Syracuse Journal says "Justice Taft is right."

The Galveston (Tex.) News shows that "It is to be doubted if the size of the task was foreseen when prohibition enforcement was intrusted to the Treasury Department. Doubtless it was looked upon as an appropriate extension of the work the Bureau of Internal Revenue had always done in preventing the illicit manufacture of liquor. But there is a vast difference between running down a few moonshiners and watching thousands of miles of coast line and border, in addition to curbing the activities of an army of illicit distillers." And its conclusion is "transfer it to the Department of Justice."

The Detroit (Mich.) Free Press says: "Give it to the Department of Justice."

The New Rochelle (N. Y.) Star speaks of it as "a much-needed change."

The Houston (Tex.) Chronicle calls it "a logical suggestion."

The St. Petersburg (Fla.) Times says: "Whether Taft or whether Wheeler may be right is yet to be determined, but, taking it altogether, one would naturally place more confidence in the judgment of Mr. Taft."

The New York Times says: "If ever a Congress has the courage to shake off the yoke of the Anti-Saloon League, it will follow the opinion of the disinterested experts and select the method they recommend to relieve the congestion of the Federal calendars and to make enforcement vital and effective by really deterring the principal offenders."

The New York World holds that "The weight of authority thus adduced, the careful consideration given to the problem, the court experience of the judges, their hope by the change to lessen the number of 'trivial, futile, and unimportant cases which now crowd the dockets through the ill-advised zeal and practical ignorance of prohibition agents'—these will strongly argue for the proposal"; and it points out that "Again it must be said that the worst enemies of prohibition and prohibition enforcement are its inflamed advocates and guardians."

The Raleigh (N. C.) Times says: "Mr. Taft is right."

The San Antonio (Tex.) Express believes that "This would simplify the great task with which the bureau is charged, and perhaps conduce to efficiency."

The Cincinnati (Ohio) Enquirer thinks that "The recommendations of the Federal judges more nearly approximate the prevailing sentiment among the people," and says that the Anti-Saloon League is seeking more plums.

The Dubuque (Iowa) Herald approves Chief Justice Taft's suggestion, as does the Fort Wayne (Ind.) Journal Gazette.

The Baltimore (Md.) Sun says: "Undoubtedly, a definite policy with respect to liquor prosecutions will have to be adopted in the near future, the only question being as to whether the policy is to be fixed by the Anti-Saloon League or by the administration itself."

The Paterson (N. J.) Call and the Jersey City Journal like the way in which Attorney General Stone is handling affairs, and say that "If he can not break up the riot of crime that has grown up under Volstead Act violations, no one can."

When the Sixty-ninth Congress convenes I shall endeavor to pass the bill I introduced in the Sixty-seventh Congress, and which is an attempt to place all of the Federal criminal laws under the jurisdiction of the Department of Justice, where, by all rational theories of American Federal constitutional government, they unquestionably belong.

When I went before the Judiciary Committee of the House in April, 1921, to advocate the addition of my bill to the medical beer bill as an amendment, Mr. Volstead, chairman of the Judiciary Committee, demanded of me when I advocated transfer of the Prohibition Unit from the Treasury to the Department of Justice how I dared make any such suggestions as to enforcement of law while I was opposed to prohibition.

It speaks well for the state of the Union to-day that the Chief Justice and the conference of United States senior circuit court judges advocate this rational and orderly measure and that such newspapers as those above quoted support the proposition against the wishes of the Anti-Saloon League, whose power is to-day much less than it was in the early days of the Sixty-seventh Congress, when Mr. Volstead was chairman of the Judiciary Committee. That fact alone is sufficient to give great encouragement to sane, well-balanced people as to the state of the Union.

RAILROAD RATE REGULATION BY ESTABLISHED COURTS AND NOT BY CONGRESSIONAL ACTION

Another encouraging index of a returning normal and sound state of the Union is that the Sixty-eighth Congress refused to substitute political action for judicial determination in the matter of the Pullman surcharges, and that no one of the bills introduced both in the House and the Senate for the purpose of overruling the Interstate Commerce Commission passed either body.

Years ago the Congress established the Interstate Commerce Commission, and later the Federal Trade Commission, to perform certain intricate and most important functions of government, which Congress deliberately decided were of a judicial and not a political nature.

When, in 1903, the Department of Commerce and Labor was created, the status of the Interstate Commerce Commission was fully considered and whether it should be left as an independent commission or brought under the jurisdiction of an executive department.

The debates on this subject, participated in by the ablest Members of the Senate, show that the functions of the Interstate Commerce Commission are so judicial in their nature that Congress decided to leave the commission independent even of supervision by the head of an executive department.

In the debate Senator Spooner said, "I agree with the Senator from Virginia [Mr. Martin] in all he said, and especially I agree with him that there are peculiar reasons why the Interstate Commerce Commission should not be transferred to a department." He added that "their functions were quasi-judicial." Senator Hoar, of Massachusetts, then expressed the opinion "that the Interstate Commerce Commission is practically a judicial body." Congress thereupon excluded the Interstate Commerce Commission from the Department of Commerce and Labor because of the judicial functions of the commission. To-day the Interstate Commerce Commission stands on the same basis as a court.

In spite of this, three attempts were made in the Sixty-eighth Congress, all inaugurated in the Senate, to overrule carefully considered and long-heard and investigated decisions of the commission. One was the long-and-short-haul rate matter, brought up for congressional action by the Gooding bill. The second was the attempt, through the Butler bill, to overrule the sixth decision of the commission in favor of the freight differentials of Baltimore, Philadelphia, Norfolk, Newport News, Wilmington, and other ports, based on their nearness to the Atlantic as compared with Boston.

The Interstate Commerce Commission after two years' consideration, for the sixth time in 50 years dismissed the complaint of Boston, and ruled in favor of the Baltimore and other port differentials, thereupon, a successor of Senator Hoar, who had so well expressed the functions of the Interstate Commerce Commission, attempted to overrule its decision

by an act of Congress. This measure, largely due to the prompt action in the House of Representatives of the interested ports before the defeat of the Pullman surcharge measure, never came to a vote. It speaks well for the state of the Union that the Sixty-eighth Congress held fast to conservative constitutional principles in important matters. The Butler and the Gooding bills will undoubtedly come up again in the Sixty-ninth Congress, but the vote on the Pullman surcharge question indicates that they will not pass.

I can not leave this brief consideration of the state of the Union without a cursory reference to that old work horse of Volsteadism, Mr. Crabbe, the Maryland superintendent of the Anti-Saloon League. Yesterday, March 15 (Sunday), he said:

Since Mr. HILL began his fight, in five years Congress, which was then two to one for prohibition is now three to one for prohibition.

Poor superintendent! Does he not know that in the Sixty-eighth Congress the Anti-Saloon League for the first time did not pass one single measure? Does he not know that the Cramton bill did not pass? Does he not know that the Stalker bill did not pass? Does he not know that the alien deportation bill did not pass? Does he not know that a committee of 60 Representatives organized against the Volstead Act and that the "committee on the modification of the Volstead Act" of the Sixty-eighth Congress put and kept the Anti-Saloon League on the defensive all through the Sixty-eighth Congress?

I invite the attention of Mr. Crabbe to my opening remarks on the subject of "State rights," and also to the second psalm, verse 2, "Why do the heathen rage and the people imagine a vain thing?" When Mr. Crabbe rages against the excellent record of the Sixty-eighth Congress no wonder he imagines, vainly, that the fast slipping and departing power of the Anti-Saloon League will be any greater in the Sixty-ninth Congress than it was in the Sixty-eighth Congress. In the Sixty-ninth Congress we will, I hope, add to the blessings of liberty, to secure which the Constitution was adopted, a modification of the mendacious Volstead Act, and thus improve even more the state of this glorious Union.

EXTENSION OF REMARKS

Mr. SCHAFER, Mr. O'CONNOR of Louisiana, Mr. RAKER, Mr. BLANTON, Mr. ALMON, Mr. RUBEY, Mr. LANKFORD, Mr. THOMAS of Oklahoma, Mr. OLIVER of Alabama, Mr. ZIHLMAN, Mr. JAMES, Mr. MORROW, Mr. GREENWOOD, and Mr. GARBER asked unanimous consent to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

Mr. BEEDY. Mr. Speaker, reserving the right to object, I understand that that is consent to extend their remarks on the resolution just passed.

The SPEAKER pro tempore. Is there objection?

Mr. BEEDY. I object.

The SPEAKER pro tempore. The gentleman from Maine objects.

GRANTING USE OF HALL OF HOUSE OF REPRESENTATIVES TO THE INTERPARLIAMENTARY UNION

Mr. BURTON. Mr. Speaker, I ask unanimous consent for recognition and for the passage of House Resolution 461, a copy of which I have sent to the Clerk's desk.

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

The Clerk read the following resolution by Mr. BURTON:

House resolution (H. Res. 461) granting the use of the Hall of the House of Representatives to the Interparliamentary Union

Resolved, That the consent of House is hereby granted for the use by the Interparliamentary Union of the Hall of the House of Representatives for its session in the year 1925, approximately October 1 to 6, 1925, provided this consent shall not be binding if the Congress shall be in session when the said Interparliamentary Union shall convene, and such use shall be subject to the control and management of the officers of the House.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

INTERNATIONAL EXPOSITION, SEVILLE, SPAIN

Mr. REED of New York. Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 130.

The SPEAKER pro tempore. The gentleman from New York moves to suspend the rules and pass the resolution which the Clerk will report by title.

The Clerk read as follows:

Senate joint resolution (S. J. Res. 130) for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927.

Mr. BLANTON. Mr. Speaker, before this is taken up I think a quorum should be present, and I make the point of order there is no quorum present.

The SPEAKER pro tempore. The Chair within a few moments just counted a quorum, but the Chair will count again.

Mr. BLANTON. If the Chair says he is sure one is here, I will not insist upon it.

The SPEAKER pro tempore. The Chair will count.

Mr. BLANTON. This measures involves $700,000.

The SPEAKER pro tempore (after counting). Two hundred and twenty-five gentlemen are present, a quorum is present. The Clerk will report the resolution.

The Clerk read as follows:

Senate joint resolution (S. J. Res. 130) for the participation of the United States in an international exposition to be held at Seville, Spain, in 1927

Whereas the United States has been invited by the Government of Spain to take part in an international exposition of the arts, sciences, history, industries, commerce, and resources of Spain, Portugal, and the Republics of America, to be held at Seville, Spain, commencing April 17, 1927, and continuing throughout the year: Therefore be it

Resolved, etc., That said invitation is accepted.

SEC. 2. That the President is hereby authorized to appoint a commissioner general and five commissioners to represent the United States in the proposed exposition, the amount of whose compensation shall be determined by the Secretary of State. The said commissioner general shall, under the direction of the Secretary of State, make all needful rules and regulations in reference to the contributions from this country, and to control the expenditure incident to the installation and exhibit thereof, the pay of the commissioner general, commissioners, officials and employees, and the preparation of the reports of the exposition, and the general results thereof; and he shall make all arrangements necessary for the preparation, transportation, installation, display, and proper care of the exhibits of the Government of the United States, with the cooperation and assistance of the various executive departments, institutions, and branches of the Government that may participate in the exposition, as well as to furnish such information service to private exhibitors and prospective exhibitors as he may deem necessary and feasible: *Provided*, That the executive departments of the Government may designate officials or employees of their respective departments for service in connection with said commission, but no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department where employed, plus such reasonable additional allowance for expenses not now authorized by law as may be deemed proper by the Secretary of State, in view of the fact that such service is to be performed in a foreign country: *Provided further*, That no person appointed or employed by virtue of the provisions of this act shall receive a greater salary than $15,000 per annum, and not more than one person shall receive a salary in excess of $10,000 per annum, and not more than five persons shall receive salaries in excess of $7,500 per annum.

SEC. 3. That officers and employees of the executive departments and other branches and institutions of the Government in charge of or responsible for the safe-keeping of objects, articles, etc., property of the United States, which it is desired to exhibit, may permit such property to pass out of their possession for the purpose of being transported to and from and exhibited at said exposition as may be requested by the commissioner general, such exhibits and articles to be returned to the respective departments and institutions to which they belong at the close of the exposition: *Provided*, That the commissioner general, with the approval of the President, at the close of the exposition, may make such disposition of the buildings and other property of the United States used at the exposition, which it will not be feasible to return to the United States, as he may deem advisable.

SEC. 4. That the Shipping Board is authorized to give the commission such assistance as may be necessary and to make special rates and special sailing schedules for the transportation of governmental and private exhibits and participants to and from the exposition.

SEC. 5. That the Secretary of Agriculture is hereby authorized to collect and prepare suitable exhibits of the agricultural staples and products and forestal productions of the several States of the Union for exhibition at the exposition and accompany the same with a report respecting such products and productions, including the qualities and standards of cotton, the wheat and corn produced, and their uses, the standards of which they are being marketed, and the character and quality of American animal products, to be printed in the Eng-

lish, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

SEC. 6. The Secretary of Commerce is hereby authorized to collect and prepare a suitable exhibit of the fisheries industry and the commerce of the United States for exhibit at the said exposition and accompany the same with a report respecting such industries, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

SEC. 7. That the Secretary of the Interior is hereby authorized to collect and prepare suitable exhibits by the Reclamation Service, the General Land Office, the Alaskan Engineering Commission, the Bureau of Education, the Patent Office, the National Park Service, and the Bureau of Mines, for exhibition at the said exposition, and to accompany the same with a report respecting such exhibits, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

SEC. 8. That in order to defray the necessary expenses above authorized, including the salaries of commissioners and employees, the cost of preparing the various Government exhibits, transportation, installation, display, and return of exhibits, construction and equipment of building, and acquisition, preparation, and maintenance of site and grounds the sum of $700,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available for the purpose of this resolution, and to remain available until expended or no longer required, all expenditures out of said appropriation being made subject to approval by the Secretary of State: *Provided*, That no indebtedness shall be incurred hereunder in excess of the amount herein authorized to be appropriated.

SEC. 9. That it shall be the duty of the Secretary of State to transmit to Congress within six months of the close of said exposition a detailed statement of the expenditures which may have been incurred under the provisions of the resolution, together with all reports called for under sections 5, 6, and 7 of this resolution, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

The SPEAKER pro tempore. Is a second demanded?

Mr. BLANTON. I demand a second.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York is recognized for 20 minutes.

Mr. REED of New York. Mr. Speaker, it is my opinion that this is one of the most important bills that has come before the Congress at this session. About two years ago the Spanish Government extended an invitation to the United States Government to participate in an international exposition to be held at Seville, Spain, during the year 1927. The purpose of this Senate resolution before the House at this time is to authorize our Government to accept that invitation. It is an international exposition of the arts, sciences, history, industries, commerce, and resources of Spain, Portugal, and the Republics of America. The invitation is confined to the South American Republics and to the United States of America. I wish to read into the RECORD the letter submitted to the Congress by the President of the United States under date of May 7, 1924.

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, concerning an invitation extended by the Government of Spain to the Government of the United States to participate in an international exposition of the arts, sciences, history, industries, commerce, and resources of Spain, Portugal, and the Republics of America, which is to open at Seville, Spain, on April 17, 1927, and continue throughout that year.

I join with the Secretary of State in recommending legislation by Congress authorizing the acceptance of the invitation and an appropriation of $700,000 to enable the United States suitably to participate in the exposition.

It will be observed from the memorandum accompanying the report of the Secretary of State that the Departments of the Interior, Agriculture, and Commerce are favorable to the acceptance of the invitation, and deem that participation in the exposition would be advantageous to the interests of the United States.

An appropriation is not sought at this time, but merely legislation that will enable the acceptance of the invitation and the inclusion of the item of appropriation in the estimates to be submitted by the Director of the Bureau of the Budget for the fiscal year ending June 30, 1926.

CALVIN COOLIDGE.

THE WHITE HOUSE, *May 7, 1924.*

This resolution has been approved by the Secretary of State, by the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and by the Bureau of the Budget. We had before our committee the representatives of the State Department urging us to take favorable action upon this bill. It seems to me that reciprocal courtesy requires us to pass this resolution. It may be of interest to men on both sides of the House to know that Spain participated in our Centennial Exposition at Philadelphia in 1876; in our Foreign Exposition, Boston, 1883; in the World's Industrial and Cotton Centennial Exposition, New Orleans, 1884–85; in the World's Fair, Chicago, 1893. The United States did not accept her invitation to participate in the exposition at Madrid in 1894. Spain has never refused to accept an invitation extended by us to participate in our expositions. Now, I want to touch upon our trade relations with Spain. The point has been raised by those who are in opposition to the bill that Spain is a little country, and that we can not afford to accept this invitation and expend $700,000. I want to call attention to the fact that Spain in 1910 had a population of 19,950,817 people. In 1920 her population had increased to 21,347,335. The population is almost equal to the entire population of all the States west of the Mississippi River. It is three times the population of New England and twice the population of the State of New York, and a greater population than of New England and New York together. It strikes me that such a population has potential trade possibilities that are worthy of consideration. Here is the population of a few of her chief cities: Madrid, 751,000, in round numbers; Barcelona, 710,000; Valencia, 243,000; Seville, 250,000. I want to give a few trade figures, because every State in the Union has a vital interest in what this exposition means. In 1923 our exports to Spain amounted to $61,861,685; in 1924 our exports amounted to $71,162,469. This shows an increase in exports in excess of $9,000,000 in the last year. I want to touch on some of the principal items of increase:

Increase from 1923 to 1924

	1923	1924
(a) Motion-picture films	$104,002	$135,746
(b) Bacon	402,796	581,827
(c) Typewriters	416,379	519,452
(d) Paraffin	505,612	801,791
(e) Lubricating oil	1,669,480	1,857,864
(f) Leaf tobacco	2,372,808	2,907,330
(g) Gasoline	2,711,500	3,370,365
(h) Raw cotton	26,769,509	36,102,093

I have prepared a table of the exports to Spain for 1923 and 1924, which indicates the volume of our export business with Spain:

Table of items exported to Spain

	1923	1924
Bacon	$402,796	$581,827
Calf and kip leather	398,463	292,076
Goat and kid leather	63,578	34,596
Corn	145,706	136,242
Rubber tires (automobile)	287,056	182,928
Leaf tobacco	2,372,808	2,907,330
Cotton, raw	26,769,509	36,102,093
Southern pine	1,110,713	847,255
Oak	122,951	123,489
Staves	713,723	495,689
Gasoline, etc	2,711,500	3,370,365
Lubricating oil	1,669,480	1,857,864
Paraffin	505,612	801,791
Sulphur	164,120	155,353
Rails	272,670	134,483
Copper	896,594	714,685
Textile machinery	46,610	36,799
Typewriters	416,379	519,452
Printing presses	102,925	54,991
Harvesters and reapers	300,424	255,186
Commercial motor cars	290,473	269,482
Passenger motor cars	4,628,283	4,244,382
Sulphate of ammonia	171,979	106,427
Motion-picture films, exposed	104,002	135,746
Pianos	187,734	141,446

Our imports from Spain for 1923 and 1924 were as follows:

Imports from Spain

	1923	1924
Iron ore	$503,258	$179,875
Copper ore	1,162,781	1,320,724
Unrefined copper	598,627	2,064,242
Sheep and lamb skins	1,071,781	644,056
Goat and kid skins	2,419,037	1,084,094
Walnuts	178,492	221,076
Olive oil, edible	2,835,319	2,282,735
Carpet wool	89,292	129,443

You can see that we are doing a vast and increasing business with Spain. Just at the present time it is of the utmost importance that this resolution be passed. There are commercial treaties being negotiated between the two countries, and we must continue the good will that exists between these two countries. The fact that Spain has taken part in all our expositions should not be lost sight of. At the time of the World's Fair at Chicago, when she could ill afford to, she spent approximately $300,000 to participate in our exposition. The people of Spain would never understand why, at this particular time, with the vast amount of business we are doing with that country, with the fine feeling existing between the two nations, we as a great and wealthy country should decline to participate in the Seville exposition in 1927. It is a friendly and reciprocal act, and we owe it to Spain to accept this invitation.

This is not a minor exposition which they are planning. Spain has been making preparations for this exposition since the year 1910. Last year Spain spent $3,000,000 in erecting buildings and acquiring grounds for this exposition. She has set apart 2,400 acres of land on the outskirts of Seville, one of the most beautiful cities of Spain, and the work of constructing buildings and beautifying the grounds has been under way for a number of years. Her buildings will be of permanent construction, being all built of brick, stone, and tile. Her plans call for one of the largest and most important affairs of this kind that has ever been held in Europe. Among other preparations that she has been making she has been deepening the Guadalquiver River, which is 58 miles from the ocean; she has been deepening the river and cutting out the curves and improving it to take care of the largest ocean-going liners, and she intends to open up that canal preparatory to the opening of the exposition. Seville is one of the great ports of Spain and of Europe. Last year there were cleared from the port of Seville 1,190 vessels.

That is a large business. She is going further than that. She is erecting modern docks to take care of the trade that she intends to bring to Seville by water. We can place our American goods at Seville, which is a great distributing point and a great railroad center, from New York City in 15 days. These modern docks are being constructed alongside the exposition grounds, so that all the exhibits that we send over there can be discharged at the exposition grounds.

Furthermore, gentlemen, all the South American Republics intend to participate in this exposition, and many of them are waiting now to see what action the United States is going to take.

My friends, we have spent millions of dollars in the last few years trying to build up our trade relations with the South American Republics. The connection between Spain and the South American Republics in a commercial way and sentimentally is very close. Can we afford, after having spent the money we have spent to develop good will between Spain and the United States and between the United States and the South American Repubublics at the south of us, to decline to accept this invitation and destroy the fine trade relationship which exists between the two countries? The bonds of friendship between Spain and this country were never stronger, and let us hope this friendship may long endure.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. SCHAFER. If this resolution is defeated, is there anything that will stop our great financial and exporting institutions from continuing their trade relations with Spain?

Mr. REED of New York. If we should fail to participate it would come near destroying the exposition itself.

Mr. SCHAFER. You have called attention in behalf of your argument to the fact that Spain took a liberal part in the world's fair?

Mr. REED of New York. Yes.

Mr. SCHAFER. If every other nation that took a liberal part in the world's fair would have such an exposition as Spain is going to have, would you favor expending $700,000 of the people's money for participation in each of them?

Mr. REED of New York. I certainly would, if it would mean as much to the United States as this exposition means not only in trade but in international good will.

Mr. PURNELL. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. PURNELL. When will this money have to be available?

Mr. REED of New York. Not until next year.

Mr. PURNELL. Has the gentleman any idea of the approximate amount that other countries will subscribe to this enterprise?

Mr. REED of New York. The only countries invited to participate in this exposition are the South American Republics and the United States. I do not know what the countries to the south of us have decided to do. Some have sent their missions there to look over the ground and select sites.

Mr. PURNELL. They will accept if we accept?

Mr. REED of New York. Undoubtedly.

Mr. RATHBONE. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. Very gladly.

Mr. RATHBONE. Should not this whole matter be considered in the broadest possible aspect, not only as an exposition of Spain but of Latin America? And as a result of our participation in it, broadly would it not be that we would occupy a better place than ever before in the matter of trade relations with all of Latin America?

Mr. REED of New York. There is no question about that. Every department of our Government, including the President, feels the same way. They feel that this presents a critical situation. They regard it as important that we should take action at this time. It would be most unfortunate if we were to disregard the recommendation of President Coolidge and Secretary Hughes. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. BLANTON. Mr. Speaker, Governments are just like individuals. They have to frame their expenditures within their revenues. I have on my desk right now at least a half dozen invitations concerning which I have directed my secretary to send my regrets, because I do not feel financially able to accept them. Their acceptance would cost money and I need that money to spend in other ways in order to make both sides of the family budget meet. A Government must have a budget, and a Government ought to live within the estimates of its expenses.

If there are any people in the United States who may be correctly designated as "the common people," it is because Congress and the legislatures of the States have made them "common." Congress and the legislatures of the States have imposed taxes upon them whereby they can not come up to the standard of other people and they are common because the can not help themselves. I am speaking now for the common people of America. [Applause.] This resolution, if you pass it, means that they are to be taxed $700,000. That is what it means—$700,000 to advertise certain private businesses in Spain. Let these businesses advertise themselves, if you please, and not tax the poor people of the United States to advertise private businesses.

Oh, I can take you, in a few months, when the sun is hot most of the day, into the States of Indiana, Illinois, Kansas, Missouri, Oklahoma, and Texas, and I can show you poor women and little girls on plows in the hot sun trying to make a living, and I can show you whole families, which do not make all told $600 a year, taxed to death; they are taxed on everything they use and on everything they wear; they have to pay taxes as the common people of the United States in order to keep up the classes.

Mr. RATHBONE. Will the gentleman yield?

Mr. BLANTON. Not now. The distinguished gentleman can well frame good traffic bills, but when it comes to spending $700,000 of the people's money in advertising private businesses in Seville, Spain, he is a failure as a Representative. It has got to stop some time.

Mr. MORGAN. Will the gentleman yield?

Mr. BLANTON. Not now. It has got to stop, men, some time. This is in the closing hours of Congress. That is when they bring these measures in and pass them under a suspension of rules, when the atmosphere on this floor is such that you can not get 20 men to listen to an argument that would save the money in the Treasury. Their minds are on something else.

Coolidge economy! I am for it, but I am for it in practice and not in mere preachment. Oh, when an administration wants to spend money everything is all right; it is only when the administration does not want to spend it that it is all wrong. Almost every man in this House promised to the poor postal employees that he would give them a living wage; we were pledged to them, and before the last session adjourned we passed a bill to give them a living wage, and when we sent that bill to the White House it came back vetoed because our Government was too poor to pay these men. Then we passed another bill in this session, but before it would be signed under whip and spur we were directed to put a tax on the poor farmers of America. To pay the little and deserved increase we gave the poor postal employees the administration forced us to put that burden upon the backs of the farmers.

Oh, it is all right to spend $50,000 on a useless agricultural commission when the President wants it. It is all right to spend $50,000 on a useless oil investigation commission, junketing, when the President wants it. It is all right to spend $15,000,000 on a bridge, not needed, across the Potomac when the President wants it.

It is all right to spend $600,000 on a useless coal investigation when the President wants it. It is all right to spend $500,000 here and there when the administration wants it spent; but when you want to spend it for the deserving people of America it does not come within the financial program of the President.

They have put a little sop in this bill. They have put a clause in the report which says it is in the interest of the cotton farmer. Do you think you could tell us people from South anything about the cotton industry? No. You can spend ten times $700,000 in Seville, Spain, and you will not hurt or help the cotton industry one cent; you will not affect it. That is a sop to our cotton raisers of the South that ought not to fool our southern Representatives here.

I wish you would keep this $700,000 in the Treasury. I wish our constituents could sit in the gallery now and watch us vote out of their Treasury $700,000, which they are to be taxed to raise and which a few private businesses will spend in advertising their own affairs in Seville, Spain.

Mr. BLOOM. Will the gentleman yield?

Mr. BLANTON. I know what the gentleman from New York is going to say. He is one of the millionaire Members of this House; he is interested in big business; he wants to advertise his big construction companies over in Seville, Spain.

Mr. BLOOM. Will not the gentleman yield now?

Mr. BLANTON. He is one of the men in this House trying to take $700,000 of the poor people's money out of the Treasury and fritter it away for selfish advertising.

Mr. BLOOM. Now will the gentleman yield?

Mr. BLANTON. No; I regret I have not the time.

Mr. BLOOM. How can the gentleman anticipate my question?

Mr. SCHAFER rose.

Mr. BLANTON. I will yield to the gentleman from Wisconsin.

Mr. SCHAFER. Does not the gentleman think that if the people in the Nation would read the CONGRESSIONAL RECORD that this so-called economy program, which has been having big headlines in many of the newspapers, would be exploded?

Mr. BLANTON. Oh, certainly.

Mr. BLOOM. Now will the gentleman yield?

Mr. BLANTON. They really at heart turned down a Republican congressional administration in the last election but they elected a President. They had one man only in mind. Why? Because he promised economy. I know some Democrats in Texas who voted for Cal Coolidge on his one policy of economy.

Mr. BLOOM. Will the gentleman yield now?

The SPEAKER. The gentleman from Texas has used 10 minutes.

Mr. BLANTON. Mr. Speaker, I reserve the balance of my time and yield to the distinguished gentleman from Illinois [Mr. MADDEN], chairman of the Committee on Appropriations, five minutes.

Mr. MADDEN. Mr. Speaker, this resolution provides for an expenditure of $700,000 to pay expenses at an exposition in Spain, in which it is proposed that the American Government shall participate. It fixes the compensation of men who are in charge of the work, one at $15,000, one at $7,500, and nobody knows how many other people will be employed or at what rate of compensation.

The people of the United States have been taxed so heavily that they are pleading and crying out for relief, yet we come here this afternoon with a bill that proposes to expend $700,000, yea, perhaps, $1,000,000, because they can employ people from every department of the Government without restriction under this bill in connection with this exposition. Who can tell how much money will be expended under the resolution? This is no time to engage in this sort of frivolity, and I hope and pray that the hour has come when we shall go on record against any further useless extravagant waste of the American people's money. I hope you will beat the bill.

I yield back the balance of my time.

The SPEAKER. The gentleman yields back three minutes.

Mr. BLANTON. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER. Mr. Speaker, I am going to vote against this bill because it is an unnecessary drain on the Federal Treasury and on the taxpayers of this country amounting to $700,000. I wish that all the people of this Nation could read the proceedings of this Congress and of their Federal Government and lay the actual facts side by side with some of the newspaper articles on this so-called policy and principle of economy as preached in the last campaign, especially by those members of the party to which I belong.

Mr. BEEDY. What party is that? Will the gentleman tell us to what party he belongs?

Mr. SCHAFER. I would suggest to the gentleman that if he does not know, that he write to the secretary of state of my State and find out what party I belong to, and find out the number of signatures signed to my nomination papers by my Republican constituents who stated that my policies and views represented the principles of the Republican Party. I would further suggest that he refer to the election returns of both the primary and election.

Mr. BEEDY. Will the gentleman tell the House what party he belongs to?

Mr. SCHAFER. I was nominated and elected on the Republican ticket.

Mr. BEEDY. That is enough.

Mr. BLANTON. We will let the gentleman sit over here, if you do not want him over there.

Mr. BEEDY. He does, and you are welcome to him.

Mr. SCHAFER. In addition to the veto of the postal salary bill, to which my colleague the gentleman from Texas [Mr. BLANTON] has called your attention, I wish to call your attention to the fact that the adjusted compensation bill for the veterans of the World War was also vetoed, and the pension bill for the veterans of the other wars was vetoed because the Treasury could not stand the drain. We see big headlines in the papers about economy and the saving of a few dollars here and there by curtailing the use of certain drinking cups and similar things in the Government. Let us get down to business and practice economy as preached by the Republican administration. Let us practice economy and not bunco the people any more and tell them we are for economy when the facts really show that we are not practicing economy. The spending of $700,000 by passing this bill is not economy.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BLANTON. Mr. Speaker, I yield five minutes to the distinguished gentleman from Nebraska [Mr. MOREHEAD].

Mr. MOREHEAD. Mr. Speaker and gentlemen of the House, the few of you who are acquainted with me know on which side of this question my vote will be. In more than 20 years of public service, mostly in an executive capacity, nothing has appealed to me more, nor am I prouder of any fact than I am of the fact that in every instance as an executive and as a legislator I have cast my vote against junketing trips.

We are in the closing days of the short session of the present Congress. As one Member of the 435 my intention was to register my vote as my conscience dictated and not to participate in the discussion of public questions. As a conservative business man, and I regard myself as that kind of a man, this is an extravagent expenditure of the people's money by men who are intrusted with the great responsibility by the citizens who have just rights and to whom this money belongs. I do not recognize myself as a partisan legislator. I trust I am big enough to rise to the occasion and to vote as I believe for the best interest of the people whom I have endeavored to represent.

As I return to my home at the close of this session of Congress I think one of the mistakes we have made during both sessions is the disregard of the slogan of economy which has been proclaimed so enthusiastically and the little consideration we give to large appropriations is almost criminal in its intent. I am not going to say here in behalf of the party that I affiliate with that it is entirely free from misuse of the power intrusted to it in transferring the money which chiefly and rightfully belongs to certain classes of people into the coffers and pockets of those who are not entitled to it. I sometimes think that this great Continental Congress has degenerated into a log-rolling or scratch-my-back and I'll scratch yours. [Laughter and applause.]

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. REED of New York. I yield the balance of my time to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, I greatly hope that this bill may pass. The amount of money involved is absolutely insignificant compared with the direct financial benefit that may accrue to this country from exhibiting a friendly spirit toward Spain. [Applause.] Our balance of trade with Spain is enor-

mous. We are selling our products there, products of all kinds, in increased number, and we ought to be on terms of amity with that country. Then, too, why is not this a good time to make friendly gestures, not only to Spain but to our sister Republics in South America. [Applause.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. BLOOM. Mr. Speaker and gentlemen of the House, Senate Joint Resolution 130, Sixty-eighth Congress, first session, having for its object the participation of the United States in an international exposition to be held at Seville, Spain, in 1927, was introduced in the Senate of the United States on May 20, 1924. The United States has been invited by the Government of Spain to take part in this international exposition of the arts, sciences, history, industries, commerce, and resources of Spain, Portugal, and the Republics of Latin America, to be held at Seville, commencing April 17, 1927, and continuing throughout the year.

The acceptance of this kind invitation will not only be a sound business proposition but a splendid proof of our fraternity and cooperation with our Spanish and Latin American friends, and I am strongly in favor of it.

Expositions are the timekeepers of advancement. They register the world's progress. They stimulate the efficiency, undertaking, and intellect of the people and enliven human genius. They broaden and make happier the daily life of the people and are useful institutions of learning for students. At these expositions there is always a matching of ideas, which is an education in itself, since it teaches the hand and intellect of man.

The spirit of rivalry that follows is an impetus to further improvement by way of useful invention, and to greater efforts in all spheres of human activity. These expositions cause business men to study the wants and the comforts of the peoples of the earth and to learn the necessity of good quality and reasonable prices to win favor. The hunt for new business is always a sharp struggle. It will probably be more strenuous in the future. But competition is always useful. Without it we would still be employing the awkward and worn-out methods of the agriculture and manufacture of years ago, and we would not have made much progress.

This resolution was referred to the House Committee on Industrial Arts and Expositions, of which I have the honor to be a member, and the committee submitted a unanimous recommendation that the bill be enacted into law. An appropriation of only $700,000 is involved, and I am sure we would receive that amount many times over by way of increased trade between Spain and the United States and the Latin-American countries and the United States.

The President of the United States in a statement on May 7, 1924, said, in part:

> I join with the Secretary of State in recommending legislation by Congress authorizing the acceptance of the invitation and an appropriation of $700,000 to enable the United States suitably to participate in the exposition.

The Secretary of State, Hon. Charles E. Hughes, on May 2, 1924, said, in part, in speaking of the proposed participation of the United States in this exposition:

> Great importance is attached to United States participation by the Government of Spain, which has offered to the United States free of charge a desirable space for the construction of a national pavilion, and which has pointed out that the exposition will be of great value to the United States, especially with respect to agriculture, agricultural machinery, and cattle breeding.

The Secretary of State further stated:

> The Departments of the Interior, Agriculture, and Commerce, which have considered the invitation, are favorable to its acceptance. The Spanish ambassador has informally stated to the Department of State that he understands that practically all of the Republics of Latin America will be represented at the exposition and will erect pavilions. The exposition will therefore present the opportunity for bringing the industrial, commercial, and cultural activities and the resources of the United States to the attention of the peoples of those republics, with whom it is especially desirable to promote our cultural and commercial standing and to cultivate enlarged relations.

The Department of Agriculture also highly recommended the acceptance of this invitation in the following language:

> It is probable that such an exposition will not only draw a large attendance but will be widely discussed in the press of Spanish-speaking countries of the New World, and offers an opportunity for the interchange of knowledge, friendly intercourse, and extensive good will.
>
> From a commercial standpoint, an exhibit of the agricultural staples and products for which markets exist in Europe might be feasible; for instance, the qualities and standards of our cotton, the wheat and corn produced and their uses, the standards on which we are marketing it, and the character and quality of our animal products that are for sale in European countries.

A letter from the Secretary of Commerce to the Secretary of State, dated May 29, 1923, says:

> I feel that the participation of the United States would be highly advisable. Expositions of this kind invariably tend to improve trade relations between countries, and our growing trade with Spain in certain commodities makes our official participation especially desirable.

Note the unanimity of opinion as to the desirability of our participating in this exposition. Surely if the President of the United States and the heads of these various departments believe in this exposition, it would be a good business proposition for us to accept Spain's invitation and participate in it fittingly.

Mr. Speaker, in passing I wish to call the attention of the great amount of fine, constructive work that is being done in Spain by our ambassador, the Hon. Alexander P. Moore. Now, let us get together and uphold him by accepting this invitation. Mr. Moore's efforts certainly merit substantial recognition.

During the 12 months of 1923 the United States exported to Spain goods to the value of $61,869,855, and we imported from Spain during the same 12 months goods to the value of but $31,461,062. Our exports to Spain are comprised of large quantities of corn, wheat, cotton, sugar, auto tires, tobacco, lumber, cooperage, mineral oils, paraffin wax, sulphur, copper, typewriters, printing presses, harvesters and reapers, motor vehicles, fertilizer minerals, cameras and photographic materials, pianos, and musical instruments. There is no doubt in my mind that if we accept this invitation of Spain our trade relations will have doubled by the end of 1927, when the exposition closes.

This is not simply a Spanish exposition. Plainly, if Spain were getting up a purely Spanish exposition it would not be so interesting or promise so much benefit. This is an exposition run by Spain and Portugal, to be participated in by the Latin-American countries, and this will draw all of these Latin-American countries and Spain closer together, and our taking part would especially benefit us in building up and maintaining our commercial standing in the South American countries, as well as in Spain.

Let me refer for a moment to our worthy colleague, Hon. FELIX CORDOVA DAVILA, Commissioner of Porto Rico, who labors so persistently and efficiently for the promotion of the welfare of his beautiful island of Porto Rico. Gentlemen of the House all know his virtues and industry, therefore I need say little of Mr. DAVILA, the man. He needs no sponsor on the floor of this House.

Porto Rico is 35 miles wide, 100 miles long—345 square miles—and has a population of 1,300,000. Her commerce is principally with the United States. In 1900 her total external trade was $16,602,004. In 1924 it had grown to $177,650,164. Think of such a growth in 24 years. And the total for 1924 exceeded the total for 1923 by $23,412,609. In 1900 Porto Rico purchased from the United States products and merchandise to the amount of $6,952,114. In 1924 it had increased to $80,590,021. The increase in the amount purchased in 1924 over the amount purchased in 1923 was $15,846,559.

In 1900 Porto Rico shipped to the United States her products to the value of $3,350,577. In 1924 she sold to the United States her products to the value of $80,745,975. This is an increase of $31,747,718 over the preceding year.

In 1900 Porto Rico imported from foreign countries $3,037,391. In 1924 such imports amounted to $8,779,603, an increase of $1,578,560 over 1923.

These figures show plainly that the commerce of Porto Rico has increased steadily. The volume of business done with the United States has been 10 times greater during the year 1924 than with foreign countries.

In 1902 the assessed value of property in Porto Rico was $96,000,000. This has increased until on June 30, 1924, the assessed value of real and personal property in the island was $312,000,000. Think of that!

At the commencement of the American occupancy there was practically no public school system in Porto Rico. Between 80 per cent and 90 per cent of the people could neither read nor write and there were no rural schools whatever. By 1910, under American administration, 950 rural schools were established. By 1920 the number was increased to 1,700. Now over 2,000 rural schools are in existence. The percentage of illiteracy has been reduced by more than 50 per cent.

During the fiscal year ending June 30, 1924, there were enrolled in schools of all grades 227,267 pupils, while 6,158 attended private schools. There were 4,725 teachers employed, of whom 1,405 were men and 3,320 women. In 1898 there were only 21,873 pupils attending school and 525 teachers.

I shall not tire you by quoting further statistics. However, let me remind you that on March 2, 1917, the United States granted United States citizenship to the Porto Ricans, which was a fitting and happy recognition of these worthy and promising people, who are progressing so rapidly under the splendid and sympathetic administration of Governor Towner.

Now, if we accept this invitation of Spain we will give Porto Rico a well-merited opportunity to show Europe, as well as the countries of South America, in an exhibit to be housed in the main building erected and maintained by the United States, the wonderful progress she has made during the past 25 years while practically guiding her own destiny. With such a man as Gov. Horace Mann Towner and his able associates back of Porto Rico's participation with us in this exposition, it could not be other than a success of large proportions. Let us give Porto Rico a chance to help herself and at the same time help others, especially commercially. That is the least we should do for our proud little possession that furnished a contingent of 15,122 men for the United States Army in the World War and bought Liberty bonds to the amount of $10,093,100. And these troops were officered practically by Porto Ricans only. What a marvelous record. Where is there one to beat it? Only a little while ago I was talking to one of the leading members of the House Committee on Insular Affairs and he told me that the Porto Ricans had more than met the expectations of the Congress when it granted United States citizenship to those good people.

Mr. Speaker, the American consul at Seville has reported to our Government that the exposition will be a most comprehensive and elaborate affair, probably exceeding in size and beauty any international fair held since the San Francisco Exposition in 1915; that practically all the funds for construction work are allotted by the Spanish Government, and that during the year 1923 the expenses of preparation for the exposition exceeded $3,000,000 at the exchange rates current during that period.

Speaking of the cost of our participation in expositions of the past for the participation of the United States in the International Centennial Exposition held at Rio de Janeiro, Brazil, in 1922, Congress appropriated the sum of $1,000,000, and for the next preceding large international exposition in which the United States took part, that held in Paris in 1900, the sum of $1,397,500.

In considering how you shall vote on the pending measure remember the $1,000,000 we spent at Rio de Janeiro and the $1,397,500 we spent at Paris and the $700,000 asked for the Seville Exposition. And then consider the possibilities of increased trade with European and Latin American countries. Why, gentlemen of the House, our participation in this exposition is bound to pay big profits any way we choose to calculate.

The Government of the United States and the various commercial organizations of the United States have spent millions of dollars in the promotion of better and more extensive trade relations during the past few years. I believe that the participation of the United States in the Seville Exposition will do more in one year to bring about the desired result than all the millions that have been spent by us in the last 10 years or more.

Aside from any material benefits which might accrue to the United States through participation in the exposition, the matter of reciprocal courtesy is to be considered. Spain liberally participated in the World's Fair at Chicago in 1893, expending for that purpose $300,000. She also took part in the Centennial Exposition at Philadelphia in 1876, the Foreign Exhibition at Boston in 1883, and the World's Industrial and Cotton Centennial Exposition at New Orleans in 1884–85.

In conclusion, Mr. Speaker and gentlemen of the House, let us get together and by passing this bill further cement the ties of amity, comity, fraternity, and commerce between our country and Spain and Portugal and the Latin American countries.

I thank you. [Applause.]

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. All in favor of the yeas and nays will rise. Eleven gentlemen rising, not a sufficient number; and the yeas and nays are refused.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 121 ayes and 27 noes.

Mr. SCHAFER. I make the point of order that no quorum is present.

The SPEAKER. There is a quorum present; the Chair overrules the point of order.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The House bill was laid on the table.

INTERIOR DEPARTMENT APPROPRIATION BILL—CONFERENCE REPORT

Mr. CRAMTON. Mr. Speaker, I call up the conference report on the bill H. R. 10020, the Interior Department appropriation bill, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 37.

Amendment numbered 27: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 27 with the following amendment: In lieu of the third proviso in the matter inserted by the said House amendment, insert the following: "*Provided further*, That the Secretary of the Interior is authorized to enter into such contract or contracts as may be possible whereby the State of Nevada, or local interests, shall aid in promoting the development and settlement of the project after completion by the securing and selection of settlers and the financing of them to enable the purchase of the required livestock, equipment and supplies, and the improvement of the lands to render them habitable and productive"; and the House agree to the same.

Amendment numbered 30: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 30.

Amendment numbered 34: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 34, with an amendment as follows: In the matter inserted by the amendment of the House to the amendment of the Senate, strike out the following: ", subject to the conditions hereinbefore set forth in connection with the appropriation for said unit" and the House agree to the same.

Amendment numbered 38: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 38.

Amendment numbered 50: That the Senate agree to the amendment of the House to the amendment of the Senate numbered 50.

LOUIS C. CRAMTON,
FRANK MURPHY,
CHARLES D. CARTER,
Managers on the part of the House.

REED SMOOT,
CHARLES CURTIS,
WM. J. HARRIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On No. 27: Strikes out of the House substitute for the Senate amendment the proviso with reference to State cooperation in securing, selection, and financing of settlers, and inserts in lieu thereof the following language: "*Provided further*, That the Secretary of the Interior is authorized to enter into such contract or contracts as may be possible whereby the State of Nevada, or local interests, shall aid in promoting the development and settlement of the project after completion by the securing and selection of settlers and the financing of them to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive."

On No. 30: Accepts the House substitute for the Senate amendment appropriating $500,000 for the Vale irrigation project.

On No. 34: Substitutes the following language for the House amendment to the Senate amendment reappropriating the unexpended balance of the appropriation of $375,000 for the Kittitas unit of the Yakima project made by the second deficiency act of 1924: "The unexpended balance, if any, remaining at the close of the fiscal year 1925 from the appropriation of $375,000 made by the act referred to as the 'second deficiency act, fiscal year 1924,' approved December 5, 1924 (Public, No. 292), for continued investigation, commencement of construction of the Kittitas unit, and incidental operations, Yakima project, Washington, is hereby reappropriated, to be available and to continue available for use during the fiscal year 1926."

On No. 37: Relating to the salary of the Commissioner of Reclamation, the Senate recedes.

On No. 38: Relating to the total under Bureau of Reclamation, the Senate accepts the figures proposed by the House.

On No. 50: Relating to the appropriation for Howard University, the Senate accepts the amendment of the House proposing an appropriation of $370,000 for a new medical building.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

Mr. CRAMTON. Mr. Speaker, this presents a complete agreement with reference to this appropriation bill, and its acceptance by the House will dispose of this bill so far as the House is concerned, I trust. The agreement makes effective the position that the House conferees have been urging with reference to the necessity of State cooperation in connection with these great irrigation projects. It retains the provision for the medical building at Howard University. It accepts the verdict rendered by the House the other day against the proposed increase of salary for the Director of Reclamation.

The SPEAKER. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SINNOTT. It was difficult to hear the reading of the report. Has there been any change made by the conferees in the Vale item?

Mr. CRAMTON. That amendment is accepted by the Senate as placed on the bill by the House on Saturday.

Mr. SINNOTT. Am I correct in my understanding that on the passage of the bill $200,000 becomes immediately available for the purchase of the water rights and the dam on the Warm Springs project?

Mr. CRAMTON. It would not be my impression that it would be immediately available, but it would appear to me that on the 1st of July it would become available. The provisos in the nature of limitations refer only to the use of the appropriation for construction purposes. It would not seem to me that the use of $200,000 for the purchase of an interest in a reservoir already constructed would be held to be construction purposes, and if it is not held to be construction purposes the $200,000 would be, of course, available on the 1st of July.

Mr. SINNOTT. The gentleman's interpretation is the same as mine.

Mr. CRAMTON. Then I feel that I must be right.

Mr. SINNOTT. That is, that on the 1st of July the $200,000 will become available for the purchase of water rights in the Warm Springs Dam?

Mr. CRAMTON. I so understand.

Mr. RICHARDS. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. I yield. I shall have to say that because of pressure of business I shall not be able to yield to any great extent.

Mr. RICHARDS. Do I understand that in so far as the language in respect to amendment No. 27 relative to Spanish Springs has been changed, it cuts out all of the proposed amendments made in the House except as to State cooperation?

Mr. CRAMTON. Oh, no; entirely to the contrary. As to Spanish Springs, it retains all of the proviso inserted by the House except the one regarding State cooperation in the matter of financing, and as to that proviso new language is substituted which to my mind retains the principle that the Federal Government is not to engage in the financing of the settlers on these projects and that such financing as authorized shall come either from the State or from the local interests.

Mr. RICHARDS. And that has been accepted by the conferees?

Mr. CRAMTON. As to that, we give the Secretary of the Interior authority to make such contracts as may be possible for the State and local interests to secure that State cooperation. It is not mandatory, but authority is given for those conracts.

Mr. RICHARDS. He can make contracts with the State or with the local interests cooperating it in the disjunctive form as I understand it?

Mr. CRAMTON. Yes. This language was accepted by the Senate and my information is that it was first accepted by Senators ODDIE and PITTMAN, of Nevada. Senator ODDIE has had the matter up with me and will accept the conference agreement.

Mr. RICHARDS. That is satisfactory.

Mr. LEAVITT. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEAVITT. Is there any reason why the same provision regarding State or local aid should not be retained regarding the Sun River project in the future?

Mr. CRAMTON. What happens in the future I hope will be largely disposed of by the Committee on Irrigation of Arid Lands, of which the gentleman is a member. It is highly important that some legislation be brought before the House by that committee.

Speaking a little more fully concerning the matters which have been most in disagreement, let me say this further:

Concerning the Newlands amendment, the amendment passed by the House includes this provision:

> That no water shall be delivered to irrigators on this division of the project until a contract or contracts shall have been executed between the United States and the State of Nevada whereby the State shall assume the duty and responsibility of promoting the development and settlement of the Spanish Springs division of the project after completion, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose, and shall conduct operations in a manner satisfactory to the Secretary of the Interior.

This language was objected to on the grounds that the constitution of the State of Nevada does not permit such a contract to be made, that there is no legislation existing permitting any State authorities in Nevada to make such a contract, that there is little possibility of securing such legislation, and that if such legislation should be secured the financial condition of the State of Nevada does not permit as large a financial responsibility for this purpose as they construe the amendment to require. The House amendment as it was adopted by the House Saturday did not interfere at all with the spending of the appropriation during the year 1926, and it initiated the project. It gave four or five years for the State of Nevada to work out this problem of financial cooperation or for Congress to take care of the situation thereafter by general legislation if at any time it should seem wise to Congress to do so. The House conferees, therefore, did not feel that there was anything in the House language that should be objected to and cause delay on final action on the bill, which is of such great importance to the country. The amendment, with other House amendments adopted Saturday, were rejected by the Senate, and the bill sent back to conference. Because of the late hour in the session, and desiring to cooperate in securing safe passage of the bill, in view of the insistent objection of the Senate conferees to the House amendment as it was passed Saturday, the House conferees consented to the following substitute for the proviso about State cooperation above quoted:

> *Provided further,* That the Secretary of the Interior is authorized to enter into such contract or contracts as may be possible whereby the State of Nevada or local interests shall aid in promoting the development and settlement of the project after completion by the securing and selection of settlers and the financing of them to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive.

This language leaves the State of Nevada a free agent, but otherwise paves the way for such action along this line as the State of Nevada or local interests may desire to undertake under agreement that may hereafter be made with the Secretary of the Interior. Senator ODDIE, of Nevada, who offered the amendment in the Senate for this Spanish Springs appropriation, has on numerous occasions discussed this project with me and given me much information concerning the very difficult

conditions confronting the State of Nevada and its people, and I discussed this language with him and was assured by him of its acceptability to him. While I have never discussed this compromise with Senator PITTMAN, I understand it has been submitted to him and will be accepted by him, as it has been by the gentleman from Nevada [Mr. RICHARDS].

I am satisfied that financing of settlers on this project on favorable terms as to interest rate and time of payment is essential to success, but that is not a proper burden for the Federal reclamation fund, and notice to that effect is served upon Nevada by this provision. The Interior Department has stressed the necessity for such financing, and the appropriation as now written gives the Secretary the authority to arrange for such cooperation by the State or by local interests. The banking interests of Nevada and the business interests of Reno, who have so insistently urged this project, will thus have the opportunity to prove their confidence in it, their appreciation of its authorization, and their desire to make a success of this important movement for upbuilding the State by cooperating through financing of the settlers.

The other provisos on the Spanish Springs appropriation, very important in their effect, all have been accepted by the Senate conferees.

The amendment substitute adopted by the House Saturday concerning the Vale project is accepted by the Senate conferees as written.

The reappropriation of $375,000 for the Kittitas unit of the Yakima project as it passed the House Saturday was made specifically "subject to the conditions hereinbefore set forth in connection with the appropriation for said unit." In conference that language is eliminated and undoubtedly was largely unnecessary. The policy of Congress with reference to the safeguards necessary to surround the project expenditures and protect the settlers thereon is set forth in the previous item, and any contract made by the Reclamation Service with this project must necessarily be in accordance with the terms there set forth.

Personally I regret the failure of the Senate amendment concerning salary of the Director of Reclamation. In view of the vote in the House Saturday against it, it did not seem wise to imperil final action on the bill by further insistence upon my views in the matter.

The acceptance by the Senate conferees of the House action appropriating $370,000 to provide a medical building for Howard University will be a great boon to that institution and to the cause of negro education in this country.

The following statistical table will be of interest:

Statement of Senate amendments involving appropriations, showing effect of the action of the conferees and of the House thereon

Amendment No.	Subject	Amount appropriated by House	Amount appropriated by Senate	Agreed amount	Increase (+), or decrease (−), agreed amount compared with House figure	Increase (+), or decrease (−), agreed amount compared with Senate figure
6	Surveyors general		$214,680.00			−$214,680.00
10	Surveying public lands	$840,290.00	792,820.00	$840,290.00		+47,470.00
11	Registers, land offices	125,000.00	175,000.00	175,000.00	+$50,000.00	
15	Taxes on Indian lands, State of Washington		115,767.67			−115,767.67
16	Irrigation on Indian reservations	120,000.00	130,000.00	130,000.00	+10,000.00	
18	Flathead Indian irrigation	10,000.00	45,000.00	35,000.00	+25,000.00	−10,000.00
24	Boise irrigation project	408,000.00	439,000.00	439,000.00	+31,000.00	
28	Williston, N. Dak., irrigation project		25,000.00	25,000.00	+25,000.00	
31	Salt Lake Basin project	900,000.00	1,000,000.00	900,000.00		−100,000.00
39–40	Classification of lands	250,000.00	265,000.00	265,000.00	+15,000.00	
48	Carlsbad Cave		25,000.00	25,000.00	+25,000.00	
49	Oil-burning equipment, governor's residence, Alaska		1,500.00			−1,500.00
27	Spanish Springs project		500,000.00	500,000.00	+500,000.00	
30	Vale project		500,000.00	500,000.00	+500,000.00	
43	Oil-shale investigations		90,000.00	90,000.00	+90,000.00	
50	Howard University		221,000.00	591,000.00	+591,000.00	+370,000.00
	Grand total in amendments	2,653,290.00	4,539,767.67	4,515,290.00	+1,862,000.00	−24,477.67

Annual appropriations under the Department of the Interior, including deficiencies, fiscal years 1916–1926

[Exclusive of permanent and indefinite appropriations]

	Indian tribal funds	Indian reimbursable appropriations	All other Indian appropriations	Pensions	Reclamation	All other Interior appropriations	Total
1926	$2,134,010	$1,472,770	$10,445,500	$197,000,000	$9,999,000	$20,785,656	$241,836,936
1925	2,173,800	1,535,600	9,634,620	222,500,000	10,856,000	18,724,235	265,424,255
1924	2,406,600	2,179,850	9,458,854	253,000,000	12,250,000	21,598,534	300,893,838
1923	2,483,573	1,041,466	9,381,720	268,000,000	15,075,000	22,710,520	318,692,279
1922	2,716,921	1,249,005	8,724,170	265,000,000	20,266,000	20,160,758	318,116,854
1921	1,415,165	1,450,830	9,268,513	279,000,000	8,463,000	21,972,532	321,570,040
1920	1,531,817	2,173,833	9,160,629	215,000,000	7,300,000	24,071,669	259,237,948
1919	1,750,000	2,133,583	8,982,753	223,000,000	9,497,080	20,365,644	265,729,060
1918	1,291,117	2,029,500	9,818,295	183,000,000	8,227,000	28,396,245	232,762,157
1917	1,263,250	1,921,986	9,045,658	163,000,000	8,884,000	18,275,465	202,390,359
1916	665,000	518,740	9,253,162	164,000,000	13,530,000	15,120,077	203,086,979

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

NEW YORK STATE BARGE CANAL

Mr. PARKER. Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 102, authorizing the Secretary of War to modify certain contracts entered into for the sale of boats, barges, tugs, and other transportation facilities intended for operation upon the New York State Barge Canal, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate Joint Resolution 102

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to so modify the terms of all contracts and supplements thereto that have been entered into by the United States regarding the sale of boats, barges, tugs, and other transportation facilities intended for operation on the New York State Barge Canal by such a new contract or contracts as will enable the New York Canal & Great Lakes Corporation to operate the boats, barges, tugs, and other transportation facilities sold under the terms of Public Resolution No. 62, 1921, with a reasonable prospect of success: *Provided*, That the terms of sale shall be such that the total amount received and to be received by the United States from the sale of such boats, barges, tugs, and other transportation facilities shall be not less than $500,000, which shall be paid within 90 days after the date of such new contract or contracts: *Provided further*, That any such new contract or contracts shall provide that the New York Canal & Great Lakes Corporation shall reestablish the line formerly known as the Intra-Coastal Section, Inland & Coastwise Waterways Service, operating between Baltimore, Md., and New Berne, Beaufort, and Morehead City, N. C., and shall operate such line by not less than two self-propelled barges.

The SPEAKER. The question is on the motion to suspend the rules and pass the Senate joint resolution.

The question was taken, and two-thirds having voted in favor thereof, the rules were suspended and the Senate joint resolution was passed.

RIVERS AND HARBORS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, with Senate amendments thereto and move to concur in the Senate amendments.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The question was taken, and the Senate amendments were agreed to.

On motion of Mr. DEMPSEY, a motion to reconsider the vote by which the amendments were agreed to was laid on the table.

SECOND DEFICIENCY BILL

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the House insist upon its disagreement to the Senate amendments to the deficiency bill and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the House further insist on its disagreement to the Senate amendments to the deficiency bill and agree to the conference asked by the Senate. Is there objection. [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee.

EDUCATION OF PERSIAN STUDENTS

Mr. TEMPLE. Mr. Speaker, I move that the rules be suspended and that the House Joint Resolution 366 be passed.

The SPEAKER. The gentleman from Pennsylvania moves that the rules be suspended and the joint resolution passed, which the Clerk will report.

The Clerk read as follows:

House joint resolution (H. J. Res. 365) to provide for the expenditure of certain funds received and to be received from the Persian Government for the education in the United States of Persian students

Whereas, following the killing at Teheran, Persia, on July 18, 1924, of Robert Whitney Imbrie, a vice consul of the United States, certain reparation was demanded of the Persian Government, including the reimbursement of expenses incurred in dispatching an American man-of-war to a Persian port for the purpose of there taking on board and transporting to the United States the body of the deceased vice consul; and

Whereas the U. S. S. *Trenton* was detailed to such duty, proceeded to the port of Bushire, Persia, where it arrived on August 18, 1924, and there took on board the body of Vice Consul Imbrie, which it transported to Washington, D. C., incurring in the course of such duty expenses in the sum of $110,000, which sum was notified on November 9, 1924, to the Persian Government; and

Whereas, following such notification, the Persian Government declared its intention of paying the said sum in four equal installments, two of which have been paid to the legation of the United States at Teheran, Persia, the first on December 24, 1924, and the second on January 22, 1925; and

Whereas it is deemed proper as an act of friendship, tending to promote a closer relationship and a better understanding between the peoples of the United States and Persia, to expend the moneys so far received together with those to be received under the aforesaid communications, the total amounting to $110,000, for the education at institutions of learning in the United States of students of Persian nationality: Now, therefore, be it

Resolved, etc., That, as an act of friendship toward the Persian people and Government, the Secretary of State is hereby authorized to apply the payments received or to be received from the Persian Government in reimbursement of the aforementioned expenses of the U. S. S. *Trenton*, in a sum not to exceed $110,000, for the establishment of a trust fund, the interest of which or the principal, at the discretion of the Secretary of State, shall be employed or expended in such a manner as he may consider best adapted to the realization of the educational purposes heretofore described.

The SPEAKER. Is a second demanded?

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

Mr. TEMPLE. Mr. Speaker and gentlemen of the House, the Members of the House will remember that last summer Vice Consul Robert Whitney Imbrie was killed by a riotous mob in Persia and that this Government immediately demanded an indemnity. That indemnity has been paid by the Persian Government to the wife of the vice consul. In addition to the indemnity payable to the wife of the vice consul our Government asked the Persian Government to bear the expense of sending an American warship to a Persian port to bring home the body of Mr. Imbrie. The Persian Government agreed, and it is proposed now by this joint resolution to authorize the President and the Secretary of State to make use of the funds thus received as we are already using the Boxer funds from China, that is, for the education of Persian students under such conditions as may be determined by the Secretary of State. The Secretary of State in a letter to the President outlines this policy, and the President in a special message to the Congress dated February 19, 1925, requested and expressed the—

earnest hope that Congress will see fit to authorize the setting aside of all funds received from the Persian Government on this account, not to exceed $110,000, to be spent for educational purposes as aforementioned under such conditions as the Secretary of State may prescribe.

It is the purpose of this joint resolution to do the thing that the President has requested as an act of friendliness to the Persian Government.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. TEMPLE. I will.

Mr. CONNALLY of Texas. As I understand the Persian Government has already indemnified the family of the deceased?

Mr. TEMPLE. Yes; the full amount asked for.

Mr. RATHBONE. Will the gentleman yield for a moment?

Mr. TEMPLE. I will.

Mr. RATHBONE. Has not the action of this Government in regard to the return of the Boxer indemity had a most beneficial effect upon the relations between the two countries and amply justified itself?

Mr. TEMPLE. It has proved to be a very great source of good feeling, of which, to be perfectly frank about it, we reap the benefits in many ways. Friendship sometimes has substantial results. I reserve the remainder of my time.

Mr. BLANTON. Mr. Speaker, I am one of those who do not believe in buying friendship, individually or by nations. If I can merit the friendship of my colleagues by exercising conscientiously what I conceive to be my duty here in the House of Representatives, opposing the bills of even the best friends I have when I do not believe in those bills, then I want their friendship, but if I had to buy the friendship of my colleagues, if, for instance, I had to let a bill of my distinguished doctor friend, the gentleman from New York [Mr. CROWTHER], pass in order to hold his friendship when I did not believe in the bill, I would feel that I had no right to serve in this body. I would feel I did not deserve his friendship.

This Nation likewise ought not to buy its friendships with gold. You strip this bill of its furbelows and what is it? It is a bill to take $110,000 of the taxpayers' money out of the Treasury and expend it to educate Persian students in America. That is what it is, and you can not get around it. Now, our vice consul was murdered in Persia. That country was responsible to our Government for that catastrophe. They have responded as an honest and honorable country should respond. It cost our Government, it cost the taxpayers of this Nation $110,000 to bring his body back and give it decent burial in his homeland. That money has been spent. It comes out of the people's Treasury, if you please, and the people have been taxed to put it there. This bill means that you are to take their money, $110,000, and spend it to educate foreigners in this land. I am not willing to go into that kind of business. I never have been willing to educate foreign admirals in the Naval Academy at Annapolis from foreign countries and let them know just as much about sea fighting as our own students of America learn in that institution. I have never yet been willing to take the nationals of foreign governments and bring

them here and put them in our Military Academy at West Point and teach them how to make war and send them back home with as much military knowledge about the art of war as our own nationals possess.

I can not keep this bill from passing; I know that. The very atmosphere of this Chamber to-day is to let bills pass; to let everything pass. Some of these days I predict, as an humble Member of this body, that your constituents and mine back home, when they read this RECORD and see how in the closing weeks and days of Congress 137 bills passed in another body at one sitting without little consideration at all, and then see where the House of Representatives is so drunk with disorder in its present situation that its Members will sit here and let every kind of a bill imaginable pass under suspension of the rules without hardly a protest—I predict that the people of this country some day are going to keep us all at home, and they ought to keep us there.

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman give way for one question?

Mr. BLANTON. Yes; I will "give way" to the gentleman for one question. [Laughter.]

Mr. WAINWRIGHT. Does not the gentleman think that the policy involved in this bill rather tends to put a premium on the murder of our citizens in foreign countries?

Mr. BLANTON. Yes. Our former Assistant Secretary of War has the right idea about it. It does do exactly that.

Here is the policy we are establishing: We tell the nationals of other countries, "Murder Americans whenever you want to, and we will take every dollar that you pay us as damages to educate your nationals in America." We ought to stop the precedent now and not let it culminate in a policy of government. We have already established a bad precedent with respect to the Chinese—the poor, imposed-upon Chinamen. I voted against it, but nevertheless you established the precedent. But for God's sake, do not let us make it a policy of government.

Why is it that this bill will pass under suspension of the rules? It is just because the membership do not understand what we are doing. Their minds are upon something else. I want you, each one of you, to pause and consider. You are just as conscientious as I am. I do not claim to be more conscientious than anybody else about our people back home. But let me ask you this question: Do your people back home want you to spend $110,000 of our tax money to educate foreigners?

Mr. McSWAIN. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. McSWAIN. Does not the gentleman think upon reflection that this bill has in it a good deal of the Sermon on the Mount, and will he not, when he goes back home, ask his constituents whether they approve of that principle?

Mr. BLANTON. Does the gentleman know what some farmers would tell my friend if he were to make such a suggestion to him? Does he know what some poor, hard-working farmer would say to him if he were to stop him while he was plowing old Bec and Julie down a furrow, with the toes out of his shoes, and with nothing but corn bread and sowbelly to eat when he goes in to dinner at 12 o'clock; when everything he uses is taxed; when the Studebaker wagon that he used to pay $75 for now costs him two or three times as much; and when his whole family, working all the time in the sun and in the rain, in bad weather and in good, altogether make no more than $600 a year? I do not care to say what he would tell the gentleman. I hope he will never ask some farmers that question. [Laughter.]

If you are going to educate Persian students here to the extent of $110,000, let us open the doors wide and also buy the friendship of all other nations. Let us treat them all alike. Let us tell France to send some of her young men over. Let us tell Johnny Bull to send some of his young Englishmen over. Let us tell Czechoslovakia to send her students over. Let us go to every nation in the world and extend the same buying courtesy. Say to them, "We want your friendship. The great United States does not deserve your friendship unless we pay gold for it." [Applause.]

Mr. MacLAFFERTY. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Let us say, "We do not merit the friendship of people unless we buy it." I yield to the gentleman.

Mr. MacLAFFERTY. Would it not be a good plan to omit the formality of killing our nationals and let them come over anyhow?

Mr. BLANTON. Yes; if we are to pass this bill. Let some distinguished citizen of Oakland, Calif., go to some Japanese jurisdiction, and let that citizen be killed, and it costs $110,000 to get his body back to Oakland; and then suppose we say to Japan, "God bless you, Japan; the preachers want us to do this; the Sermon on the Mount pushes us to it; just come over here and we will spend $110,000 in educating Japanese students in our universities." [Laughter.]

Mr. SCHNEIDER. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SCHNEIDER. I just wonder if the gentleman from California will be in favor of educating citizens of Japan.

Mr. BLANTON. I know the gentleman from California. I know that the Japanese Government has not got a better friend in the United States than the gentleman from California. He does not want citizens of Japan in California. I do not blame him. But he still stands for their welfare in Japan and wants to see them succeed in Japan, and he wants peace with them, but he does not want to buy their friendship with gold by educating them in America.

I want to say in conclusion this: I hope my colleagues will stop this bill where it is and not establish this bad policy of government. [Applause.]

I reserve the balance of my time.

Mr. TEMPLE. Mr. Speaker, I would like to say a word in reply to what the gentleman from Texas [Mr. BLANTON] has said. The gentleman has overlooked the fact that the American Government first demanded the punishment of the guilty. The 3 who were guilty of the murder have been put to death and 30 other members of the mob have been punished in various degrees. The widow has been indemnified; that is, a sum of money has been paid to her. Of course, it will not compensate her for the loss of her husband. Nothing, of course, can indemnify her for the loss of her husband; but she has been taken care of.

Now, the Government of the United States proposes to show that when the guilty have been punished, when the Government of Persia has done all it can to undo the wrong and avenge what can not be undone, we bear no ill will to Persia and we bear no ill will to the innocent for what was done by the guilty.

Mr. MacLAFFERTY. Will the gentleman yield?

Mr. TEMPLE. Yes.

Mr. MacLAFFERTY. Has the United States Government been indemnified or will the United States Government be indemnified for its expenses in the matter?

Mr. TEMPLE. The United States Government has been indemnified. One hundred and ten thousand dollars was spent in bringing home the body; the proposition now is not to make use of that to buy the friendship of the Persian people but to make use of it in educating Persians. Most of those who will attend American colleges under the provisions of this bill are graduates of American mission schools in Persia, to which the American people have already contributed, and to which, I have no doubt, the gentleman from Texas [Mr. BLANTON] himself has made contributions. The men who come here to be educated will be English-speaking Persians, most of them educated in American mission schools, and they will go to Persia to carry American ideas, the knowledge of American institutions, and of the civilization of the West. It is a great and good work. [Applause.]

Mr. MacLAFFERTY. Then it is an investment on our part?

Mr. TEMPLE. Just as every good deed is an investment; yes.

Mr. RATHBONE. Will the gentleman yield?

Mr. TEMPLE. Yes.

Mr. RATHBONE. I will ask the gentleman whether to-day Persia is not of very great importance to civilization, as it is the buffer state against bolshevism?

Mr. TEMPLE. There is no question about that.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania [Mr. TEMPLE] to suspend the rules and pass House Joint Resolution No. 365.

The question was taken; and on a division (demanded by Mr. BLANTON] there were—ayes 99, noes 21.

Mr. BLANTON. Mr. Speaker, I object to the vote and make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-eight Members are present; not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 257, nays 73, not voting 101, as follows:

[Roll No. 97]

YEAS—257

Abernethy	Dowell	Knutson	Robsion, Ky.
Ackerman	Dyer	Kopp	Rogers, N. H.
Aldrich	Elliott	Kurtz	Rouse
Allen	Evans, Mont.	Kvale	Rubey
Anderson	Fairchild	LaGuardia	Sabath
Andrew	Fairfield	Lanham	Sanders, Ind.
Anthony	Faust	Larsen, Ga.	Sanders, N. Y.
Arnold	Fenn	Leach	Sanders, Tex.
Ayres	Fish	Leatherwood	Schneider
Bacharach	Fisher	Leavitt	Scott
Bacon	Fitzgerald	Lehlbach	Sears, Nebr.
Barbour	Foster	Lindsay	Seger
Beck	Fredericks	Lineberger	Shallenberger
Beedy	Freeman	Longworth	Shreve
Beers	Frothingham	Lozier	Simmons
Begg	Fulmer	Luce	Sinnott
Bell	Funk	McKenzie	Sites
Berger	Gambrill	McLaughlin, Mich.	Smith
Bixler	Garber	McLaughlin, Nebr.	Snell
Black, N. Y.	Gardner, Ind.	McSwain	Snyder
Bloom	Garrett, Tenn.	McSweeney	Speaks
Boies	Garrett, Tex.	Madden	Spearing
Boyce	Gasque	Magee, N. Y.	Stalker
Boylan	Geran	Magee, Pa.	Stedman
Browne, N. J.	Gibson	Mapes	Stengle
Browning	Gifford	Mead	Stephens
Brumm	Graham	Merritt	Strong, Kans.
Buchanan	Green	Michaelson	Strong, Pa.
Bulwinkle	Greenwood	Michener	Summers, Wash.
Burton	Griest	Miller, Ill.	Sweet
Busby	Guyer	Miller, Wash.	Swing
Byrnes, S. C.	Hadley	Minahan	Swoope
Byrns, Tenn.	Hammer	Mooney	Tague
Cable	Hardy	Moore, Ill.	Taylor, Tenn.
Campbell	Harrison	Moore, Ohio	Temple
Canfield	Hawes	Moore, Va.	Thompson
Carew	Hawley	Moores, Ind.	Tilson
Celler	Hayden	Morris	Timberlake
Chindblom	Hersey	Morrow	Tincher
Christopherson	Hickey	Murphy	Treadway
Clague	Hill, Ala.	Newton, Minn.	Tydings
Clancy	Hill, Wash.	Newton, Mo.	Underhill
Cleary	Hoch	Nolan	Underwood
Cole, Iowa	Holaday	O'Connell, N. Y.	Upshaw
Colton	Howard, Nebr.	O'Connell, R. I.	Vaile
Connally, Tex.	Huddleston	O'Connor, N. Y.	Vestal
Connery	Hudson	Oldfield	Vincent, Mich.
Cook	Hull, Iowa	Oliver, N. Y.	Vinson, Ga.
Cooper, Ohio	Hull, Tenn.	Paige	Wason
Cooper, Wis.	Hull, Morton D.	Patterson	Weaver
Corning	Humphreys	Peery	Wefald
Cramton	Jacobstein	Phillips	Weller
Croll	Johnson, S. Dak.	Porter	White, Kans.
Crosser	Johnson, Tex.	Purnell	White, Me.
Cullen	Johnson, Wash.	Quayle	Williams, Ill.
Dallinger	Jones	Rainey	Wilson, Ind.
Darrow	Kearns	Raker	Wilson, La.
Davey	Keller	Ramseyer	Wilson, Miss.
Davis, Minn.	Kelly	Rathbone	Winslow
Dempsey	Kendall	Rayburn	Winter
Denison	Kerr	Reece	Wood
Dickinson, Iowa	Ketcham	Reed, N. Y.	Wyant
Dickinson, Mo.	Kiess	Reed, W. Va.	
Dickstein	Kincheloe	Reid, Ill.	
Doughton	King	Robinson, Iowa	

NAYS—73

Allgood	French	Manlove	Sproul, Kans.
Almon	Gilbert	Mansfield	Steagall
Blanton	Goldsborough	Martin	Stevenson
Box	Hill, Md.	Milligan	Sumners, Tex.
Brand, Ga.	Howard, Okla.	Montague	Swank
Brand, Ohio	Hudspeth	Moore, Ga.	Taber
Briggs	James	Morehead	Taylor, W. Va.
Burtness	Jeffers	Oliver, Ala.	Thatcher
Cannon	Kent	Park, Ga.	Thomas, Ky.
Collier	Lazaro	Parks, Ark.	Thomas, Okla.
Collins	Lowrey	Quin	Tillman
Crisp	McClintic	Ragon	Wainwright
Crowther	McDuffie	Rankin	Williams, Mich.
Davis, Tenn.	McKeown	Reed, Ark.	Williamson
Deal	McReynolds	Richards	Wingo
Drane	MacGregor	Romjue	Woodrum
Driver	MacLafferty	Sandlin	
Favrot	Major, Ill.	Schafer	
Free	Major, Mo.	Smithwick	

NOT VOTING—101

Aswell	Eagan	Langley	Perkins
Bankhead	Edmonds	Lankford	Perlman
Barkley	Evans, Iowa	Larson, Minn.	Pou
Black, Tex.	Fleetwood	Lea, Calif.	Prall
Bland	Frear	Lee, Ga.	Ransley
Bowling	Fulbright	Lilly	Roach
Britten	Fuller	Linthicum	Rogers, Mass.
Browne, Wis.	Gallivan	Logan	Rosenbloom
Buckley	Garner, Tex.	Lyon	Salmon
Burdick	Glatfelter	McFadden	Schall
Butler	Griffin	McLeod	Sears, Fla.
Carter	Hall	McNulty	Sherwood
Casey	Hastings	Mills	Sinclair
Clark, Fla.	Haugen	Morgan	Sproul, Ill.
Clarke, N. Y.	Hooker	Morin	Sullivan
Cole, Ohio	Hull, William E.	Nelson, Wis.	Taylor, Colo.
Connolly, Pa.	Johnson, Ky.	Nelson, Me.	Tinkham
Cummings	Johnson, W. Va.	O'Brien	Tucker
Curry	Jost	O'Connor, La.	Vare
Dominick	Kindred	O'Sullivan	Vinson, Ky.
Doyle	Kunz	Parker	Voigt
Drewry	Lampert	Peavey	Ward, N. Y.
Ward, N. C.	Welsh	Woodruff	Zihlman
Watkins	Wertz	Wright	
Watres	Williams, Tex.	Wurzbach	
Watson	Wolff	Yates	

So, two-thirds having voted in favor thereof, the rules were suspended, and the joint resolution was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. Zihlman with Mr. Carter.
Mr. Connolly of Pennsylvania with Mr. Drewry.
Mr. Fleetwood with Mr. Griffin.
Mr. McFadden with Mr. Linthicum.
Mr. Parker with Mr. Pou.
Mr. Vare with Mr. Lea of California.
Mr. Ward of New York with Mr. Gallivan.
Mr. Yates with Mr. Cummings.
Mr. Woodruff with Mr. Bland.
Mr. Perlman with Mr. Aswell.
Mr. Nelson of Maine with Mr. Bankhead.
Mr. McLeod with Mr. Sherwood.
Mr. Lampert with Mr. Black of Texas.
Mr. Clarke of New York with Mr. Wright.
Mr. Evans of Iowa with Mr. Buckley.
Mr. Cole of Ohio with Mr. Vinson of Kentucky.
Mr. Hall with Mr. Barkley.
Mr. Edmonds with Mr. Sears of Florida.
Mr. Fuller with Mr. Sullivan.
Mr. William E. Hull with Mr. Bowling.
Mr. Morin with Mr. Casey.
Mr. Perkins with Mr. Eagan.
Mr. Sinclair with Mr. Dominick.
Mr. Schall with Mr. Hastings.
Mr. Watres with Mr. Lyon.
Mr. Tinkham with Mr. Johnson of Kentucky.
Mr. Larson of Minnesota with Mr. O'Connor of Louisiana.
Mr. Welsh with Mr. Prall.
Mr. Nelson of Wisconsin with Mr. O'Sullivan.
Mr. Wurzbach with Mr. Lankford.
Mr. Voigt with Mr. O'Brien.

The result of the vote was announced as above recorded.

The doors were opened.

INTRACOASTAL CANAL, LOUISIANA AND TEXAS

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the rivers and harbors bill.

The SPEAKER pro tempore. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the rivers and harbors bill. Is there objection?

There was no objection.

Mr. MARTIN. Mr. Speaker, so much has been said and written in the press about the great Intracoastal Canal project as carried in the rivers and harbors bill, which has now passed both the House and Senate, that I crave the indulgence of the House, in order that I may be permitted to keep the record straight.

From the press reports appearing in the Louisiana papers it was made to appear that the Louisiana delegation was at cross purposes and that the Texas delegation was not in sympathy with our efforts to retain the route between New Orleans and Morgan City.

The truth of the matter is that we have all been working to the same end, and such friction as appears to have existed was in the public press and not in the Louisiana and Texas delegations.

In order to understand the situation and the problems with which we were confronted it will be necessary to briefly review some of the facts that brought about a dangerous situation, the result of which might have meant the ultimate defeat of this great project, but which failed to have the effect of dividing its friends.

The Committee on Rivers and Harbors reported three separate and distinct bills during the Sixty-eighth Congress. The first bill, reported on June 4, 1924, carried an authorization of approximately $30,000,000, of which $16,000,000 was for the intracoastal canal between New Orleans and Corpus Christi, Tex.

While this bill was pending the committee held additional hearings and adopted new projects, and the bill introduced on December 17, 1924, carried an authorization of over $52,000,000.

When this bill was brought to the attention of the President during the beginning of this short session of Congress the Chief Executive not only expressed his strong disapproval of this large authorization but very strongly intimated that unless the amount authorized was cut below $40,000,000 the bill would not be approved by him.

The committee was therefore confronted with a serious problem. To strike from the bill any particular project would not only have invited serious opposition but would have endangered the favorable consideration of the measure.

The only solution was to make a pro rata reduction in the amounts carried for all of the projects, and it was at this point that the intracoastal canal met with its first obstacle.

The language of the bill with reference to the intracoastal canal read as follows:

The Louisiana and Texas intracoastal waterway from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex., in accordance with the report submitted in House Document No. 238, Sixty-eighth Congress, first session, and subject to the conditions set forth in said document: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement: *Provided further*, That not more than two Government dredges shall be constructed for use in prosecuting this project.

As the language in the bill refers to House Document No. 238, of the Sixty-eighth Congress, reference will have to be made to this document in order to ascertain just what was recommended by the Chief of Engineers.

On page 49 of this document, under the heading "Description of routes and estimated cost," will be found the following recommendation:

Recommended route (107.2 miles): This route will use the Harvey Canal, 5.5 miles; Little Barataria Bayou, 10.5 miles; Big Barataria Bayou, 2.5 miles; new canal south of Lake Salvador, 14 miles; Harvey Canal No. 2, 7.2 miles Bayou LaFourche, 11.5 miles; Company Canal, 8.1 miles; Bayou Terrebonne, 6.7 miles; new canal, Bayou Terrebonne to Bayou Black, 1.8 miles; Bayou Black, 28.9 miles; Bayou Chene, 2.5 miles; Bayou Boeuf to Morgan City, 8 miles; a total distance of 107.2 miles. For physical description see paragraph 5 of the preliminary examination report.

A large lock will have to be constructed in the vicinity of the present Harvey Lock, on a portion of the five additional acres which is included in the purchase of the Harvey Canal property. Its design and construction should be undertaken at the earliest practicable date to meet the demands of existing commerce and its expected early increase.

And on page 50 of the same document, the following:

Alternate route (176 miles): This route will use the Mississippi River (New Orleans) to Plaquemine Lock, Plaquemine, La., 112 miles; Bayou Plaquemine, 10.6 miles; Grand River (one of the channels of the Atchafalaya), 19.4 miles; Bayou Natchez, 6 miles; Little Goddel and Big Goddel Bayous, 6 miles; Belle River, 9 miles; Bayou Long, 7.3 miles; Flat Lake and Drews Pass to Berwick Bay, 3.2 miles; and thence by the Atchafalaya River (Berwick Bay) to Morgan City, 2.5 miles; a total distance of 64 miles from Plaquemine to Morgan City, making the route from New Orleans to Morgan City 176 miles.

From the foregoing excerpts from the report of the Chief of Engineers it will be seen that the "recommended route" between the Mississippi River and Morgan City is by way of the Harvey Canal, while the "alternate" route is by way of the Plaquemine Locks.

The Rivers and Harbors Committee having been forced, under Executive pressure, to reduce the authorization for the construction of the intracoastal canal from $16,000,000 to $9,000,000, it follows that in order to comply with the wishes of the President, the authorization for the work on a part of the canal could not be taken care of in the third bill which the committee was preparing.

As it appeared from the figures submitted by the engineers, that to deepen and widen the New Orleans-Morgan City link of the canal (to the dimensions recommended) including the enlargement of the Harvey Locks, or the construction of new locks, would cost upwards of four and one-half million dollars; and as it further appeared that the alternate route by way of Plaquemine could be improved to the required width and depth at a cost of $110,000, there was a disposition on the part of some members of the committee to adopt the Plaquemine route to the entire exclusion of the Harvey route.

This proposal at once met with vigorous opposition. The Hon. JAMES O'CONNOR, a member of the committee from Louisiana, not only protested, but insisted that the committee would be acting in bad faith if it discarded the link in the canal that had been adopted many years ago, and which would furnish the greatest amount of tonnage.

In this protest he was joined by the entire Louisiana delegation, both in the House and in the Senate, and his position before the committee was most heartily seconded by Mr. MANSFIELD, the committee member from Texas, and other prominent members of the committee.

The representative of the Intracoastal Canal Association from Texas, Mr. Roy Miller, joined with the representative of the association from Louisiana, Mr. Rene F. Clerc, in insisting that the language of the bill be not changed and that the Harvey route be retained as a part of the adopted route of the intracoastal canal.

It was at this point that it was finally agreed that the matter should be taken to the Secretary of War and by him to the President. This resulted in the Secretary of War indicating to the committee that waited on him that the language herein below set forth, and which was insisted upon by both the Louisiana and Texas delegations, would be entirely satisfactory to him.

This settled the controversy, and the bill as adopted by the committee and as it passed the House by practically a unanimous vote, contains the following language:

The Louisiana and Texas intracoastal waterway, from the Mississippi River at or near New Orleans, La., to Galveston Bay, Tex., in accordance with the report submitted in House Document No. 238, Sixty-eighth Congress, first session, and subject to the conditions set forth in said document: *Provided*, That the amount hereby authorized to be expended upon said project shall not exceed the sum of $9,000,000: *Provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement: *Provided further*, That not more than two Government dredges shall be constructed for use in prosecuting this project.

It will be noted that this language provides for the construction of the canal in accordance with House Document No. 238 of the Sixty-eighth Congress, and that this document refers to the New Orleans-Morgan City link as the "recommended route" and to Plaquemine as the "alternate route."

When the bill reached the Senate and was there referred to the Committee on Commerce, another most serious effort was made to eliminate the Harvey route.

It was due to the splendid work of Senators RANSDELL and BROUSSARD, of Louisiana, and Senator SHEPPARD, of Texas, together with the united efforts of friends of the canal in both Louisiana and Texas, that the language of the House bill was retained.

The bill has now passed both the House and Senate and is in the hands of the Chief Executive, who will undoubtedly give it his approval.

It was unfortunate that the impression should have prevailed in Louisiana that there existed a division in the ranks of the Louisiana Members. Had such a division existed, the result would have been disastrous to the entire intracoastal canal project.

To have taken the position that it was either the Harvey route or nothing would not only have split the Louisiana delegation but would have driven from our support the entire Texas delegation.

There was never any fight made against the adoption of the alternate Plaquemine route, but the fight was centered against the discarding and abandonment of the Harvey route, and thanks to the good faith of the Texas delegation and the solid front presented by the Louisiana delegation, and finally to the assistance rendered by the Intracoastal Canal Association, of Louisiana and Texas, the fight was won.

Those who had given the matter close study and thought knew that the defeat would only be temporary. It was unthinkable that a just and wise Government would complete the canal from Morgan City to Galveston, Tex., and then leave the link between Morgan City and New Orleans unfinished. This link traverses the richest and most fertile and the most densely populated section of the country through which the canal is projected.

The survey of the United States engineers shows that even during the existence of two toll canals in this link that the tonnage was heavier than in any other portion of the canal.

The completion of the canal from Morgan City to Galveston would in itself have insured the deepening and widening of the Harvey route so as to correspond with other portions of the canal, because the increased tonnage would bring about a situation that the Government would have to recognize and relieve.

But the language now carried in the bill relieves us of any speculation as to the future status of the canal. The Harvey link has been adopted, and it now remains for the friends of this great project to continue their united efforts to the end that we may have a canal 100 feet wide by 9 feet deep from New Orleans to Corpus Christi, Tex.

The work on this canal is to be done by two large dredge boats, which it will take more than a year to construct after the appropriation has been made, and within that time it is our hope and belief that funds will have been provided by Congress to complete the canal in its entirety.

In the meanwhile the Harvey link will not be neglected. Funds are available from the forty million dollar appropriation made by Congress last year for river and harbor improvement that can and will be utilized by the Government in improving this link and keeping the Harvey locks in repair and working order.

The completion of this canal is entirely too vital to the States of Louisiana and Texas for its friends to divide on matters of detail. It makes but little difference whether the work is commenced on the Louisiana or Texas end or whether the first dipper of dirt is thrown from the canal at New Orleans, Morgan City, Plaquemine, or Galveston. It is the completed project that we all have in view, and we should bend our efforts to this end and not be swayed from our purpose by any petty spites and jealousies.

That the importance and possibilities of this waterway are fully appreciated by the United States is shown in the following extract from a letter written on March 11, 1924, by Gen. H. Taylor, then the senior member of the Board of Engineers for Rivers and Harbors, to the Chief of Engineers of the United States Army:

The proposed waterway passes through a section of the Gulf coast which is rich in natural resources and has a considerable and growing population. Immediately west of the Mississippi it has navigable connection with six Louisiana parishes, which are among the most important sugar-raising and milling areas of the United States. West of the Teche it passes three important salt mines, at Jefferson Island, Weeks Island, and Avery Island, whose potential production is almost unlimited and which at present are producing in the neighborhood of 400,000 tons per year. Farther west the route is directly through the largest single rice-producing area of the country, and along the southern edge of important stands of yellow pine, cypress, and hardwood. In the vicinity of the Sabine and Galveston Bay ports are groups of oil refineries, operating both on the production of local fields and on crude oil piped from the mid-continent fields, or imported from Mexico. These ports engage in a large foreign and coastwise traffic in oil, including a considerable movement of crude and fuel oil from the Sabine to the Galveston Bay ports. At Sulphur, La., Freeport, Tex., and Gulf, Tex., are the only sulphur mines in the United States operating on a commercial scale. Their total output is in the neighborhood of 2,000,000 tons annually, which generally supplies the needs of the country and enters largely into export trade. The Sabine ports and the cities of Galveston, Houston, and Texas City, together with the neighboring refineries and oil fields, are consumers of steel and miscellaneous products from Pittsburgh or Birmingham; and Houston, the largest city in southeast Texas and the focus of a number of important railroads, is an important distributing center. From these facts it is evident that there is, besides strictly local traffic, the possibility of a large through movement on the waterway, consisting partly of raw materials moving east to New Orleans or to the consuming centers of the Mississippi Valley, partly of manufactured products moving west, and partly of oil, sulphur, and other commodities moving from points of production to intermediate ports along the route for export or coastwise shipment. Assuming satisfactory conditions as to equipment, rates, and channel, the estimate in the special report for the annual tonnage of a 9-foot waterway, section by section, is approximately as follows:

Between New Orleans and Morgan City, 1,600,000 tons, two-thirds eastbound.

Between Morgan City and the Sabine ports, 1,150,000 tons, about balanced.

Between the Sabine ports and Galveston Bay, 1,600,000 tons, four-fifths westbound.

Between Galveston Bay and Gulf, Tex., 700,000 tons, principally eastbound.

Since writing the above letter, General Taylor has been advanced to the position of Chief of Engineers.

This is the opinion and estimate expressed by one of the most eminent engineers in the United States Army, who, by virtue of the position he now occupies, has great weight with Congress in regard to the development of the rivers, harbors, and waterways of this country.

But those of us who live along and in the vicinity of this canal can even better appreciate the great benefits that will follow its completion to a depth of 9 feet by a width of 100 feet, and no section of the country will be so much benefited as will the territory composing the third congressional district of Louisiana.

It traverses five of the eight parishes composing this district and the three parishes which it does not touch are connected with the canal by navigable streams, thereby giving them the same benefits and advantages.

In its course from New Orleans west it crosses Lake Salvador, Bayou Des Allemand, Bayou LaFourche, Bayou Terrebonne, Bayou Black, Bayou Chene, Bayou Boeuf, Atchafalaya River, Bayou Teche, Bayou Potage, Bayou Bartholomew, Cote Blanche and Vermilion Bays, Schooner Bayou, White Lake, Turtle Lake, Grand Lake, Mermentau River, Bayou Vermilion, and the Calcasieu River.

The streams with which it will be connected either directly or indirectly have a combined length of more than 6,000 miles. These are public streams, under the care and supervision of the Government, and many of them will have to be improved so as to conform to the width and depth of the canal.

Every parish seat and every town and village in the third congressional district will thus have access to and receive the benefits that must and will follow the completion of this great project.

But this is not all. This canal passes through the richest and most fertile soil in this entire country. It means, therefore, the reclamation and development of thousands of acres of land that have been considered worthless, and that the lands already developed will materially advance in value.

Its benefits to agriculture are hardly capable of computation. It will facilitate and cheapen the transportation of sugar cane to the factory, and the finished product can then be transported to the markets of this country, without paying exorbitant freight rates. It will give like relief to the great rice-producing sections in Vermilion, Lafayette, St. Martin, and Iberia Parishes.

Let us not overlook the fact that this canal will give an impetus to the development of the salt mines at Jefferson, Weeks, and Avery Islands. All of these islands contain enormous deposits of salt, with a purity of 99 per cent and with the possibilities of development that can not be foretold, because the extent of the deposits is so deep that it has not yet been determined.

Cheaper transportation and additional markets can not help but prove beneficial to fish and oyster industries, and the factories operated in connection therewith in LaFourche, Terrebonne, and St. Mary Parishes.

It is generally conceded that the Louisiana oyster possesses qualities of flavor and purity unequaled by any other oyster; and whenever its qualities are appreciated, the demand will soon exceed the supply.

It is not possible, Mr. Speaker, to enumerate the far-reaching benefits that will result from the completion of this project.

To my mind, its potential benefits in the way of cheaper transportation and the general upbuilding and development of the country through which it passes is such, that Congress should not hesitate to complete the project in its entirety.

From the very inception of this project, Louisiana and Texas have worked in harmony, and now that success is in sight, we must close our ranks and shoulder to shoulder, bend our united efforts toward the completion of a great work, in the final success of which "there is glory enough for us all."

PROBATION SYSTEM IN THE UNITED STATES COURTS

Mr. GRAHAM. Mr. Speaker, I move to suspend the rules and pass Senate bill 1042, to provide for the establishment of a probation system in the United States courts except in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That the courts of the United States having original jurisdiction of criminal actions, except in the District of Columbia, when it shall appear to the satisfaction of the court that the ends of justice and the best interests of the public, as well as the defendant, will be subserved thereby, shall have power, after conviction or after a plea of guilty or nolo contendere for any crime or offense not punishable by death or life imprisonment, to suspend the imposition or execution of sentence and to place the defendant upon probation for such period and upon such terms and conditions as they may deem best; or the court may impose a fine and may also place the defendant upon probation in the manner aforesaid. The court may revoke or modify any condition of probation, or may change the period of probation: *Provided*, That the period of probation, together with any extension thereof, shall not exceed five years.

While on probation the defendant may be required to pay in one or several sums a fine imposed at the time of being placed on probation and may also be required to make restitution or reparation to the aggrieved party or parties for actual damages or loss caused by the offense for which conviction was had, and may also be required to provide for the support of any person or persons for whose support he is legally responsible.

SEC. 2. That when directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

At any time within the probation period the probation officer may arrest the probationer without a warant, or the court may issue a warrant for his arrest. Thereupon such probationer shall forthwith be taken before the court. At any time after the probation period, but within the maximum period for which the defendant might originally have been sentenced, the court may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence, and may impose any sentence which might originally have been imposed.

SEC. 3. That the judge of any United States court having original jurisdiction of criminal actions, except in the District of Columbia, may appoint one or more suitable persons to serve as probation officers within the jurisdiction and under the discretion of the judge making such appointment or of his successor. All such probation officers shall serve without compensation except that in case it shall appear to any such judge that the needs of the service require that there should be a salaried probation officer, such judge may appoint one such officer and shall fix the salary of such officer subject to the approval of the Attorney General in each case: *Provided*, That probation officers who are to receive salaries shall be appointed after competitive examination held in accordance with the laws and regulations of the civil service of the United States. Such judge may in his discretion remove any probation officer serving in his court. The appointment of probation officers shall be in writing and shall be entered on the records of the court of the judge making such appointment, and a copy of the order of appointment shall be delivered to the officer so appointed. Such court may allow any probation officer his actual expenses necessarily incurred in the performance of his duties. Such salary and expenses when duly approved shall be paid from the appropriations for the courts in which such officer serves.

SEC. 4. That it shall be the duty of a probation officer to investigate any case referred to him for investigation by the court in which he is serving and to report thereon to the court. The probation officer shall furnish to each person released on probation under his supervision a written statement of the conditions of probation and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each person on probation under his supervision and shall report thereon to the court placing such person on probation. Such officer shall use all suitable methods, not inconsistent with the conditions imposed by the court, to aid persons on probation and to bring about improvement in their conduct and condition. Each officer shall keep records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision; shall give receipts therefor, and shall make at least monthly returns thereof; shall make such reports to the Attorney General as he may at any time require; and shall perform such other duties as the court may direct. A probation officer shall have the power of arrest that is now exercised by a deputy marshal.

SEC. 5. That this act shall take effect immediately.

The SPEAKER pro tempore. Is a second demanded?

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. BLANTON. Mr. Speaker, I object. The membership ought to be here to take up this important bill.

The Chair appointed Mr. GRAHAM and Mr. BLANTON as tellers.

The House divided; and the tellers reported—ayes 152, noes 5.

Mr. BLANTON. Mr. Speaker, I object to the vote and make the point of no quorum.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-two Members are present, a quorum.

So a second was ordered.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 20 minutes. [Cries of "Vote!" "Vote!"]

Mr. GRAHAM. Mr. Speaker, I reserve my time for the present.

Mr. BLANTON. Mr. Speaker, this existing situation illustrates the present attitude of the mind of Congress, when a bill of this great importance can be called up under a suspension of the rules, where you can not change one single syllable in it, where you have got to vote it either up or down, where you have got to accept it just like it is written, with only 20 minutes debate to the side, and the House says "vote," and the chairman of the great Committee on the Judiciary does not see fit even to explain any of its provisions to the House.

I know what I am talking about when I assert that in my honest judgment there are not 25 men on the floor of this House who know what bill we have up now for consideration. The House is going to pass it into law without knowing what provisions it contains, or what its effect will be upon the country. In this present atmosphere now pervading this Chamber there is no chance whatever to defeat its passage. There is no chance to get the ear of this membership, or to make them understand the importance of this measure. I am going to prove that to you.

This is a bill that the distinguished gentleman from Georgia [Mr. UPSHAW] until recently at least was vitally opposed to. Unless he has lately changed he would not vote for it at all if he now knew what bill is before us. It is a bill that will permit, if you pass it, the judges over in Baltimore and the permit in New York to turn loose on probation every bootlegger that is convicted in their courts.

Mr. CELLER. Will the gentleman yield?

Mr. BLANTON. I will yield in a moment. I want to prove that the membership, in voting to take it up under suspension, did not know what this bill was about. I know the gentleman from Georgia [Mr. UPSHAW] is not for this bill, and yet when I demanded a second and the Members began to crowd down the aisle here to be counted, he was one of the ringleaders. He was the bellwether of the bunch that voted to take it up under suspension.

Mr. UPSHAW. Will the gentleman yield?

Mr. BLANTON. The gentleman from Georgia even went in front and led the gentleman from Minnesota [Mr. KNUTSON] next to him, then came the gentleman from Wisconsin [Mr. BERGER] next to him, and then the entire wet New York delegation, together with our friend from Maryland, the leader of all wets, the rider of the great white charger from Baltimore, bringing up the rear. [Laughter and applause.]

Old dog Tray is in bad company to-day. [Laughter and applause.]

Mr. UPSHAW. If old dog Tray is Mr. BLANTON, he is badly mistaken.

Mr. BLANTON. This poor "old dog Tray" I am talking about hails from Georgia. It is a sad day for prohibition; it is indeed a sad day for the eighteenth amendment to the Constitution; it is a sad day for all the splendid work that the incomparable Anti-Saloon League has done for half a century throughout America for a disciple of prohibition like UPSHAW of Georgia to pass through the tellers with all the renowned wets in Congress and vote for a bill of this character. [Laughter and applause.]

Mr. UPSHAW. Will the gentleman yield now?

Mr. BLANTON. Certainly; I yield to my distinguished friend from Georgia.

Mr. UPSHAW. If the gentleman will give proof that there is any basis of fact for the statement that the wets are supporting this for wet reasons, I will discuss the question with him.

Mr. BLANTON. I will give the proof.

Mr. UPSHAW. May I say this other word before you do that? I was one of the gentlemen who joined the gentleman from Texas [Mr. BLANTON] in opposing the bringing out of this bill recenfly, but after further investigation of the humanitarian issues involved——

Mr. BLANTON. But through ignorance, a few minutes ago, the gentleman went with all the wets through the line, voting to take up this wet bill.

Mr. UPSHAW. No; I was simply giving it a chance to be discussed. If the gentleman from Texas did not have a chance to make a speech, he would "bust" wide open. [Laughter and applause.]

Mr. BLANTON. I am going to convict the gentleman either of ignorance or a change of heart.

Mr. UPSHAW. In all good humor, I wish to make a proper correction. I would like to change the RECORD on "bust wide open" and say there would be "spontaneous combustion."

Mr. BLANTON. I would rather for the gentleman to use his usual vernacular. [Laughter and applause.]

I will state to my colleagues that when a fellow has stood in front of a stampeded bunch of steers in west Texas, this stampeding here does not bother him. I am going to prove to my friend from Georgia that this is a wet measure. Show me a man from New York who is not here to-day to help to pass this bill? They are all here.

Mr. WELLER. They are always here.

Mr. BLANTON. Show me a man from Baltimore who is now absent. "The gang's all here." Colonel HILL, the leader of the wets, is now at his place at the head of the table.

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. BLANTON. In a moment.

Mr. HILL of Maryland. Oh, yield now.

Mr. BLANTON. I regret that I can not yield now.

There is not a man in the United States for whom I have a higher regard than the great chairman of our great Judiciary Committee. He is one of the most distinguished lawyers in the Nation. [Applause.] He is a true friend when he is your friend, and he has been my good friend ever since I have been here——

[Cries of "But!"]

And I think the world of him, and personally, he could not ask me for a favor to-day that I would not grant, but [laughter] we all know that until the gentleman from Georgia switched five minutes ago, this chairman of the Judiciary Committee was just as much the leader of the wets of this Nation as the gentleman from Georgia stood with the drys, and God knows it has been a loss to the great cause of prohibition when we lose UPSHAW, of Georgia, to you wet fellows. [Laughter and applause.]

Mr. UPSHAW. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. UPSHAW. Give your proof, show me that this has anything wet in it, and I will smash it like I would smash every jug and every bottle that contained any kind of rum. The gentleman knows I would not stand for a thing that had the smell of liquor on it. [Laughter.]

Mr. BLANTON. "And, Mary, when you put that ice in the glass and that mint on top, make me take it." [Laughter.]

This is the first time I have ever heard the distinguished gentleman from Georgia [Mr. UPSHAW] plead ignorance. The gentleman has been helping the two gentleman from Michigan [Mr. CRAMTON and Mr. HUDSON] and myself, fight this bill for three solid months, and now in the closing hours of Congress when the time comes to pass it or to stop it, and I rise here and try to stop it, he goes over to the wet enemy and deserts his prohibition friends.

Mr. UPSHAW. Will the gentleman yield further?

Mr. BLANTON. Mr. Speaker, I will not yield now until the gentleman cools off. [Laughter.] I am going to yield to the gentleman from Georgia [Mr. UPSHAW] some time in a few moments. I can not defeat this bill by myself. I need his help. I hope some page will go out of this Chamber to the cloakrooms and tell the two distinguished gentlemen from Michigan [Mr. CRAMTON and Mr. HUDSON] that they are needed here in this present fight against prohibition more than they are in conference.

Are you colleagues going to turn the bootleggers of Baltimore loose on probation without any punishment? Are you going to put it in the hands of the judges in Philadelphia and New York to turn every bootlegger loose on probation that they convict? I am not willing to do that.

If the entire judiciary of the United States stood for the enforcement of the prohibition law and the eighteenth amendment, I would be for this bill, but I am not for it now, and I hope that such a distinguished prohibitionist as my distinguished friend the gentleman from Maine [Mr. HERSEY], will get up here and use his logic and his power of oratory to defeat this bill. He has done some most valuable work for prohibition in the days gone by. I have considered it an honor to follow him.

Mr. HERSEY. Will the gentleman yield?

Mr. BLANTON. I am sorry; I know just how the gentleman stands on prohibition and I can not yield. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has six minutes.

Mr. BLANTON. I reserve the balance of my time, but I want to yield three minutes to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Three minutes is not long enough.

Mr. BLANTON. Then I yield the gentleman six minutes, and now you do your best. [Laughter.]

Mr. GRAHAM. Mr. Speaker, I yield the gentleman two minutes.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for eight minutes.

Mr. UPSHAW. Mr. Speaker and gentlemen, I am very fond of giving pleasure to my colleagues. I would get up at midnight to help somebody in trouble if I know it; and when I voted on the side of giving a chance for discussion on this measure I was conferring a great favor on my modest friend, the gentleman from Texas. I have a friend over in Baltimore who reads the CONGRESSIONAL RECORD. He asked me the other day, "When will BLANTON, from Texas, make another speech, do you reckon?" Another!

Now, the gentleman referred to the story by the genial and gifted gentleman from Florida, FRANK CLARK, about Mary making her husband take that drink, and I want to say to the gentleman from Texas that if he will agree not to accept the $10,000 salary against which he voted the other day I will be ready to discuss this question with him.

Now, I want to be perfectly frank with the House concerning this bill. I received a representation from leading friends of humanity, especially those interested in juvenile offenders, and from leading lawyers of my city who are as dry as a bone, who have urged me to support this probation measure on humanitarian grounds. Frankly, I was not satisfied with the line-up when it was brought up recently, and I joined the gentleman from Texas in objecting to its consideration. The more I have investigated, the more I have come to the conclusion that it is a nation-wide question concerning humanity, and that the Federal judges ought to be allowed the same probationary discretion as many judges in other courts. It is simply an honest conviction on my part, and the gentleman from Texas, I am sure, only intended to be facetious when he suggested that under any conditions on earth I would surrender one inch or one atom of principle or legal procedure to the liquor interests in this country who have been unwilling to accept their constitutional defeat. I am quite sure in revising his remarks the gentleman from Texas will not leave any such intimation.

Mr. BLANTON. Will the gentleman yield?

Mr. UPSHAW. Yes.

Mr. BLANTON. What I had in mind was when the gentleman agreed to be the tail of the comet to Al Smith, in New York, in the last campaign. [Laughter.]

Mr. UPSHAW. I say this to you, my colleagues, and I ask you to give me careful attention. That suggestion, if it was made seriously, would be a great reflection on my sincerity and honor. I never in any way sought to bring my name before Congress when generous friends, first in New England and then widely over the country, and later, at that great national convention of "dry" leaders in Washington applauded the suggestion of Col. David Morgan Smith, the gallant leader of "The Battalion of Death," that my name be placed second on the presidential ticket. I am as innocent of it as the gentleman from Texas. [Applause.] But since he goes far afield and drags in such a personal reference that is wholly irrelevant to this debate, I must let it stand unchallenged or I must answer it with the truth of history. I want to remind him that the CONGRESSIONAL RECORD carried my statement made before that convention, after the generous reception accorded Colonel Smith's generous reference, that if the vice presidential nomination were offered me on a silver platter I would smash the platter if Governor Al Smith or any other "wet" man were put on with me. And furthermore (and I certainly would not tell this if Mr. BLANTON had not forced it upon me), when a committee called on me at the Pennsylvania Hotel, representing the wet element in the national convention, and in the presence of a prominent man in Washington, who heard the colloquy, twice offered me the vice presidential nomination, so far as their influence was concerned, if I would accept it. I looked in their faces and said: "Gentlemen, there are not enough votes or dollars this side of hades to make me surrender one inch on this moral question." [Applause.]

In deciding to support this measure, I simply wish to say that I am the friend of every possible effort to reform and transform erring humanity. If probation works well in other courts, why should it not work well in Federal courts? Great, far-seeing friends of humanity all over the Nation have long urged this probation legislation. Let us try it—and if it is abused in favor of prohibition violators, I will help to repeal it at the next session of Congress. But it ought to help the cause of prohibition enforcement by quickly relieving many congested dockets and giving time to properly try these cases.

Gentlemen, I want to say frankly what you know without my saying it—that if I thought there was any sort of a liquor conspiracy here, I would make every effort to smash it; but if it is only to be a humanitarian measure, I am for it. And I put into italics the declaration just made—that if it should prove any sort of favor to the friends of liquor, I am against it from now until the judgment day. [Applause.]

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

Mr. BLANTON. Mr. Speaker, I demand the yeas and nays on that question.

The SPEAKER pro tempore. The gentleman from Texas demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Not a sufficient number, and the yeas and nays are refused.

Mr. BLANTON. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 170, nays 49.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

TWO ADDITIONAL JUDGES FOR EIGHTH CIRCUIT

Mr. GRAHAM. Mr. Speaker, I move to take from the table the bill S. 99, authorizing the President to appoint two additional circuit judges for the eighth circuit, suspend the rules, and pass the same.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to take from the Speaker's table, suspend the rules, and pass the Senate bill 99, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint two additional circuit judges for the eighth circuit, who shall receive the same salary as other circuit judges now receive and shall reside within the said eighth circuit.

The SPEAKER pro tempore. Is a second demanded?

Mr. GARRETT of Tennessee. Mr. Speaker, I demand a second.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GRAHAM. Mr. Speaker, this bill is one providing for the appointment of two judges in the eighth circuit. The eighth circuit is one of the largest circuits in the United States. I wish I could show Members so that they could see the dimensions of that circuit. I have in my hand a map of the United States. The part marked in red composes the eighth circuit. Thirteen States of the Union are in that circuit. They had five judges, one of whom died in 1922. The business of the circuit has been piling up and increasing to a very large degree. If I had time to call the attention of the House to the table of statistics appended to the report of our committee, I could show the Members how the business in the eighth circuit has grown by contrast with some of the others. The recommendation for this legislation was contained in the President's message to Congress. The Chief Justice of the United States appeared before the Committee on the Judiciary and urged it most earnestly. Communications have come to me from a representative of nearly every one of these 13 States urgently asking that this legislation be passed.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM. Yes.

Mr. DYER. The gentleman did not state, and I am sure he wants the House to know, that one of the judges who died, something over a year ago, Judge Garland, was assigned there from the commerce court and under the act of Congress those judges could not be succeeded at their death by appointment, so that there is no way of filling that vacancy except by legislation by Congress.

Mr. GRAHAM. The gentleman is quite right, and I thank him for calling my attention to that fact, because otherwise it might have appeared to Members of the House that this vacancy should be filled in the usual way. The deceased justice was assigned from the commerce court to serve as a circuit judge in this district. His place can not be filled by appointment.

Mr. DYER. I would say also that this bill, which he has moved to suspend the rules and pass, was passed unanimously by the Senate, and the House has reported a similar bill unanimously from the Committee on the Judiciary. It is now on the House Calendar.

Mr. GRAHAM. I was coming to that. This bill is verbatim the same as the bill that was reported unanimously from the Committee on the Judiciary of the House of Representatives. It passed the Senate unanimously, and I trust that there will be no opposition to this much needed piece of legislation. I reserve the remainder of my time.

Mr. GARRETT of Tennessee. Mr. Speaker, I demanded a second in order that I might have a moment or two in which to confer with the minority members of the Committee on the Judiciary. I have conferred with them. I understand them to be in favor of the bill. Therefore, of course, I shall stand with them upon the matter. I do not feel, however, that it is right for me to cut off anyone who would be opposed to the bill by demanding a second.

Mr. SUMNERS of Texas. I would like to have about five minutes.

Mr. GARRETT of Tennessee. Is the gentleman from Texas [Mr. BLANTON] opposed to the bill?

Mr. BLANTON. Yes; I am. I only want five minutes.

Mr. GARRETT of Tennessee. Is anyone else opposed to the bill? I yield five minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, I have been very much opposed to the general disposition to increase the number of Federal judges, as my record will indicate. I can not oppose this bill, however. When we come to consider the facts we find this condition to obtain: The eighth circuit is by far the largest circuit in the United States. There are 13 States embraced within this circuit. Beginning with Arkansas, on the Mississippi River, it runs straight to the Canadian line. It runs west, we may say, to the Rockies and south to Mexico, embracing that block of 13 States, which comprise about one-third—in fact, quite one-third—the area of the United States. The business in that circuit is tremendously congested. It is necessary to call district judges frequently to the circuit bench. Under our system it seems to me clearly bad practice to have the district judges sitting as a part of the circuit court of appeals.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. AYRES. In that circuit, as I remember it, there has been a vacancy on that bench for about two years.

Mr. SUMNERS of Texas. That was stated by the chairman of the committee.

Mr. AYRES. I am in that district and that is the reason I asked the question. Does the gentleman know of any reason why that vacancy has not been filled?

Mr. SUMNERS of Texas. Yes; I do know a reason, and I shall explain it. That position was filled by a member of the commerce court. When he died the position could not be filled by appointing another circuit judge for that circuit, of course. In canvassing the situation it was the unanimous judgment of members of the Judiciary Committee that by creating a court of six judges it would be possible to divide that court when necessary.

Court is held at a number of places, I can not go into details. Now, this is true in addition to that. There are a considerable number of cases arising in that circuit in which, under the law, with which gentlemen are familiar, in reference to enjoining an act of a State board or enjoining an act of the Interstate Commerce Commission, for instance, it is required that a circuit judge shall sit with two district judges.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Will the chairman yield me two additional minutes?

Mr. GRAHAM. I yield the gentleman two additional minutes.

Mr. SUMNERS of Texas. I asked for the additional time, gentlemen, in order that I may yield for any question which gentlemen may desire to ask.

Mr. CELLER. Does the so-called judicial council approve this increase in the number of judges?

Mr. SUMNERS of Texas. Yes; and Chief Justice Taft has made a statement to members of the committee that they have a very serious condition of congestion in that circuit. They not only have a tremendous volume of business but the court is compelled to travel great distances in order to hold the sessions of the court, and in addition to that when a justice of the court must sit with two district judges in the cases I have just referred to, those justices must of course travel long distances. You remember, gentlemen, the bill in which we relieved the Supreme Court of a good deal of its obligatory jurisdiction. That does not increase jurisdiction of the circuit courts of appeals, but in a most definite sense it does increase responsibility. In view of all these circumstances I have felt myself compelled to make an exception with reference to this particular court, an exception to the general position which I have taken here with reference to an increase of Federal judges. I hope the bill will pass.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. GARRETT of Tennessee. I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I think we are in rather sorry plight when just because a Member who conscientiously opposes a bill gets up to speak against it, it is intimated that he merely wants to speak. I have been working from 16 to 18 hours a day every day for the last two weeks. Do you know that? I am sick now. I have had a bad case of grippe for at least a week. I ought to be in bed right now; but by force of will power I have driven myself to attend to business here. Do you think it is pleasant for me to get up here to speak against a bill? I am speaking against it because I feel it is my duty. Somebody ought to oppose these bills that seek to appoint men to lifetime positions at $8,500 each——

SEVERAL MEMBERS. $8,500.

Mr. BLANTON. Yes; $8,500 per year each for life, when it is not necessary, because these two judges are not needed.

Mr. CELLER. Will the gentleman yield for a question?

Mr. BLANTON. I regret that I have not the time to yield. The extra judges that we have appointed in this Congress is a crime upon the people. The appointing of an extra district judge in the State of New Mexico was a crime. I want the people in the various States to watch how little work many of the district judges and the circuit judges do. It is the Federal judges I am talking about. Two, three, or four hours a day once in a while is all the work some of these judges do, and some of them go fishing one, two, or three months in the year.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BLANTON. I am sorry, not right now. I know some who go fishing most of the summer in the year. They ought to go to work. They ought to earn the people's money that is paid them for life. When they get to be a certain age they are retired on their salary for life. That is the kind of jobs you are making here by this bill. You are putting two men on the pay roll for life drawing salaries at $8,500 a year apiece, and we do not need them if you make the judges we have now go to work.

I sat at the council table the other day across from five distinguished Senators, and I insisted on the police courts in the District of Columbia meeting at 9 o'clock instead of 10 a. m., and we whipped them, did we not, Brother RATHBONE, and the House approved of our action and the Senate did likewise?

Now I take that same stand with reference to the Federal district judges and the circuit court judges.

Mr. ALLGOOD. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. ALLGOOD. They claim that the dockets are crowded out there?

Mr. BLANTON. Yes. If they went to work as they should they could clean them up.

Mr. ALLGOOD. If they had to clean up their dockets or else lose their jobs, would not they work more?

Mr. BLANTON. Yes; they would then clean up their dockets.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. GRAHAM. I yield three minutes to the gentleman from Michigan [Mr. CRAMTON].

The SPEAKER pro tempore. The gentleman from Michigan is recognized for three minutes.

Mr. CRAMTON. Mr. Speaker and gentlemen of the House, I have just been over for a little time at the other end of the Capitol to see what has been done with the bill H. R. 6645, generally known as the Cramton bill, and, contrary to my expectation, while I was out there came up a bill handled by the gentleman from Pennsylvania [Mr. GRAHAM] with reference to the establishment of a probation system in the Federal courts. I greatly regret that a wrong impression as to my attitude toward that bill should have been given to the House in my absence by the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. No; my own speech I will make at this time.

When this bill was last before the House on a call of the Unanimous Consent Calendar, as the gentleman from Pennsylvania recalls, I stated then on the floor of the House that I could not see any difference in the need of a probation system in a Federal court or a State court, and I favored the establishment of a probation system in the Federal courts. I have not changed my mind in regard to that position, and this afternoon I responded to the request of the gentleman from Pennsylvania [Mr. GRAHAM] to speak in behalf of his bill, and I promised to do so, but because of other matters intervening I was prevented from doing so.

I do not know whether it is a matter of any importance, but I do not want my position to be misunderstood, and I do not want the gentleman from Pennsylvania to think I had misled him as to my attitude. [Applause.]

Mr. GRAHAM. Mr. Speaker, I yield three minutes to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Speaker, I can not let the statement of the gentleman from Texas [Mr. BLANTON] remain unchallenged. We are given privileges in debate by reason of our membership here and we ought to be extremely careful about the statements we make. The CONGRESSIONAL RECORD goes all over the land. It goes to the schools and is read by the young; and when it is stated in this RECORD that our Federal judges work only three or four hours a day and spend their time in going fishing, what kind of an opinion will the young folks of the land have with reference to the Federal judiciary? I do not believe that the gentleman from Texas wanted to give that impression out.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. NEWTON of Minnesota. In a moment.

Let me say that in this eighth circuit, with which I am familiar, the district judges, by reason of the congestion in the circuit court of appeals, have been called to sit on that bench. The judges from the district of Minnesota in the eighth circuit have been repeatedly requested to sit on appeals. This has increased the congestion in the district courts. Our judges have held court 50 hours a week on the average instead of the usual 25 hours. This during the past two years. In many instances they have worked from 8.30 in the morning until 6 and 7 and sometimes 10 o'clock at night in jury cases.

Now, I yield to the gentleman.

Mr. BLANTON. Does the gentleman say that there are not some Federal judges who hold court not more than three months in the year?

Mr. NEWTON of Minnesota. I am not familiar with all the Federal judges.

Mr. BLANTON. I mean some of them.

Mr. NEWTON of Minnesota. The gentleman desires to be fair. His statement is a reflection against all Federal judges. Instead of making a statement of that kind he ought to particularize. If he has not the facts he ought not make the statement at all, and if he has the facts he ought to name the judges. [Applause.]

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

Mr. BLANTON. Mr. Speaker, I demand a division.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 153, noes 14.

So two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The SPEAKER pro tempore. Without objection, H. R. 661, a bill of similar import, will be laid on the table.

There was no objection.

MERGER OF STREET RAILWAY CORPORATIONS IN THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I move to take from the Speaker's table Senate bill 4191, to permit the merger of street railway corporations operating in the District of Columbia, and for other purposes, suspend the rules, and pass the same with an amendment.

The SPEAKER pro tempore. The gentleman from Maryland moves to take from the Speaker's table Senate bill 4191, suspend the rules, and pass the same with an amendment. The Clerk will report the bill with the amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That any or all of the street railway companies operating in the District of Columbia be, and they are hereby, authorized and empowered to merge or consolidate, either by purchase or lease by one company of the properties, and/or stocks or securities of any of the others, or by the formation of a new corporation to acquire the properties and/or stocks or securities, and to succeed to the powers and obligations of each or any of said companies under such terms and conditions as may be agreed upon by vote of a majority in amount of the stock of the respective corporations and as may be approved by the Public Utilities Commission of the District of Columbia: *Provided*, That no merger of said companies shall be finally consummated until the same is approved by joint resolution of Congress. Such new corporation shall be incorporated under the provisions of Subchapter IV, Chapter XVIII of the Code of Law of the District of Columbia as far as applicable, with issues of stock at a stated par value and/or of no par value, as may be approved by the Public Utilities Commission.

SEC. 2. The inhibitions and restrictions contained in section 11 of the act of March 4, 1913 (commonly known as the antimerger law, Public, No. 435, 37 Stat. L. p. 1006), be, and the same are hereby, removed so far, and only so far, as they affect the acquisition by any corporation of the stocks or bonds of any of the corporations referred to in the foregoing section.

SEC. 3. Congress reserves the right to alter, amend, or repeal this act or any provision thereof.

The SPEAKER pro tempore. Is a second demanded?

Mr. GARRETT of Tennessee. Mr. Speaker, I demand a second.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that a second may be considered as ordered. Is there objection?

There was no objection.

Mr. ZIHLMAN. Mr. Speaker, this bill was agreed to unanimously by the House Committee on the District of Columbia and by the Senate Committee on the District of Columbia. It was drawn by the corporation counsel and it simply removes the inhibition against a voluntary merger of the street car companies. The amendment incorporated in the Senate makes any merger subject to the approval of a joint resolution of Congress. The bill has been passed by the Senate and has been unanimously reported from the committee on the District of Columbia. The amendment incorporated in the Senate was suggested by the Senator from Tennessee, Mr. MCKELLAR.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. HUDDLESTON. I understood the gentleman's motion to be for the passage of this bill with an amendment which he himself offered.

Mr. ZIHLMAN. Yes.

Mr. HUDDLESTON. But I did not catch fully what the amendment was.

Mr. ZIHLMAN. I will say to the gentleman that the Senate adopted two amendments, one of which provided that no merger of said companies shall be finally consummated until the same is approved by joint resolution of Congress.

Mr. HUDDLESTON. I understand that.

Mr. ZIHLMAN. The other amendment inserts the words "under the terms and conditions of this act," in the second section of the bill. I offered an amendment striking that language out because it is ambiguous and has no relation to the other part of the paragraph, as I see it. The amendment providing that any merger must be approved by a joint resolution of Congress remains in the bill.

Mr. HUDDLESTON. Then, as I understand the bill as the gentleman has offered it, the bill authorizes a merger without further consent by Congress?

Mr. ZIHLMAN. No; I tried to make clear to the gentleman that the bill provides that it must be approved by the public utilities commission of the District of Columbia, and then there is the proviso that no merger of said company shall be finally consummated until the same is approved by joint resolution of Congress.

Mr. HUDDLESTON. I understood the gentleman to say that he had offered an amendment to strike that out.

Mr. ZIHLMAN. No; I said I had offered an amendment striking out the words at the bottom of section 2, "under the terms and conditions of this act," which are ambiguous and have no relation to that section.

Mr. HUDDLESTON. Is that the only amendment the gentleman offered?

Mr. ZIHLMAN. It is; yes.

Mr. RAKER. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. RAKER. What is the difference between this bill and the House bill?

Mr. ZIHLMAN. There is no difference except the amendment which I have read, making it subject to the approval of Congress.

Mr. RAKER. Then the fare question is the same in the Senate bill as in the House bill?

Mr. ZIHLMAN. Yes; there is no reference to rates or fares.

Mr. CRAMTON. Will the gentleman yield for a question?

Mr. ZIHLMAN. Yes.

Mr. CRAMTON. Does the gentleman feel that the amendment he is suggesting is of sufficient importance to justify a possibility of a delay in the Senate in securing its acceptance there, or does the gentleman feel certain that the amendment he is suggesting will be promptly accepted by the Senate?

Mr. ZIHLMAN. I will say to the gentleman I am quite sure that when they read the amendment inserted by the House they will readily accept it.

Mr. CRAMTON. From the hurried reading I have been able to give it, it does not seem to me it matters whether the words are in or out, and if there happens to be in the other body some one who wants an opportunity for delaying the measure, the gentleman's amendment will require action there, whereas if he simply accepts the bill as it comes from the Senate it is through.

Mr. ZIHLMAN. I will say to the gentleman that if I thought it would jeopardize the bill in any way, I would not press the amendment. I do not think this language at the bottom of section 2 has any place there.

Mr. GARRETT of Tennessee. Let me ask the gentleman a question. What good is the passage of this bill going to do? As I understand it, the railway companies have the right now to agree on a merger and then come in and have Congress approve it, and you provide in this measure that they shall hereafter come in and secure the approval of Congress. What I want to know is what good the bill is going to do and what is the necessity for it?

Mr. ZIHLMAN. I will say to the gentleman the two District Committees of the two Houses have for a number of years been wrestling with this problem of two street-car companies here with a uniform rate of fare but with dissimilar returns upon the physical value of the property.

A joint committee was appointed consisting of members of the House Committee and members of the Senate Committee who met and threshed out that problem and decided to ask the Corporation Counsel of the District to draw a bill removing this inhibition against a merger of the existing street car companies, because the committee felt that was all we could hope to pass at this session. It was agreed that if the companies did not bring about a voluntary merger which would result in decreased street-car fares here in the District of Columbia, then we would be justified in passing punitive legislation compelling in some way a merger of these two companies.

Mr. BLANTON. Will the gentleman yield?

Mr. ZIHLMAN. I yield.

Mr. BLANTON. Is it not a fact that several members of the House District Committee, for instance, the gentleman from Wisconsin [Mr. LAMPERT], myself and others, have been very strongly in favor of a bill that would limit the charge of these railways to their charter authorization, and if that kind of bill was passed it would automatically reduce the car fares to five cents in the District of Columbia, because the charter demands that.

Mr. ZIHLMAN. I will say to the gentleman that the gentleman from Wisconsin [Mr. LAMPERT], was chairman of the subcommittee that presented this bill.

Mr. BLANTON. I know that, and this was forced on him because he did not think he could get anything better.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. MORTON D. HULL. Who appoints the members of the Public Utility Commission for the District of Columbia?

Mr. ZIHLMAN. The President of the United States.

Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT of Tennessee. Mr. Speaker, I am ready for a vote on the bill.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

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

A similar House bill was laid on the table.

PROBATION SYSTEM FOR FEDERAL COURTS

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill S. 1042.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Speaker and gentlemen of the House, the House has just passed under steam-roller tactics what, in my judgment, is perhaps the most far-reaching and revolutionary measure, so far as the practice in Federal courts is concerned, that it has passed in a decade. The bill purports on its face to be for the purpose of allowing Federal courts the power to suspend sentences.

This measure was sought to be passed on June 6, 1924, when several other gentlemen along with myself opposed it upon the floor of the House and caused it to be withdrawn. It is now brought forward under rules which do not admit of amendment, and which limit the debate to 20 minutes against the bill, which was entirely consumed by the gentleman from Texas [Mr. BLANTON] and the gentleman from Georgia [Mr. UPSHAW]. Had it been possible I should have liked to have had an opportunity to oppose the bill this time on the floor. I take this opportunity to register my disapproval and to say that I voted against its passage.

The bill in question is in the following language:

Be it enacted, etc., That the courts of the United States having original jurisdiction of criminal actions, except in the District of Columbia, when it shall appear to the satisfaction of the court that the ends of justice and the best interests of the public, as well as the defendant, will be subserved thereby, shall have power, after conviction or after a plea of guilty or nolo contendere for any crime or offense not punishable by death or life imprisonment, to suspend the imposition or execution of sentence and to place the defendant upon probation for such period and upon such terms and conditions as they may deem best; or the court may impose a fine and may also place the defendant upon probation in the manner aforesaid. The court may

revoke or modify any condition of probation or may change the period of probation: *Provided*, That the period of probation, together with any extension thereof, shall not exceed five years.

While on probation the defendant may be required to pay in one or several sums a fine imposed at the time of being placed on probation, and may also be required to make restitution or reparation to the aggrieved party or parties for actual damages or loss caused by the offense for which conviction was had, and may also be required to provide for the support of any person or persons for whose support he is legally responsible.

SEC. 2. That when directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

At any time within the probation period the probation officer may arrest the probationer without a warrant, or the court may issue a warrant for his arrest. Thereupon such probationer shall forthwith be taken before the court. At any time after the probation period, but within the maximum period for which the defendant might originally have been sentenced, the court may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence, and may impose any sentence which might originally have been imposed.

SEC. 3. That the judge of any United States court having original jurisdiction of criminal actions, except in the District of Columbia, may appoint one or more suitable persons to serve as probation officers within the jurisdiction and under the discretion of the judge making such appointment or of his successor. All such probation officers shall serve without compensation except that in case it shall appear to any such judge that the needs of the service require that there should be a salaried probation officer, such judge may appoint one such officer and shall fix the salary of such officer subject to the approval of the Attorney General in each case: *Provided*, That probation officers who are to receive salaries shall be appointed after competitive examination held in accordance with the laws and regulations of the civil service of the United States. Such judge may in his discretion remove any probation officer serving in his court. The appointment of probation officers shall be in writing and shall be entered on the records of the court of the judge making such appointment, and a copy of the order of appointment shall be delivered to the officer so appointed. Such court may allow any probation officer his actual expenses necessarily incurred in the performance of his duties. Such salary and expenses when duly approved shall be paid from the appropriations for the courts in which such officer serves.

SEC. 4. That it shall be the duty of a probation officer to investigate any case referred to him for investigation by the court in which he is serving and to report thereon to the court. The probation officer shall furnish to each person released on probation under his supervision a written statement of the conditions of probation and shall instruct him regarding the same. Such officer shall keep informed concerning the conduct and condition of each person on probation under his supervision and shall report thereon to the court placing such person on probation. Such officer shall use all suitable methods, not inconsistent with the conditions imposed by the court, to aid persons on probation and to bring about improvement in their conduct and condition. Each officer shall keep records of his work; shall keep accurate and complete accounts of all moneys collected from persons under his supervision; shall give receipts therefor, and shall make at least monthly returns thereof; shall make such reports to the Attorney General as he may at any time require; and shall perform such other duties as the court may direct. A probation officer shall have the power of arrest that is now exercised by a deputy marshal.

SEC. 5. That this act shall take effect immediately.

Mr. Speaker, having had some experience on the bench, I believe I know something of the theory of probation and the suspension of sentences. I heartily favor the theory. I know there are many instances where if a court has the power to put a first offender on probation, the person can be reclaimed to society as a useful citizen. This bill goes further than any law I have seen in a State court. It has no limitation whatever on the age, gravity of the offense—except it must not be punished with death—or the number of times that the defendant may have been before that or some other court for violation of the laws of the United States.

In other words, under this bill, which will be a law if the President signs it, absolute and unqualified power is given to Federal judges to suspend sentences in any and all cases.

This is, to my mind, a body blow to law enforcement. It is no answer to point to the high character of our Federal judges, for it is not a question of how the power conferred will be used, but the great objection is the extent of power given.

I heard a gentleman remark on the floor of the House just after this bill passed, who is well known for his unsympathetic attitude toward the eighteenth amendment, "Well, we have repealed the eighteenth amendment in New York and New Jersey."

PROBLEM OF NATIONAL TRANSPORTATION

Mr. HAWES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of highway transportation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HAWES. Mr. Speaker, reviewing the remarkable development of highways in my own State, Missouri, impresses me with the seriousness of the growing need of linking up the road with the rail and river in the solution of our great national transportation problem.

It is but a limited glance in retrospect to the first allotment of Federal aid in the construction of American highways. The development during the period from 1917 to 1925 is astounding. When one considers that we are spending more than $1,000,000,000 a year in America to-day on the construction of highways, that we have 2,866,061 miles of roads in the 48 States, and that of these there are 174,350 miles in the Federal aid system, one begins to understand the importance of system in the solution of the transportation problem.

When we consider that over these 174,350 miles of Federal-aid roads and over a large portion of the other roads there are annually placed in operation more than 300,000 motor trucks and 3,000,000 new motor vehicles, at an annual investment in motor cars of more than $2,000,000,000, the matter rapidly goes beyond our power of comprehension in its enormity as a factor in the transportation business.

Not without serious study can we begin to form an opinion of the relation of this motor-highway problem to the transportation question. We can realize only with difficulty that last year the American public, it is estimated, traveled 168,750,000,000 miles by motor, while the entire railroad system of the Nation carried passengers but one-fifth of that distance.

LINKING WATER, RAIL, AND ROAD

As I have suggested to the House and elsewhere, the time has come when some consideration must be given to the motor truck and the motor car and the highway in their relation to the transportation problem. We can begin to understand how important this is when we let a few of the facts sink in.

This new problem has literally sprung up before us. In 1895 there were but 300 motor vehicles of all kinds registered in the whole United States. In 1905 there were 77,000, and in 1915, 2,445,000. In 1925 we reached a total of 15,000,000 registered motor vehicles, and the annual output of 3,000,000.

In 1904 there were but 400 motor trucks in the United States. To-day there are more than 2,000,000. A large portion of these vehicles are engaged in the hauling of freight and passengers, intrastate and interstate. Largely we are just beginning to study the problem presented. Even our statistical studies have not been able to keep pace with the commercial development. We know nothing practically of the economic relation of the motor car to freight and transportation in general. But we must soon take the matter in hand or we shall find that we have permitted the motor car and the motor truck to develop in a field where development is necessary, and yet we shall have to admit that the development has not been along constructive lines, that we have not linked up the motor with the water and the rail, to the detriment of all three factors in our transportation problem.

It was a Missourian, Representative Dorsey W. Shackleford, who conceived the plan of Federal aid in road building less than 15 years ago, and came to Washington in an endeavor to put that plan in effect. With sundry alterations in the original plans Federal aid became effective after much discussion in the States and Nation, and in 1917 the first Federal aid was allotted or made available.

Looking over the road statutes of my State early in that year I found that the road laws had not been rewritten for more than a quarter of a century. They were archaic, and calculated to render Missouri impotent in its attempt to keep pace with highway and motor development.

REWRITING MISSOURI'S ROAD LAWS

In that year I went to the legislature for the purpose of rewriting these laws. We rewrote every road statute on Missouri's books, eliminated the old and unworkable statutes, created a highway commission bipartisan in character, removed highway development largely from the influence of politics and set up the machinery by which Missouri might enter into the new era of road building unhampered by obsolescent legal hindrances.

I may say in passing that the Missouri road law creating the bipartisan commission became the basis of similar road laws passed in many of the States of the Union in their later compliance with the Federal road-aid statutes.

In 1920, following the passage by a previous legislature of an enabling act, Missouri passed a $60,000,000 bond issue for the construction of State roads. I had the pleasure and the honor of initiating and conducting the campaign for the passage of this bond issue. We organized a public-spirited body known as the Missouri Good Roads Federation, extended out branches down into the townships, gathered together 32,000 active, interested, unpaid but tireless workers into the federation, mailed out more than 1,000,000 pieces of literature of an educational value, conducted speaking campaigns in each of the 114 counties of the State, and won a victory in November, 1920, by a vote of 4 to 1.

That was the end of mud-road building in Missouri, and I cite this as indicating the proximity of our new road-building era to the present date. Other States joined in the great road-building program; bond issues were passed in the West and South following an earlier development in the East. To-day, as I said before, the Federal road-aid system covers the 48 States with 174,350 miles of approved projects.

Missouri, meanwhile, like other progressive States, acting under a bipartisan commission, has laid out her road system of 7,500 miles, approved by the United States Bureau of Roads. This meant great constructive effort during two special sessions of the Missouri Legislature. There were many details, just as there were in other States; maintenance problems, interest questions, road widths, density of population questions, types of highways best suited to public use under certain conditions, and the like. All these things required the best that engineering skill could provide. The bipartisan highway system control made all possible of solution.

RESULTS OF FEDERAL AID

Now all this work started actually with the first allotment of Federal aid in 1917.

Results are remarkable.

Missouri has received from Federal aid the following amounts:

1920	$22,445
1921	751,459
1922	2,453,844
1923	1,602,858
1924	3,742,824

Up to January 31, 1925, the total received by my own State from Federal aid amounted to $11,673,563, and by the close of the present fiscal year Missouri will have received all but $434,000 of the total allotted to that State since the first year of Federal aid, amounting to $17,940,000. At the present time there are 654 miles under construction in Missouri to cost $20,278,760, of which $8,258,000 is Federal aid.

In the Nation, all States, including Missouri, have received (to January 31, 1925) $388,801,000 in the construction of 35,157 miles of completed first-class highways, and of this mileage Missouri has built 1,000 miles, with 654 miles under construction, according to the figures of the Bureau of Public Roads.

The present Congress has provided, in the passage of the agricultural appropriation bill, for $76,000,000 for the year 1925, and the Dowell bill, also passed during this session, authorizes an appropriation of $75,000,000 during each of the years 1926 and 1927.

In other words, Federal aid already allotted and that provided for in 1926 and 1927 totals $675,000,000, and under the law this must be matched dollar for dollar in its distribution to the States. This, exclusive of all but necessary State expenditures and not including any of the work done by the thousands of counties throughout the Nation, we have a State and Federal investment in roads of $1,500,000,000 in round numbers. Added to the county road expenditures, the amount runs up into incalculable figures.

And every mile of these completed highways are new miles of arteries added to the carrier system in transportation.

A LITTLE EARLY HISTORY

Even in colonial days, before the Revolution, the progress of a city or colony was measured largely by its solution of the transportation problem. After the Revolution the colonies grew and the cities flourished as they cared for this problem. Both the National Government and the State governments were called upon to spend money in the construction of roads and canals, and large sums were spent in this early development.

Washington looked westward with a clearer eye and surer faith than any of his generation. He was an engineer, and therefore brought a trained mind to the subject of road building. The Indian trails were the threads which first bound the East and the West. Washington desired a great highway for both military and commercial purposes, but it was not until the time of Henry Clay that Congress, exercising control over post roads, undertook to build a great national highway, which was popularly known as the Old National Road. Its legal name was the Cumberland Road. This road was designated to extend from Cumberland, Md., to St. Louis, and was from there to be extended later to Jefferson City, Mo., now the capital of my State. This stretch was never completed.

Thus the first of our great highways—the first consideration of the new transportation problem—was born in an act of Congress of 1802, which enabled the State of Ohio to enter the Union and provided also for the expenditure of funds from the sale of public lands in Ohio, which funds were to be spent on roads from the Atlantic to Ohio.

The costs of road building in that day were prodigious when we take into account the purchasing power of the dollar as compared with our dollar to-day. Between Cumberland and Uniontown the road cost $9,745 a mile; between Uniontown and Wheeling, $13,000.

In 1816 Congress appropriated $300,000 for road work, and again in 1818. In 1819 $535,000 was appropriated. The Cumberland road was completed through to Ohio and later pressure of the West resulted in its completion to Vandalia, then the capital of Illinois, through the capitals of Ohio and Indiana. The stretch between Vandalia and St. Louis was never completed by Government aid, although from St. Louis to-day there stretches a white ribbon of paved highway all the way to the Atlantic seaboard.

The same contests were met in Congress in those days which we met in the States a few years ago. Communities not immediately benefited by the roads fought their construction as wasteful.

Great stage-coach systems were inaugurated and the Cumberland Road became the mail route to Cincinnati and St. Louis, and from these points mail was forwarded by packets to Louisville, Huntsville, Ala.; Nashville, and other Mississippi points.

Then came the steamboat and the rail. Congress naturally turned its attention to the new transportation power, and for a time roads were forgotten. The water system boomed, then the rail, and later again water-transportation efforts were revived.

To-day, with the new impetus in road building, Congress faces a problem in transportation regulation and conduct that carries within its intricate details the three great historic factors of a new age—the steamboat, the engine, and the motor car, or highway.

SOMETHING ABOUT THE MOTOR

In a brief way we have covered the highway. Now let us survey the motor industry, an industry which has grown with the highway or with which the highway has grown.

We find that the little 1-cylinder chugging gas machine, of which there were only 300 registered in 1895, has grown into a powerful, massive, 12-cylinder, 10-ton truck; that there are 15,000,000 motor vehicles dashing over our national roads, carrying millions of passengers, supplanting electric lines, feeding water and rail carriers, carrying millions of tons of freight in short and long hauls; running with flanged wheels along steel rails; taking the place of railroad cars in suburban freight delivery; carrying from 30 to 60 people at one time in busses to outlying districts of our great cities; carrying 50 people at once over city streets as the most modern recognized form of urban transportation; taxing the gasoline supply of the Nation, and costing the Nation millions in maintenance of roads and streets.

We find that the American farmer has changed all his marketing and delivering systems. We find that, according to the American Automobile Chamber of Commerce, there are 3,500,000 motor vehicles on the farms and that of these 300,000 are trucks engaged in the delivery of farm produce. In the South we find that 40 per cent of the cars owned in 13 States are owned by farmers and are actually used in the business of farming. In my own State there are 14,000 trucks on Missouri farms.

We find that in New York alone 52,000,000 passengers are carried by motor busses annually; in Detroit, 15,000,000; and that these bus lines are being operated in all the great cities of the Nation.

We find that this great motor fleet pays an annual tax levy of $350,000,000 to the Nation, State, and county; that 404,000 railroad freight cars were required last year to transport the finished product of the motor vehicle to the market, to say nothing of thousands of cars that were sent to market on their own power; that there is one motor vehicle to every eight per-

sons in the United States, and that in some States the ratio is as low as one to four; that of the 15,000,000 motor vehicles in the country 2,000,000 are trucks ranging in size from the half-ton to the 10-ton vehicle.

And what will probably prove surprising to many is the fact that the great Pennsylvania Railroad system now actually operates motor trucks on less than carload deliveries to intermediate points over 1,000 miles of highways running parallel to the rail system. One New England road is contemplating the abandonment of a large mileage of intermediate trackage to turn over the business to motor transport. There is a motor feeding system of small tonnage deliveries extending from Syracuse through Buffalo to Cleveland on the New York Central system, all operated by one freight-delivering company using motor trucks.

Figures of the Short Line Railroad Association show that 170 motor cars are in operation on 111 lines of railroad. Forty railroads are using motor cars with flanged wheels on steel rails. Estimates of costs of operation, according to one journal, show a material economy in the use of the motor over steam engines in certain phases of railroad shipments.

Sixty electric lines in the country have now placed motor busses in operation; some of the electric roads have been abandoned, and others supplementing their service with bus connections.

And studies of durability indicate that some of the cars in operation have run without replacement as high as 200,000 miles.

THE PROBLEM PRESENTED

I shall not attempt in this brief discussion to make definite suggestions with respect to this new transportation agency problem, reserving that for a later discussion when measures dealing with the matter may come before Congress. But I do desire to present a few references before closing, to some studies that have already been made.

Of particular interest is a report made by the Special Committee No. 4, appointed by the president of the Chamber of Commerce of the United States, which document is dated November 23, 1923, and entitled "Relation of the Highways and Motor Transport to Other Transportation Agencies." Considerable study was given to all available records by this committee, of which Alfred H. Swayne, vice president of the General Motors Co., New York, was chairman; and of which two Missourians, L. Wade Childress, Columbia Terminals' Co., St. Louis; and Henry J. Waters, editor Weekly Kansas City Star, Kansas City, were among the members.

Without going into the details of this study which is divided into many phases, the conclusions, or some of the conclusions of this committee are important. Among them may be found:

(1) The best interests of the public and the rail, water, and motor carriers lie in cooperation between the various agencies of transportation rather than in wasteful competition.

(2) The greatest opportunity for cooperation is at the points where the capacity of the railroads is most limited and expansion is most difficult and costly, that is, in the terminal areas of our great cities.

(3) Organized motor transport can also relieve the railroads of various forms of uneconomical service, such as trap-car service, switching between local stations, and short-haul shipments within the terminal area. This will reduce yard congestion and release many cars for more profitable line haul.

(4) To secure the fullest benefit from this organized motor transport will require the utilization and further development of modern technical equipment, such as demountable bodies, trailers, and semitrailers, containers, and container cars and mechanical handling appliances.

(5) It is to the public interest as well as to the interest of the respective carriers that the economic limitations of each type of carrier be recognized, that the railroads be permitted to discontinue unprofitable service to which the motor is better suited, and that the motor abandon its efforts to handle general traffic over excessive distances. However, because of the public interest which affects the operation of railroads they have performed and must continue to perform some service which is unprofitable chiefly in territory where the performance of highway transportation would also be unprofitable. If the railroads are to be deprived of a substantial share of their more remunerative traffic through unfair and, to the trader, uneconomical methods, the traffic remaining to the railroads must take on an added burden in the form of higher rates or impaired service. In all cases where the railroads can handle traffic with greater or equal efficiency, all factors being considered, the public interest requires that they be allowed to do so. Unprofitable steam railroad service can in some cases be successfully replaced by the use of self-propelled railroad motor cars.

(6) To insure to the public continuity and reliability of service sound financial organization of motor transport is necessary as well as public regulation of common-carrier motor service.

(7) Regulation of traffic and of size, weight, and speed of motor vehicles by States and municipalities having control should be made more uniform within States and as between States.

Regulation of common-carrier operations of motor vehicles, including rate regulation, should be handled by Federal or State authorities under the commissions which now control the operations of rail and water carriers.

(12) Investigations now under way by the United States Bureau of Public Roads, State highway departments, and other agencies, to determine more fully the economic rôle of the motor vehicle, should be continued.

There are, of course, other conclusions of the committee, but the above will serve to indicate that an investigating body of merit finds room for exhaustive study and action in the new transportation problem.

A SCIENCE IN ITSELF

It is too early for Congress to take action. The work of economic research must be continued until the full facts are known; but it is not too early for men interested in public affairs to familiarize themselves with this new question in its details.

In 1924 the American Academy of Political and Social Science devoted one number of its Annals to a review of the motor, its province, and problems (November, 1924).

This study is divided into nine parts: (1) The services of the automobile; (2) The manufacture of the automobile; (3) The automobile, the home, the school, and the church; (4) The place of the motor in our transportation system; (5) The building and financing of motor highways; (6) Safety on the highways through traffic regulations; (7) City plans for motor traffic; (8) International problems growing out of the automobile industry; and (9) The services of the automobile associations and the universities.

This study in itself is well worth the attention of layman and legislator. On the theory that the automobile is "Revolutionizing American life and American industry," the academy has given opportunity to men who have studied the problem to put their conclusions into record form and the result is worth careful attention.

Articles by Roy D. Chapin, vice president of the National Automobile Chamber of Commerce, on the motor's part in transportation; by Adfred H. Swayne on its relation to American trade and industry; by John H. McKee, secretary of agriculture of Pennsylvania, on its relation to agriculture; "Linking up the railroad and water transportation," by Dorsey W. Hyde; by T. C. Powell, vice president of the Erie Railroad, on Function of the motor truck in reducing the cost and preventing congestion of freight in railroad terminals; by Delos Wilcox, public utilities expert of Michigan, on Regulation of the motor bus service; by William Connell, on the highway business; by J. Gordon McKay, Chief of the Division of Highway Economics of the United States Bureau of Public Roads, on "Highway transportation," and numerous other articles give the student of transportation problems—particularly the legislator—food for much serious thought.

Anyone who goes into the subject of motor transportation will see at a glance that here is a problem to which the Nation can not be blind in the years to come, a problem which to-day, while in its infancy, still demands the attention of farsighted men, and a problem which in the future can not be dealt with comprehensively or constructively unless those into whose hands it is placed for solution are fully conversant with the intricacies and delicacies of its details.

GAME REFUGE BILL

Mr. DEAL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bird refuge bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DEAL. Mr. Speaker, I am opposed to the so-called game refuge bill for four reasons, any one of which is sufficient to rule it out of Congress.

First. It is clearly unconstitutional.

Second. It creates another commission, to which is delegated the power to make rules and regulations having the binding force of law.

Third. It lays a tax upon every citizen who may wish to hunt his neighbor's lands with the owner's consent, or any person who hunts his own lands upon which he may chance not to reside.

Fourth. It gives to the commission the right to exercise police powers within the State.

UNCONSTITUTIONAL

To invoke a constitutional limitation before this body seemingly is to invite ridicule. Nevertheless none can deny that the powers of Congress are delegated; that these powers are specified in language so plain that no informed person can misunderstand them; that certain powers are denied to the States; and that all other powers are reserved to the States.

Among the powers delegated is that giving to the President the power, by and with the advice and consent of the Senate, to negotiate treaties with foreign countries, but this was never intended to grant to the President the right to use the treaty-making power as a subterfuge to override specific provisions of the Constitution.

The treaty with Great Britain for the protection of migratory birds was no doubt warranted and justified for the protection of the breeding grounds of the birds. Great Britain, however, did not undertake to enact laws through its Parliament for the enforcement of this treaty. That was left to the Canadian Parliament. In America the States had already enacted laws for the protection of wild fowls, and each State would cheerfully have strengthened those laws in order to enforce the treaty made with Great Britain. Where the States can act and will act, it would seem to conform more nearly with the idea of the Constitution than that Congress should usurp powers that are distinctly forbidden to it by the Constitution. Congress, however, enacted a law which it thought was sufficient to carry out the treaty provisions. The bill under consideration is not necessary for the enforcement of the said treaty, but to provide hunting grounds, which in practice will be used only by a well-to-do few. It invades powers not denied to the States. No one contends that they are. They are recognized as State functions, have been exercised as States' rights, are still being exercised by the States. There is no authority for concurrent jurisdiction. Inasmuch as the States had enacted, and would have enacted laws that would fully cover treaty guarantees, Congress, in conformity with the Constitution, should leave to the States this function so clearly reserved to them, just as Great Britain left to Canada the making of laws for enforcing the treaty. She did not pretend or dare to invade this field of lawmaking, which Canada claims for herself, notwithstanding the fact that there is no constitutional limitation upon the British Government. With us there are the strictest kinds of limitations upon the central lawmaking power. Congress has no right to invade this field. It is, therefore, an unwarranted usurpation of power, which, in common with other similar acts, is destroying the heritage of our children.

RULES AND REGULATIONS

This bill creates another commission, which means, in the course of time, large additional appropriations for the maintenance of its officers, agents, detectives, and spies. These commissions have become exceedingly offensive to the people. They are not desired by the general public. They are not needed for the enforcement of our laws. They are a menace to society and to our Government. There is no class of society, other than a privileged few, who seek, at the hands of the Government, advantages to which they are not entitled, desiring these commissions. They can not be reached, and apparently are beyond the control of the President; and Congress seems afraid of them. They demand from year to year additional appropriations, which appropriations are, in part, spent for working up propaganda to be used upon Congressmen to frighten, coerce, browbeat, and drive it into extending additional powers and making additional appropriations.

The right to make rules and regulations that have the binding force of law creates an autocracy in itself, and not infrequently, is used as a means of persecution of citizens desiring to be law-abiding. These rules and regulations can be and are frequently changed. They are not law, and yet they are law; so that no individual has within his power the opportunity to know when he is or is not in violation of some rule or regulation which has the binding force of law; and therefore, the liberty, rights, and privileges reserved by the people themselves in their Constitution are abridged and destroyed by a power which it is impossible for them to reach. Congress alone is given the right to make the laws. They are not given the right to delegate that power to any other person or persons.

I am fully determined that so long as I may remain in Congress I shall not again vote for any bill that delegates to any bureau or commission the right to make rules and regulations. If the people understood the iniquities of this custom that has grown up in Congress within the past few decades I have not a doubt but that they would make it a condition, in casting their vote for any Representative, that he should never vote for any bill delegating to any bureau or commission the power to make rules and regulations.

TAX FOR GAME REFUGES

This bill would tax every person who hunts with permission his neighbor's lands or his own lands should he not reside thereon, or the waters within the exclusive jurisdiction of the State to which he has already paid a tax. And for what purpose? To buy lands in the discretion of a Washington bureaucrat. Virginia citizens may be forced to pay a double tax for hunting their own lands, and the money used to purchase lands in Kansas for the pleasure and profit of a Kansas sportsman. There could be no greater injustice, stinging wrong, or fouler perversion of the principle of equal rights to all and special privileges to none. For many years the idle rich have been acquiring large areas of available lands adjacent to and bordering the shallow waters frequented by migratory birds along the South Atlantic seaboard, and have sought special privileges at the hands of our State legislatures. In my district there are shallow waters abounding with foods upon which birds feed. These waters lay wholly within the State and should absolutely be controlled by the State.

Rich gunning clubs have sought to have them declared nonnavigable by our State legislatures, thus giving to them the right of extending their land limits to the center of these waters, thereby excluding all others from hunting the same. Failing in this they are behind this game refuge bill, realizing that if they can place the control of hunting in the hands of a commission with the power to make rules and regulations having the binding force of law, which the majority of our people can not reach, they will be able to absorb, in effect, the rights desired. It is an iniquitous subterfuge, unwarranted and unlawful. The purposes of this bill are clearly revealed when it proposes that any person may demand of any other person that he show his United States hunting license, while hunting even upon his own lands, if he happens not to reside thereon. This is such a glaring piece of proposed tyranny and impudence that an amendment has slightly, though not materially, modified the proposal.

POLICE POWERS

Under this bill, large sums of money—45 per cent of all collected—are to be used for the employment of detectives and spies to shadow and drive to desperation those who will be unable to enjoy the privileges of the game refuges. Other large sums are to be used for building hunting lodges for the pleasure of the idle sportsmen. It is a vicious and sumptuary law that finds no parallel except in prohibition enforcement. If submitted to the people, it would never have the slightest opportunity of becoming a law. It is a rich man's bill. Every boy who may desire to shoot a field lark, a woodpecker, or a bull bat, must contribute to this fund to purchase game refuges in a few isolated spots in the Union, where only those who chance to live adjacent, or the idle well-to-do, would ever enjoy its advantages. What boy or man with limited means, living at a distance from such a refuge, could afford to take the time and spend the money in travel to and fro, plus the hotel bills incident thereto, for the pleasure of hunting these refuges? Indeed, they are not refuges. They are hunting grounds reserved for the idle well-to-do. If this bill provided for refuges and prohibited absolutely the hunting at any time so that birds might propagate, and pay for the same out of moneys in the Treasury, not otherwise appropriated, there might be some excuse for the bill.

This bill failed of passage in the Sixty-seventh Congress, and it ought to fail in this Congress.

FORT STEVENS, WHERE PRESIDENT LINCOLN STOOD UNDER FIRE DURING CIVIL WAR, SHOULD BE PRESERVED

Mr. COOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 11365.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COOK. Mr. Speaker, I desire to say a word concerning the importance of preserving Fort Stevens, located in the northern part of the city of Washington. It was one of the forts constructed for the defense of the city in the Civil War. On January 6, 1925, I introduced H. R. 11365, the title of which and the first section read as follows:

A bill (H. R. 11365) to establish a national military park at Fort Stevens, in the District of Columbia, and to authorize the acquisition of such lands as may be necessary to preserve said fort

Be it enacted, etc., That in order to suitably preserve that part of Fort Stevens, in the District of Columbia, which lies west of the first street west of Georgia Avenue in the city of Washington in said District, and the monument erected by the Association of the Survivors of the Sixth Union Army Corps at the point where President Abraham Lincoln was under fire in the engagement in front of said fort, in the Civil War, all of the grounds and earthworks of said fort now existing and such other grounds as may be necessary to properly preserve the same are hereby declared to be a national military park and that the Secretary of War be, and is hereby, authorized and directed to acquire by purchase when the prices are deemed reasonable by him, otherwise by condemnation under the procedure prescribed by the laws within said District in such cases, all of said fort and such other lands as are deemed necessary and desirable for roads and the suitable preservation of said fort and monument and to establish a suitable park to consist of the vacant land now surrounding said fort.

The other four sections of the bill contain provisions for carrying out the object thus expressed. The bill was referred to the Committee on Military Affairs and was reported to the House on February 20, 1925, as follows:

[House Report No. 1537, Sixty-eighth Congress, second session]

ESTABLISH A NATIONAL MILITARY PARK AT FORT STEVENS

Mr. WAINWRIGHT, from the Committee on Military Affairs, submitted the following report to accompany H. R. 11365:

The Committee on Military Affairs having under consideration bill (H. R. 11365) to establish a national military park at Fort Stevens, in the District of Columbia, and to authorize the acquisition of such lands as may be necessary to preserve said fort, having considered the same, report thereon with the recommendation that it do pass with the following amendment:

Strike out all after the enacting clause and insert the following in lieu thereof:

"That in order to suitably preserve that part of Fort Stevens, in the District of Columbia, which lies west of the first street west of Georgia Avenue, in the city of Washington, in said District, and the monument erected by the Association of the Survivors of the Sixth Union Army Corps at the point where President Abraham Lincoln was under fire in the battle which occurred in front of said fort, in the Civil War, all of the grounds and earthworks of said fort now existing and such other grounds as may be necessary to properly preserve the same are hereby declared to be a historic landmark, and the Secretary of War be, and is hereby, authorized and directed to acquire by purchase when the prices are deemed reasonable by him, otherwise by condemnation under the procedure prescribed by the laws within said District in such cases, all of said fort and such other lands as are deemed necessary by him for roads and the suitable preservation of said fort and monument to the end that it may be declared to be a national monument by the President of the United States as provided by the act of June 8, 1906.

"SEC. 2. To enable the Secretary of War to carry out the provisions of this act, including the condemnation, purchase of the necessary lands, surveys, maps, marking boundaries, opening, constructing, or repairing necessary roads and streets, salaries for labor and services, traveling expenses, supplies and materials, the sum of $25,000 or so much thereof as may be necessary, is hereby authorized to be appropriated out of the moneys in the Treasury not otherwise appropriated, to remain available until expended, and the disbursements under this act shall be reported by the Secretary of War to the Congress."

Amend the title to said bill to read as follows:

"To acquire Fort Stevens, in the District of Columbia, and such other land as may be necessary to preserve said fort as a historic landmark."

Fort Stevens is located in the northern part of the District of Columbia and lies west of the first street west of Georgia Avenue, in the city of Washington. It was one of the forts erected early in the Civil War for the defense of the city and guarded the Seventh Street Road entrance into the city. General Early appeared before this fort on July 11, 1864, with an army of nearly 20,000. There was some fighting in the afternoon, and on the 12th Bidwell's brigade marched out and drove the Confederates from their position. President Lincoln stood on the works of this fort, under fire, while both battles were going on, apparently unconscious of the danger, watching with grave and passive countenance the progress of the battle, amidst the whizzing of bullets of the sharpshooters until an officer fell mortally wounded within 3 feet of him. It is the only instance where a President of the United States was under fire in a battle. In our opinion this fact alone makes the place where he stood of great historic value, and places it in a class of its own. Part of those who fell in the engagement now rest in the National Cemetery, but a short distance to the north, on the east side of the avenue. While not a large battle, yet it had more than ordinary significance and historic value because it was the only military attack on the city of Washington in the Civil War, and occurred in the District of Columbia, and within sight of the Dome of the Capitol. On July 12, 1920, the Association of the Survivors of the Sixth Army Corps, which took part in the engagements, erected a monument on the spot where President Lincoln stood. That part of the fort is still well preserved and is not owned by the United States. It and considerable land surrounding it are still vacant, but city improvements are leading in that direction and are very near to it. It is our opinion that this fort and sufficient land surrounding it should be acquired by the United States before the fort is destroyed and obliterated; that it should be declared as a historic landmark and also declared to be a national monument by the President of the United States as provided by the act of June 8, 1906. The history of this engagement and the other incidents in connection therewith are given as follows:

[From Nicolay and Hay's Life of Lincoln, Vol. 9, pp. 169 to 173]

"General Early left his camp near Rockville at dawn on the 11th and pushed forward with eager hopes on Washington. The Infantry, turning to the left, advanced by the Seventh Street Road, which runs by Silver Spring into the city, with a cloud of cavalry on either flank. The day was hot and dusty, and the troops suffered greatly, but, inspired by the prospect of the rich prize before them, they plodded onward with good heart, and shortly afternoon Early, riding a little in advance of his column, came in sight of Fort Stevens, which guarded the entrance to Washington by Seventh Street. A brief survey convinced him "that the works were but feebly manned"; the greatest achievement of the war seemed to be within his grasp. He ordered General Rodes to "bring his division into line as rapidly as possible and to move into the works if he could. But before the column, which was moving by flank, could be brought up Early, who was gazing intently at the line of works in his front, saw to his infinite vexation a column of men in blue file into them on the right and left; a fringe of skirmishers was thrown out in front, and from all the batteries in range a sharp artillery fire opened. His hopes of a surprise passed away in the wreathing smoke of the national guns, and he gave orders for a close reconnaissance of the position.

"The whole afternoon was consumed in this work, and as it proceeded the prospect for the Confederates became every hour more discouraging. * * * 'Inclosed forts for heavy artillery with a tier of lower works in front of each, pierced for an immense number of guns, the whole being connected by curtains, with ditches in front, and strengthened by palisades and abatis. * * * Every possible approach was raked with artillery.' In vain did he seek a point of entry on either side. As far as his eye could reach to the left over the bare spaces where the forests had been leveled to give play to the guns, the same powerful works; and his cavalry coming in from the right reported the fortifications on the Georgetown Pike to be still more impregnable. Early might well be excused for declining to rush his tired army upon these bristling works; he had less than 20,000 men—he says 'about 8,000 muskets,' * * * and he was laboring under a serious error in regard to the troops in front of him. He had captured some of the Sixth Corps at the Monocacy; the newspapers had informed him of the departure of heavy reinforcements from Petersburg; and when he saw the improvised levies of General Augur filing into the works in the afternoon, he came, not unnaturally, to the conclusion that he had to deal with the veterans of the Army of the Potomac. This supposed state of affairs called for the most careful preparation, and before the preparations were completed what he had imagined had become true; Wright, with his two magnificent divisions, had landed at the wharf, being received by President Lincoln in person amid a tumult of joyous cheering; and the advance of the Nineteenth Corps under W. H. Emory was also in the streets of Washington. When the rear of Early's infantry closed up in the evening, the Capital was already safe from a coup de main.

"It was with much diminution of his high spirits of the morning that Early called his generals together for consultation on the night of the 11th. There was clearly no time to be lost. Washington must be assaulted immediately if at all. The passes of South Mountain would soon be closed, he said—not knowing that Julian Stahel's troopers had already occupied them. But it was like parting soul and body for Early to give up his hope of seizing Washington, and he broke up the conference, saying he would assault the works at daybreak next morning, unless it should previously be shown to be impracticable. In the night he received false information from Bradley T. Johnson that two corps of the Army of the Potomac had arrived. He therefore delayed his attack until he could make one final reconnaissance; he rode to the front and found the parapets lined with troops. With the dome of the Capitol in his sight, gilded by the rays of the rising sun, he gave up all hope of capturing Washington. He knew, however, that it would be most unwise to turn and run by daylight in the face of such an enemy, and he therefore determined to maintain a bold front until nightfall, and then make good his retreat.

"The evening before, Wright had proposed to send out a brigade to clear away the enemy's skirmish line, but this was not thought advisable by General Augur until the Union lines were better established.

At night the Sixth Corps relieved the pickets and intrenched their line. On the morning of the 12th, skirmishing began and continued all the morning, and in the afternoon Daniel D. Bidwell's brigade of Getty's division was sent out by Wright to drive the Confederate skirmishers from a house and orchard near the Silver Spring Road. Rodes' division, which was in possession of the place, stood its ground handsomely, and a severe engagement ensued, which has a special interest from the fact that it was fought in full view of the Capitol, and was witnessed by the President of the United States on one side and on the other by General Breckenridge, the candidate who had received the suffrages of the seceding States in 1860.

"The President had resolutely refrained from giving military orders during the invasion—though sorely tempted to do so, on account of the disinclination of Grant and Halleck to interfere with each other's authority—but his interest in the progress of affairs was intense and ardent, and his presence among the soldiers aroused the greatest enthusiasm. When Rodes' division arrived on the afternoon of the 11th he saw the first shots exchanged in front of Fort Stevens, and stood in the fort, his tall figure making him a conspicuous mark, until urged to withdraw; and on the 12th, when Bidwell's brigade marched, in perfect order, out of the works, to drive the enemy from the Rives house, the President again stood, apparently unconscious of danger, watching with that grave and passive countenance, the progress of the fight amid the whizzing bullets of the sharpshooters, until an officer fell mortally wounded within 3 feet of him, and General Wright peremptorily represented to him the needless risk he was running. The national troops marched out with disciplined valor, worthy of the place and the spectators; they advanced in unbroken formation up the slight acclivity in the face of a destructive fire, drove the Confederates from the orchard and the grove which sheltered them, and pushed the enemy's pickets back for a mile. The success was gained not without loss; 280 of the small force engaged were killed and wounded."

A letter of the Secretary of War on the question is as follows:

FEBRUARY 11, 1925.

The Hon. SAMUEL E. COOK,
House of Representatives, Washington, D. C.

DEAR MR. COOK: In your letter of February 7, 1925, you request that I reconsider my report to the chairman of the Committee on Military Affairs on H. R. 11365, a bill which would provide for the creation of a national military park on the battle field at Fort Stevens. While I am unable to comply fully with your request, I am glad to have this opportunity to set forth at somewhat greater length the considerations on which I based my report.

In my opinion the purpose and nature of a national military park are properly indicated in the first paragraph of the act of August 19, 1890, for the establishment of the Chickamauga and Chattanooga National Military Park, from which I here quote:

"* * * for the purpose of preserving and suitably marking for historical and professional military study the fields of some of the most remarkable maneuvers and most brilliant fighting in the War of the Rebellion."

I feel that a national military park should be a piece of ground of considerable extent, the site of an important military engagement in which a comparatively large number of troops were involved, the outcome of which had a definite military and political effect. This site should be marked in such a way as not only to commemorate the event, the troops and individuals engaged, but also to preserve for historical purposes and tactical and strategical studies by military personnel the disposition of units and general plan of campaign of the battle. A consideration of the above will immediately reveal to you how far the battle field at Fort Stevens falls short of the requirements I deem necessary to justify the creation of a national military park. The fact that President Lincoln was there present during the battle, this being the only instance where a President of the United States has been under fire in a battle, is historically important and interesting, but I do not feel that it is sufficiently so to make this battle field suitable for the development you recommend. The other circumstance you mention, that this was the only military attack on the city of Washington in the Civil War, appears to me also to be of importance in a sense other than that required for this purpose.

As to your remarks on the act of June 8, 1906, I do not find myself in agreement with your view that Fort Stevens would not come within its scope. Fort Stevens might well be termed a historic landmark, and a means is provided in that act whereby the United States may obtain title to any desired tract which may be held in private ownership. In this connection you are no doubt aware of the fact that several forts, notably Fort Pulaski, Ga., and Fort Wood, N. Y., have been declared national monuments under this act. More recently the site of the grave of Meriwether Lewis has been relinquished to the United States, accepted by the Secretary of the Interior, and is now in process of being declared a national monument by presidential proclamation. If the Congress so desires, it can undoubtedly appropriate money for the purchase of the land at Fort Stevens, and when title is secured it would be immediately possible to have Fort Stevens declared a national monument. Indeed, I may go so far as to say that were such a bill referred to me for report I would be glad to give it a favorable recommendation.

I am myself extremely interested in the battle fields of America, and have taken every opportunity to visit and to study them, and there are many of them which should, in my opinion, be preserved and marked but I should like to have this done in a systematic way with a view both to economy and logical selection. I have heretofore expressed to Congress the opinion that no more national military parks should be established, and no more battle fields marked until after a study of the whole subject had been made and a program developed. However, I have not yet reached a conclusion as to what form this study should take.

I hope that the above remarks have made my attitude clear to you, and I regret that I am unable to consider Fort Stevens in the light you desire.

Sincerely yours,

JOHN W. WEEKS,
Secretary of War.

It will be observed that the bill as reported does not go as far as to provide for a military park, but declares it to be a historic landmark, and authorizes the Secretary of War to acquire the fort and such other lands as are deemed necessary by him to preserve the same, to the end that it may be declared a national monument by the President of the United States under the provisions of the act of June 8, 1906.

It seems to me that Congress should go further than is provided in the report. If it is not deemed wise to establish it as a military park, then it should be established as a city park, somewhat similar in size and beauty to Lincoln Park in the eastern part of the city.

Washington is a city of parks and the sentiment in their favor is constantly growing. The city is expanding in the direction of the fort. The latter is near Walter Reed Hospital and the National Cemetery, where sleep some of those who fell in the battle. There is no other park in that part of the city and the land is now vacant, with the exception of a few houses immediately south of the fort.

There is a movement for a general park system connecting all of the forts surrounding the city. However, it is apparent that much time, perhaps many years, will be required to accomplish such a great object and there is danger that while waiting for that, this historic spot may be entirely destroyed. Improvements are very near it and the necessary land should be secured before it is too late and have it in readiness to be linked up with the great highway connecting all of the forts surrounding the city.

I do not base my position on the size of the battle, which occurred in front of Fort Stevens, but on the fact that President Lincoln stood on the works of this fort, under fire, while the battle was going on. That fact alone makes the place where he stood of great historic value and adds a human interest, which is not found elsewhere. While the battle was not a large one, it has more than an ordinary significance and historic value, because it was the only military attack on the city of Washington in the Civil War, and occurred in the District of Columbia within sight of the Dome of the Capitol.

I believe it is the duty of each generation to preserve for future generations as many places of historical interest, relating to the country, as is possible. They reflect the glory of the past and are an inspiration to the future.

I fully realize the many important questions which are presented to Congress for consideration and how much time is necessarily required to enact legislation, yet I hope it will take time enough at the next session to fully consider this question and take some steps to properly preserve this historic place before its present condition is destroyed.

THE TRAGEDY OF THE IMMIGRANT

Mr. WEFALD. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD by having printed an article entitled "The tragedy of the immigrant."

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WEFALD. Mr. Speaker, it has been my observation that upon no question coming before Congress is there so much prejudice exhibited as when the question of immigration is up for discussion. This is natural. In all lands those whose ancestors have lived in the land for many generations are always prone to think that they by reason of their ancestry can love their native land more than those who have come into such country as immigrants or those whose ancestors are comparatively recent arrivals.

Out in the great Northwest lies an empire that Members of Congress from our industrial East as a rule know very little about. It is the great farming section of this country that has been built up during the last 80 years, almost exclusively by immigrants from northern Europe. Big stretches of that empire have been built up and are now owned by farmer folk from Norway; free-born men with big, strong bodies; with a determined will to conquer; with hearts full of the fear of God.

I think I am safe in saying that few other immigrants have held their mother country in such loving remembrance yet few make better citizens. As a rule they have paid the full price for all they have achieved here, for all that they own and possess. When the great American epic is written, some day, one of the finest stanzas in it will be that which will tell how these rawboned, stout-hearted men cleared the forests and put the soil of America under the plow while they themselves lived practically their whole life in dreamland. The article that I have obtained the right to extend into the RECORD is written by a man who is the editor of a newspaper, the Decorah Posten of Decorah, Iowa, printed in the Norwegian language, who was born in Norway and had his ideals formed there, for that reason—while thoroughly Americanized—he understands the immigrant. I feel this article is worthy of a place in the CONGRESSIONAL RECORD, as a memorial of the sturdy pioneers that he pictures, in this year that marks the one hundredth anniversary of the beginning of the Norwegian immigration into the United States.

THE TRAGEDY OF THE IMMIGRANT

(By Kristian Prestgard)

[Translated from the Norwegian by Knut Gjerset]

When we gather in America as Norsemen on festive occasions to talk about ourselves we usually talk about what we have accomplished here. Great things have, indeed, been achieved. We only need to take a trip across the Great Plains of the West to see what Norwegian hands have wrought. One only needs to behold the hundreds of Norwegian schools and institutions of learning to understand what has been accomplished for higher intellectual culture by our people. Thousands of Norwegian churches from ocean to ocean speak a language which can not be misunderstood. There is also a Norwegian press which has done a great service in America, for which it has not always received the credit it deserves. All this is the work of Norwegian immigrants. Of these and of many other things we have good reason to feel proud; hence we also like to talk about them.

As a change in this intellectual diet I shall venture to picture one phase of the life of the immigrant which, so far as I know, has never yet become a subject for discussion. What I have to offer will, therefore, be only a few plain, homemade thoughts. The theme I have chosen is the peculiar position of the immigrant in his new environment, especially that phase of it which most appropriately can be called "the tragedy of the immigrant." For a hundred years we have said nothing about it, possibly because a tragedy does not belong on a holiday program, but partly also because it is difficult to deal with, as it is not so easily visualized as churches, schools, and newspapers, though it is no less real. But there is also this further reason, which probably ought to have been stated first. We have kept silent because those immigrants who have felt the tragedy keenest have preferred that nothing should be said about it. It is their own private burden, which they have had to carry alone.

In this connection the term "tragedy" does not signify a mere outward occurrence, like a shipwreck, a railway accident, an epidemic, fire, or drought, as such happenings are not limited to any special class. The tragedy of the immigrant is a disaster taking place in the mind and soul of the individual. In many cases this tragedy is a more or less permanent condition, but it has several distinct phases, which I shall try to describe by means of a few illustrations.

The tragedy begins with the departure from the old home. I still remember distinctly the first case of this kind which I ever witnessed. I was only a small boy at the time, and did not fully understand the real significance of it all; yet I knew that something very important was about to happen, and this made a deep impression upon me. This was still in the days when the world was big, strange, and unknown; when America was the mystic land of adventure beyond the great ocean, on the other side of the earth. Things have changed since then. The earth has shrunk, as it were, in size. Distances have ceased to exist, and nothing is mystic any more.

The one who was to leave was a young man who had spent his whole childhood and youth in his home community without ever having ventured beyond its borders. It seldom happened in those days that anyone left his home district. Whenever such a thing occurred it was an event of importance, not only for the relatives but for the whole community. Elaborate preparations had to be made. Clothes and shoes were provided, butter churned, cheese boiled, bread baked, and abundant provisions carefully packed; for the voyage to America was so very long. Chests and boxes must also be made. These were supplied with strong iron bands, and bore the owner's name and address carefully painted, like all the well-known red and blue Norwegian-American chests. Finally the young man had to go from house to house to bid farewell to relatives and friends, a formal leave-taking which required considerable time. At last the sad and memorable day dawned when he had to bid farewell to father and mother, to sister and brother. "The threshold mile is the longest," says an old adage. Only he who has tried it knows how true it is.

The valley at home is shaped like a boat, broad in the middle and narrow at both ends. In the lower end the road crosses a ridge where a full view can be had of the whole valley. It was a custom that those who went away stopped here to look back. Those who arrived from a distance would also pause here to get a first view of the settlement. To this point the young man was accompanied by his nearest relatives. Behind him lay the scenes of his youth and childhood. Nearly every object enshrined some tender memory. In every home were friends who wished him well. There was the old schoolhouse where he had spent so many a day, the church where he had been confirmed together with his friends and playmates, the near-by churchyard where his father lay buried. There was the old mill with its fairy tales and quaint traditions, the forest where he knew every object. Here were his home, his family, his people. He felt that he was a part of it all. And now he was never to see it again. He began to walk slowly backward down the other side of the ridge. At every step a strip of the home settlement disappeared. He felt that something of the best in himself slowly sank into the grave before his eyes. At last he could barely see the top of the mountain Ruiho. Then he turned. It was done. Only a final word of farewell to his mother, and he stepped into the carriage and drove away. His relatives stood and looked after him as long as they could see him and his red chest. Then they too turned with swelling in their throats and walked slowly, silently homeward. No excitement had attended the parting. There was no melodrama. But something had happened which for all time had burned itself into their minds, both of him who left and of those who remained at home. Some very fine cords had been broken. It is an old story. When Gunnar of Hlidarendi on a similar occasion looked back and saw how beautiful were the mountain sides, the love of home overpowered him. He did not go abroad.

In order to understand the impression which such a simple event can make, it is necessary to know something of the people who dwell among the fjords and mountains of Norway. I can again point to my own home settlement as an example. There it lay isolated and alone. As already stated, it seldom happened that anyone left his home even for a short time; and seldom did a stranger come there to visit. Throughout the period of my youth, and as long prior to that time as anyone could remember, it had not happened that a farm had been bought or sold in the settlement. The same families had dwelt on the same farmsteads generation after generation; son had followed father as long as tradition had preserved any record. Families are found who have a continuous family record extending over more than 600 years. It is natural that in such an environment a strong family feeling and love for home and kindred is developed. Strong and tender ties bind all to the family, and to the farmstead where their fathers have lived and worked. Such a place is not—or was not in my youth—a commercial commodity which could be sold to the first person who should offer a suitable price.

In earlier times the task of the immigrant was even more difficult. America was still farther away and more unknown. The journey required many weeks or months and it was not even certain that a person would ever reach his destination. Those who left for America would usually go in groups. When such a group was to leave religious services were held giving the occasion the aspect of public mourning resembling that of a funeral. All knew that those who left would be forever lost to the home folks as completely as if they were carried to the grave. These various happenings may be regarded as the first act of the tragedy of the immigrant. The second takes place in America.

You may think that I state it too strongly when I call what I am now going to narrate a tragedy. This may be so, but we shall not quarrel about words. You will possibly say that you have never heard of such a tragedy. Perhaps your father and mother, under whose care you have grown up, and whom you ought to know, were such immigrants, or your grandparents may have been, and they may not seem to have been the victims of any tragedy. That is very probable, and still the tragedy may have existed, only it was enacted deep down below the surface of things. This part of the tragedy, or what you may wish to call it, consists, so far as the immigrant is concerned, in a desperate effort to convince himself that the cords which were severed when he left everything which was dear to him, which he was attached to and felt in sympathy with, are not really broken. It is not easy to admit frankly that one has been parted forever from all that is dearest to him in life. In secret one clings to it, even if it at last has become only a distant memory, and this is pardonable, for dear memories may

be a very essential part of our better selves. I can not dwell at length on the processes taking place in the mind and soul of the immigrant, but I shall try to describe a few features of his mental life.

The first story is probably more like an idyl than a tragedy. I used to know an old farmer who had settled in the great forests of northern Wisconsin. It is a long time ago. He was the first settler in that district, and in course of time he had become a sort of patriarch in the settlement which had sprung up around him. His farm was so well tilled that it looked like a garden. Round about it stood the evergreen forest as dense as a field of oats. So dense it had stood on his farm also when he began.

With his own hands he had grubbed every tree. He had saved the finest logs, of which he had built a number of houses. Some of the wood he had chopped for fuel, the rest he had burned to get rid of it. Then he had plowed, harrowed, and sowed the fields; and the grain grew magnificently. It is almost incomprehensible how two hands could have done so much even in the long period of 30 years. But what impressed me most of all was the dwelling house which he had built. It was a log house, of course, but not of the usual kind. It was a big two-story building with many rooms, with halls, and other features. He had hewn every log with his ax according to measure. He had planed them and fitted them neatly together with his own hands. The building was quite an exact copy of the house in which he was born and reared in his old home in Norway. Why had he done this? He might have built a simpler house, more easily and quickly constructed. I asked him one day. "Well," he said shyly, "I thought I would have it this way." I felt that I understood the reason for it even better than he himself did—that is, the real, inner reason. It was a pathetic effort to keep intact the cherished bonds which still united him with his old home. He felt, indeed, that he was a patriotic American, and he had good reason to feel proud of the small part of America which he himself had created. But while he was laboring to create a small part of the great America, he had built the tender memories of his own childhood into his dwelling in the new country. He felt that he belonged to two places, to two different countries, and that he loved them both very dearly. Probably without seeking to make the situation clear to himself, he had sought to unite the two.

Many a day the two old people, he and his wife, would walk about on the farm to see how everything was growing. It was a delight for them to see it. After endless labor and many privations they thought that they finally stood in the promised land of which they had dreamed in their youth. Their eyes caressed every foot of ground in this little paradise which they had snatched from the wilderness. It was theirs, "and they loved it with a love which only those can understand who were not born in America," as Andrew Carnegie once expressed it. But in the evening they sat in their Norwegian house and talked about the happy days of their youth, about life in a Norwegian mountain district. They would review little events which had grown bigger as years passed. These memories had a peculiar attraction and made their eyes large and dreamy. The two were both Norwegians and Americans, and both with equal whole-heartedness, a thing so difficult for us to understand. All this resembles an idyl, but the tragedy was nevertheless present. A casual outer circumstance would be enough to change the idyl into a tragedy in their minds.

Other immigrants may not have built their memories in this way into their houses, but many, very many, have brought with them from their homeland articles which they cherish like treasures because they are parts of their childhood home which they can still see and touch. This shows the same desire of the immigrant to take with him abroad the pillars of his high seat. There are in the Luther College museum many Norwegian articles which the immigrants have brought to this country. They are not so very artistic or so very useful either. I imagine that they have been collected for the purpose of giving the young men who study here an idea of the life of their fathers in the old country. To me, however, these old articles speak a very different language. They furnish unmistakable evidence of the peculiar dualism which I have attempted to describe. They express a desire on the part of the immigrants to maintain the bonds which united them to their old homes, at the same time that they were making an effort to strike roots in a new environment. They are, so to speak, a little mold from the old soil which still clings to the heartstrings and which the immigrant has brought with him across the ocean.

Let us use another illustration.

Many years ago, in Minneapolis, Minn., I knew a family. Both the man and his wife had come from Norway at about the age of 20. Now they had grown-up or half grown-up children, all very fine. They were a happy family. Then something happened. The wife died. From that time the husband was no longer his former self. He could not do as Terje Viken in Ibsen's poem—muse a day or two, and then shake off his sorrow. He grew melancholy and reticent. His happy smile was gone forever. The children mourned also over the lost mother, but they gradually forgot their loss. What he had lost they did not understand. "Knut will never forget his Bertha," said the neighbors; and this was true, for he had lost much more than they imagined. He had lost not only a faithful helpmate, but also the only person who fully understood him. Often when the children, in the midst of their friends, amused themselves in their own way, the parents sat and talked about memories of their old home. They had become so closely united because they had sprung from the same root, had breathed the same national atmosphere, had received the same impressions, had roamed about in the same surroundings, had sung the same songs, and had cherished the same thoughts. Hence they could sit for hours and talk together about what they remembered. One would ask the other: "Do you remember? * * * Do you remember?" A single accent of the home dialect would make them feel that they were again in their native environment. All this was laid in the grave with Bertha. So long as they both could cherish them together, the memories had been a treasure. Now they brought him only sadness and an increased feeling of loneliness. This the children did not understand, and it was not their fault. The things which had given zest and meaning to the life of their father from youth up had never been a part of their life. They had heard of the small mountain settlement in Norway with the same interest that they might have had in an account of Africa or China. The whole was something strange and foreign which was not theirs. Little by little Knut began to understand that he and his children in reality belonged to two different nations. There was a strange chasm between them, and they had struck roots on opposite sides of it. This is real tragedy—that of Knut and of many others.

In the case of many immigrants there is still another act of the tragedy, the saddest of all. I have heard of a farmer in Minnesota, who had come from Stod in Trondelagen, Norway, and was about in the same position as Knut in Minneapolis. The longing for the scenes of his youth finally became so strong that he suddenly packed his trunk and booked passage for Norway. On arriving in Christiania he took the first train to Trondhjem, and the first steamer up the Trondhjemsfjord to Stod. He felt that no conveyance could carry him swiftly enough to his destination. But now that he had finally arrived, what did he see? There was his native district, which he saw once more after 40 years of longing. Did he find what he sought? And what did he seek? Without knowing it, he was in reality seeking his own youth; and he did not find it. He found nothing of what he sought. Most of his old friends were resting in the churchyard, where he could read their names on the gravestones. The people he met were strangers to him. Everything was changed. But he did not realize that he himself had changed most of all. The picture of the old home district which he had carried in his soul for 40 years did not seem real. It was false. This was not his home district, his home, or his people. He felt as if he was hunting for a lost treasure, stirring in the ashes on the charred foundation of his childhood home, which had long since been burned. He had forgotten that years pass, and that time and life are changing. After tarrying a few days he could not endure it any longer. Poor, stripped of every illusion, he hastened away to Trondhjem, and to Christiania, where he took passage on the first steamer going to America. Neither steamer nor railway train could carry him fast enough back to Minnesota. Now only shreds remained of the old goldon cords. This is tragedy. Did this loss make him a better American? No; it made him rather a man without a country. He is not the only one who after many years spent in foreign lands has returned home only to find his Stod.

These are a few features of what I have termed the tragedy of the immigrant, a tragedy which is enacted in secret, of which we see very little and hear still less. This strange dualism in the life of the immigrant will naturally manifest itself differenty in different individuals. Much will depend on a person's character, his development, the kind of experience he has had in his youth, to what degree he has participated in the cultural and political life of his native land. Many immigrants may not even understand the real reason for their restlessness, and would find difficulty in explaining it if they were asked. But most of them have passed through experiences of this kind, from the first Norwegian immigrants who came to America in 1825 to the ones who lately arrived on the steamer *Bergensfjord*.

Now, you may object and say that what I have told is pure imagination. If the immigrants have such a longing for their native land that it at times becomes a real tragedy, those who claim that the foreigners can not become really patriotic Americans must be right. Now, we know from experience that they become very patriotic Americans but this sounds like self-contradiction, and requires an explanation. That the foreign born become patriotic Americans has been proved so conclusively that it need not even be discussed. No one could expend the energy or do the work which they have done in this country without becoming good Americans. I have only tried to show that they are also something else, something which from day to day is not seen, but which is nevertheless a very essential part of their make-up. This does not prevent them from becoming devotedly attached to the country where they have done their life work. It does not prevent them from becoming as good Americans as ever trod the earth. It was for the purpose of becoming Americans that they

left all that was dear to them and came here. They did not come like tourists on a visit, or like students, to return after a short stay. They came of their own choice to build their homes here and to become Americans. No other group of citizens has sacrificed so much to become Americans as these immigrants. Through their work and their achievements they are united to America by the strongest ties. But through their memories they are united to Norway. This is the peculiar position of the immigrant—his tragedy. In the final analysis, then, the question becomes: Is it possible to love two countries at the same time and to become devotedly attached to both? Is it possible at the same time to be a Norwegian and an American?

Lately much has been both spoken and written about this matter, but the amount of nonsense which has been uttered reveals an astonishing ignorance of the difficult position of the immigrant. I do not refer merely to the hysterical absurdity to which we were treated during the war. But even highly cultivated and intelligent men and women have talked away about these things without thinking. Even former President Roosevelt, who was such a master in coining striking phrases, said once that it was just as impossible to love two countries at the same time as to be faithful to two women. Now, I am sure that I am in no way an exception when I state that I have loved two women at the same time, and that, so far as I know, I have been faithful to both. One of them was my mother, the other my wife. It has never occurred to me that I loved my wife less because I also loved my mother, and I am sure that President Roosevelt would have said the same. But without thinking he coined a phrase which has done great harm.

We of Norwegian birth can very properly call Norway our mother and America the wife whom we have freely chosen. No one need attempt to convince me that I am a worse American because I am a good Norseman, and because till this day I carry my mother's image in my heart. Much of what has been written about this matter lately would have us believe that in order to be a really good American one must despise all other nations, even one's own, if one happens to be an immigrant. Thousands have received this impression and have felt hurt. A few, with little or no mental ballast, have acted according to this theory, because they thought that it would pay. For my own part, I have not yet learned to respect a man who soils his own nest because he believes that it pays. He who posed as a Norseman yesterday and pretended to be an American to-day may be a Mexican to-morrow; and if he should find himself in such a position the day after to-morrow that he thought it would pay to be a Hottentot, he would solemnly declare that he belonged to that nationality. There are a few such persons, but they should not be regarded as model citizens. A person who pretends that in 24 hours he can be changed from one nationality to another is not made of such stuff that he can contribute anything of value to any nation. A true national spirit and love of country, or patriotism, as we call it, can not be pasted on like a label or carried around like a signboard. If it is to be genuine, it must grow from within. But everything which grows in a natural way grows slowly. It requires time, but the growth may be aided or retarded. I may trench on dangerous ground, but I feel obliged to say that much of the effort made to Americanize foreigners has not only been useless but has retarded the only natural process. The only way to promote the process successfully is to understand the peculiar position of the foreigner, to treat him with sympathy, to make him feel that he is welcome here. Let him keep his memories. Allow him to remain faithful to the best instincts in his human nature. This is the first step necessary in creating such a condition that he can begin to strike root in the new soil. To attempt to promote the process of Americanization by force and coercion is as impossible and unnatural as to pass a law that this year all the young apple trees planted shall grow at least 12 feet.

In my youth I spent six months in Schleswig. I went thither from Denmark to study as well as I could the process of changing one nationality to another by force. This was 24 years after the war which made Schleswig a German Province. During all these years the Germans had striven with their accustomed thoroughness to make Germans out of the 160,000 Danes living in the Province. There was nothing lacking in German zeal and thoroughness. Their system and methods were in perfect order. The whole machinery was working with wonderful precision. There was such a multitude of laws, regulations, ordinances, and things that the people had all they could do to avoid stumbling against some of them. A great number of things were verboten. It was verboten to sing Danish songs or to arrange little parties in private homes. It was verboten to plant red and white flowers too closely together in the garden, as red and white were the Danish colors. It was verboten for Danish children to talk Danish on the school grounds, although this was the only language they really knew. In school they had to sing Up ewig ungedeelt and Schleswig-Holstein meerumschlungen. Everything went according to rule, precisely as if made by square and compass. And what was the result? With the expected transformation everything went wrong. The outcome was that at the time I was there the Danish sentiment in Schleswig was a hundredfold stronger than when the Germans first began their system of Germanization. The result of every election also proved this conclusively. The German officials were sorely disappointed, but it did not occur to them that there could be anything wrong with the German system or methods which had achieved such wonders everywhere. Such a possibility was so unthinkable that they dismissed the idea from their minds and continued as before, except that the reins of authority were continually tightened, until four years ago they had to surrender northern Schleswig to Denmark as stolen goods. There can be no doubt whatever that in 1920, after 56 years of systematic, methodical Germanization, they delivered northern Schleswig much more intensely Danish than it was when they seized it in 1864. Such is the result when one nationality is to be changed into another by force. I do not blame the German people for this national oppression. They did not know much about what happened in Schleswig or in any other German border Province. But the imperial German bureaucracy, steeped in militarism, could not understand the simple truth that there are things, even very valuable things, which can not be accomplished by force.

As a contrast to this, I must tell still another story. Shortly after my return from Schleswig it happened that I rented a room in the home of a Dane from there who had settled in Seljord, in Telemarken, Norway. He had fled from Schleswig to escape the German military service, and knew that he could never again return to his old home. He had lived in the Norwegian district for some years when I first learned to know him, and it was quite remarkable how Norwegian he had become in those few years. Not only was he a naturalized Norwegian citizen, but he participated diligently in every activity in the community in which he lived. He took part in the stormy Norwegian political life of the eighties. He participated with enthusiasm in the young people's movement which had just been started at that time. He had leagued himself closely with everything that was young, living, and growing in the country. He was even an active supporter of the movement to establish the Norse folk speech as the official and literary language of Norway. He had become a thorough Norwegian.

I once heard him deliver a 17th of May speech, which he began thus: "When we Norwegians assemble to celebrate the 17th of May." "We Norwegians," he said, and no one laughed at him. It seemed the most natural thing in the world. The people in the community had adopted him as one of their own. What miracle had happened here? If this man could have lived under Prussian rule for a thousand years he would not have become a German. But after a few years' residence in Seljord he had become a patriotic, whole-hearted Norwegian. The reason for this is evident and very natural. In the first place, Norway was his country by choice. In the second place, his neighbors in Seljord did not attempt to make him a Norwegian by force. No one ridiculed his foreign accent, called him an ignorant foreigner, or intimated that he was inferior to the native-born. He had come to the district as a stranger to make his home there. He was received as a homeless friend. He felt the kindness, the sympathy, and the goodwill shown him. This was the soil in which he could strike new roots and grow. Probably without being fully aware of it he had become a Norwegian because he had been permitted to remain faithful to the best impulses of his being. This is the only successful and natural process by which a person can be changed from one nationality to another.

But even this exiled Schleswiger felt something of the dualism, the secret longing in mind and soul which has been the lot of the immigrant at all times and in all lands. I know it positively, for I knew him well. Deep in his heart he carried the image of a small home in Hadersiev in Schleswig, and of a kind, sad old mother who worked diligently in her garden with her red and white flowers. His own room he had arranged like a little part of Hadersiev. There were large pictures of his father and mother, and of his old home with a little Danish flag on either side. There were pictures of dear places on the walls, articles of various kinds from his old home, associated with many tender memories. Again the old and ever new story about the pillars of the high-seat. Here he sat during quiet hours and reviewed the dear, sad memories; dear, because they were associated with his own careless youth, but sad, because he knew that they could never be anything but memories.

One summer the longing for his childhood home became so strong that he packed his trunk and started south. To Hadersiev he could not go, so he went to a small Danish town near the German border. Here his mother and brother met him, and they spent a few days together. Every day, he told me later, he climbed into the tower of the town church to see if he could get a glimpse of the highest houses in Hadersiev. But he saw nothing, either because the weather was unfavorable or because it was too far. Then he returned to Seljord, and never left his home again. There he died last year. He was, after all, an immigrant.

On these trips to Schleswig and Telemarken I have not lost sight of the American immigrants; in fact, it is about them I have been talking.

The immigrant is above all a man of toil. He came to America for the purpose of working. Circumstances have compelled him to toil and he has never been afraid to lay hold of his task. This has in a way

been his salvation. He has had a share in creating the America which we now know, and through this constant labor he has little by little become an American. His toil which has brought its due reward, has made him an American. It has also been the best cure for his loneliness, and his longing for all that which he has had to sacrifice to become an American.

I must again refer to that old man and his farm in Wisconsin. There lay the well-tilled farm which he had won from the primeval forest. Everything was the work of his own hands. It was his contribution to the making of America. And while he has labored to create this little piece of America, he had himself gradually changed. The process had been the making of an American. But in the center of this little piece of America lay a piece of Norway, his Gudbrandsdal dwelling house. I mention these things because they illustrate clearly the dualism peculiar to the immigrant. He was a Norseman by birth and training, but he became an American because day by day for 30 years he has had helped to build America. There are thousands like him. The immigrants have done a constructive work here with plow, pen, and book; and through this work they have become Americans at the same time that they have hummed the old tunes from their native districts in the old country. There is no one whom we have praised more highly than the pioneer, and probably there is no one whom we have understood so little. We have praised him for his piety, his frugality, his wonderful diligence, and for all that he has been able to accomplish. This we understand; but we have not always been able to understand his difficult position, or to realize that he is also a tragic figure, though he may have been able to reach a certain degree of affluence through diligence and hard work. He is a tragic personality because he is, so to speak, the missing link, the transition between one nation and another. He is the beginning of what is once to be a completely organized, homogeneous American Nation. This we are not yet. We are a strong Nation as to national organization and political institutions, but we are not yet in the fullest sense a complete national entity. We are yet too new in this country to have achieved this. Even those of us who have been here longest are yet newcomers, historically considered. We are yet, in a broader sense, a Nation of Immigrants. Some of us came to-day, some yesterday, and some day before yesterday. And those who came day before yesterday sometimes amuse themselves by calling those who came to-day ignorant foreigners. Probably this shows better than anything else that we are still far from being a national entity in soul and spirit. But fortunately the melting-pot does its work without fail. When immigration finally ceases or almost ceases, and all of us for some centuries have carried stones to the same national structure, we will be as well united an ethnological entity as we are now a strong political unit. But before this can happen all of us must have remained so long in this country that we can live a more quiet and introspective life than at present.

The birth of a nation is a much slower process than many believe. But the process of amalgamation will proceed so much the faster if we try to understand one another, and especially if we try to understand the immigrant, who has sacrificed more than anyone else to become an American. If we try to understand one another, we will also see that any effort to Americanize people by force or by artificial means is a foolish attempt which only retards the process. All experience proves it. If the Americanization of the foreign-born hitherto has proceeded so rapidly and in such an easy and natural way, it is only because the immigrant has been permitted to be what he is, has been allowed to use his own language side by side with the English, which he naturally would learn as soon as possible, because it has been to his advantage to learn it. He has been permitted to cherish his own memories, to worship God in his own language, to build his own schools for his children, to publish his own books and newspapers. All these things have originated in a natural way because, among the immigrants, there has been a distinct demand for them. They bridge the chasm between the two periods in their own lives, between the immigrants themselves, between one generation and another. They help them to thrive and feel at home here; hence they are the best means that can be employed to promote Americanization. When the need of them no longer exists they will disappear without any effort to eliminate them. It is probably too much to expect that native-born Americans should understand this. Too many have the idea that the immigrants are a ragged, hungry horde coming from some poor distant land. Here, where there is enough food, they satisfy their hunger, they get new clothes, and this ought to change them immediately into good Americans. Their former life is to be cut off like a thread. The whole thing seems so charmingly simple. Probably these persons have never even stopped to think that the greater part of the food products of America are produced by foreigners. It was immigrants who in years passed cleared the first stretch along the Atlantic seaboard; and when this was settled, they moved farther inland and cleared the States farther west. Other immigrants came later and cleared new areas still farther west in Illinois, Wisconsin, and Iowa in turn. Have you ever heard of a New England patrician who cleared land in Minnesota or the Dakotas? No; this had to be done by new bands of immigrants. Farther west and still farther west they settled, until the Northwest became what it is to-day. It is largely the immigrant that has built America. This has been forgotten by many of the native-born citizens; and in the war excitement of the last few years, they have begun to regulate the process of Americanization, an attempt which must inevitably fail, because those who undertake it do not understand either the process itself or the persons who are to be changed by it. But among the really intelligent, thinking, old-stock Americans there are also many who understand the situation. It should be our effort to make many more understand.

I have spoken about the Norwegian immigrants, but what I have stated can be said also about other immigrants, especially about those from the north.

A DEFENSE OF WEST VIRGINIA

Mr. TAYLOR of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by quoting briefly from a chapter in a book recent issued entitled "These United States," in which the State of West Virginia is libeled, and to make a suitable answer thereto.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TAYLOR of West Virginia. Mr. Speaker, there has recently appeared, under the title of "These United States," a book of essays which is so manifestly unfair and libelous in its discussion of the State of West Virginia that I feel that I must reply to it in this manner.

This book is from the press of Boni & Liveright, of New York, and the offending chapter which does an injustice to my State was written by one James M. Cain, who is said to be a Baltimore newspaper man and whose acquaintance with the great State which I have the honor in part to represent is limited to a few weeks' residence within her borders at the time that some labor troubles resulted in the southern tier of counties, and later during the so-called "armed march" trials which were held, under a change of venue, in some of the other counties of the State.

One who has spent but a few weeks in a State such as West Virginia, where the interests are so diversified and where the topography of the country is such as to make intercourse with the various sections difficult, can not in a few weeks, a few months, or even a few years, without concentration of thought and effort, make a State-wide estimate of the habits and characteristics of the people, and any attempt to do so renders the effort ridiculous in the eyes of people who in a spirit of fair play want the full facts in every case before passing judgment.

This publication has been taken seriously in many sections of the country and some flattering press reviews have been accorded it. The review in the Brooklyn Eagle says:

> Read this book. You will know more about your fellow countrymen than you ever did before, and you will know more about yourself. Here is no flag-waving spiel, but a straight view at conditions as they exist.

Of course, the Eagle is in error.

There may be some points of excellence in the book. All of its chapters, perhaps, were not written by Mr. Cain. The spirit of fair play and accuracy may have pervaded some of the writers, and this is not a broadside against the publication as a whole but specifically against the chapter on West Virginia, which does a great State and a great people rank injustice.

It is a regrettable fact that West Virginia has had in recent years some labor troubles. These have been magnified, distorted. Sensational writers have used them for the furtherance of special ends. They were local in aspect and involved but a small number of the million and a half of people who make up the population of the State, and to judge a State by any disorder local in its character is manifestly unfair.

Mr. Cain says:

> A melodrama where men carry pistols, often in leather holsters, and wear big black felt hats of the kind affected by the late William Frederick Cody. Where they give each other three-fingered handshakes, and slips of paper pass from palm to palm. Where hoarsely whispered plots are met by counterplots and detective agencies flourish. Where personal differences are settled by guns and letters taken from bodies designate persons by initials and numbers. Where the most casual visitor is a myster'us stranger. Where murder, dynamiting, arson, and insurrection are the usual order of the day and night. In brief, where life is a silly hodgepodge of two-gun heroes, find-the-paper villains, and sweaty mysteries—a peanut-and-hisses melodrama of coal.

This is his indictment of the whole State. He fails to mention the fact that despite local labor troubles the State is making rapid strides educationally. Of our population of 1,463,000 there are 479,225 enrolled in the schools of the State. There are 218 classified high schools, in which 33,164 students are

enrolled. Last year more than 4,000 boys and girls graduated from these high schools, and 1,500, or 33 per cent, entered the various colleges and normal schools. A thousand entered the State university. The high-school course is equivalent to that of any State in the Union. We have six normal schools, maintained by the State, and two trade schools for the purpose of preparing teachers for the grades. The university and six other privately maintained colleges are making an effort to take care of the balance of this higher educational development. More than 2,500 new teachers are needed in the State each year.

Mr. Cain fails to tell that the State is growing spiritually as well as educationally. We maintain a State council of religious education, presided over by a paid general superintendent, with an efficient staff of State workers. Many of the 55 counties of the State have county organizations and some have paid secretaries. Sunday-school work is encouraged and is largely on the increase. Churches are found in every community, and the spiritual needs of our people are looked after by educated clergymen, and all this in a State where it has been made to appear that gunmen thrive and lawlessness flourishes.

West Virginia is not lagging behind in its social development. Fifty million dollars is being expended by the State in a network of hard-surfaced roads, which will link every county seat. In addition to this, nearly every county has voted bonds, by magisterial districts, for permanent road improvement, and the work is being carried on in every county. At the capital, Charleston, a statehouse is being erected at a cost of several million dollars to house the various departments of State government.

In the recent election 72 per cent of the eligible vote of the State was cast, a percentage greater than any other State in the Union. We have a splendid child labor law, a model workmen's compensation law, and a compulsory education law. The general health of the people is looked after by a State health department. State hospitals and many private hospitals are maintained. Chautauquas and lyceums visit practically every county and find it profitable. More than 20 Kiwanis Clubs and 20 Rotary Clubs are thriving, and there are other civic and fraternal organizations without number. Numerous health camps are established for the benefit of weak and undernourished children. Under the supervision of the State department of agriculture and in conjunction with the agricultural experiment station of the university, agriculture and Four-H Club work is carried on, and thousands of farmers and their children are interested. Many counties have agricultural agents and home-demonstration agents, and home economics is taught. Many communities have public-health nurses. There is a parent-teachers' association in almost every community and parents are cooperating with teachers in the education of their children.

In thousands of miners' homes will be found pianos, graphophones, radios, books, and the family automobile is the rule and not the exception. The same is true of the home life of many of the farmers. The better class of entertainment is featured. The theater and opera flourish. The people demand and generally receive the best in motion pictures, and the motion-picture theater is found in every community.

West Virginia was one of the first States to vote "dry." By a majority vote of nearly 100,000, liquor was banished in 1914. The chinked-and-daubed cabin of the early settler is giving way to homes of modern architecture and convenience. The State has a law whereby municipalities may vote for a tax levy for municipal band aid, and some of the State's cities and towns, even in the face of higher taxation for school and road improvement, have expressed appreciation of music by voting this levy. Numerous musical organizations are maintained and frequent concerts are given.

Every county has a newspaper, some have several of them, and a high class of journalism is the rule. The larger towns and cities have daily papers, and the daily and weekly papers are great assets in the education as well as the spiritual and material advancement of the State.

It is not for me here to speak of the State's great wealth of material resources—of her abundance of coal, oil, gas, and hardwood, which pour a wealth of gold into her lap each year; of her thousands of acres of blue-grass farms; of her millions of bushels of fine apples, peaches, grapes, and other fruits; of her thoroughbred cattle and sheep. To speak of all these things would be to tire the patience of the reader.

Agricultural fairs are held in a number of counties, and the exhibits are eye openers for those who, like Mr. Cain, speak of the State as being a "melodrama of coal." State aid is given to agricultural fairs. We have a pistol license law, and probably much less than 1 per cent of the population are licensed "pistol toters." A few others, of course, transgress the law, but not enough to justify such an article as Mr. Cain has written. West Virginians have the courage of their convictions and are of that sturdy pioneer stock that compels them to attempt to right a wrong; they are intelligent, cultured, generous, hospitable, and thrifty. A ride through the State over any of the four great railroad systems which pass through it is not sufficient contact for one to judge of our people or write hastily concerning them. One must spend some time as a citizen, or as a visitor spend some weeks at some of our health-giving resorts where medicinal waters flow, or fish in our crystal streams, or be a guest in the homes of miners, farmers, lumbermen, railroad employees, merchants, manufacturers, bankers, teachers, and others to get a clear conception of the greatness of the people of my State. When this is done slanderous articles by Mr. Cain or any other paid writer will fail to hurt us. I extend to you a cordial invitation to come among us and judge for yourself.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes.

That the Senate further insists upon its amendments to said bill and asked a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and ordered that Mr. Warren, Mr. Curtis, and Mr. Overman be the conferees on the part of the Senate.

The message also announced that the Senate had passed, without amendment, joint resolution (H. J. Res. 347) providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Sundry messages in writing from the President of the United States, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved bills and resolutions of the following titles:

On February 19, 1925:

H. R. 4548. An act authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards; and

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands.

On February 20, 1925:

H. R. 103. An act for the inclusion of certain lands in the Plumas National Forest, Calif., and for other purposes; and

H. R. 10471. An act authorizing the Postmaster General to permit the use of precanceled stamped envelopes.

On February 21, 1925:

H. J. Res. 325. Joint resolution extending the time during which certain domestic animals which have crossed the boundary line into foreign countries may be returned duty free;

H. J. Res. 342. Joint resolution to authorize the appointment of an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission;

H. R. 2656. An act to permit the correction of the general account of Robert G. Hilton, former Assistant Treasurer of the United States;

H. R. 2745. An act for the relief of J. M. Farrell;

H. R. 6581. An act authorizing the Postmaster General to provide emergency mail service in Alaska;

H. R. 7911. An act to authorize the Secretary of the Treasury to sell the appraisers' stores property in Providence, R. I.;

H. R. 10287. An act authorizing preliminary examination and survey of the Caloosahatchee River in Florida with a view to the control of floods;

H. R. 5061. An act for the relief of Russell Wilmer Johnson;

H. R. 8410. An act to change the name of Third Place NE. to Abbey Place;

H. R. 9308. An act to authorize the appointment of Machinist Henry F. Mulloy, United States Navy, as an ensign in the regular Navy;

H. R. 9700. An act to authorize the Secretary of State to enlarge the site and erect buildings thereon for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan;

H. R. 11214. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, as amended by the act of December 30, 1910; and

H. R. 11474. An act to fix the time for holding the terms of the United States District Court for the Eastern District of Virginia, at Alexandria.

On February 24, 1925:

H. R. 8267. An act for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 8741. An act for the relief of Flora M. Herrick;

H. R. 9095. An act to incorporate the American War Mothers;

H. R. 9494. An act to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest;

H. R. 9537. An act to authorize the Secretary of Commerce to transfer to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.;

H. R. 9724. An act to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of Zachary Taylor, former President of the United States, and of the memorial shaft erected to his memory, and for other purposes;

H. R. 11445. An act to amend the national defense act;

H. R. 157. An act to authorize the more complete endowment of agricultural experiment stations, and for other purposes;

H. R. 2716. An act to amend paragraph 20 of section 24 of the Judicial Code as amended by act of November 23, 1921, entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes";

H. R. 11725. An act to legalize a pier and wharf in York River at Gloucester Banks, near Gloucester Point, Va.; and

H. R. 11952. An act to authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park.

On February 25, 1925:

H. R. 4825. An act for the establishment of industrial schools for Alaskan native children, and for other purposes;

H. R. 6436. An act for the relief of Isidor Steger;

H. R. 11957. An act to authorize the President in certain cases to modify visé fees;

H. R. 2419. An act for the relief of Michael Curran;

H. R. 6095. An act authorizing the owners of the steamship *Malta Maru* to bring suit against the United States of America;

H. R. 7631. An act for the relief of Charles T. Clayton and others;

H. R. 8298. An act for the relief of Byron S. Adams;

H. R. 10348. An act authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anne Archbold donated to the United States for park purposes;

H. R. 12064. An act to recognize and reward the accomplishment of the world flyers;

H. R. 166. An act authorizing the Secretary of the Interior to issue patent to the city of Redlands, Calif., for certain lands, and for other purposes;

H. R. 3927. An act granting public lands to the town of Silverton, Colo., for public park purposes;

H. R. 5170. An act providing for an exchange of lands between Anton Hiersche and the United States in connection with the North Platte Federal irrigation project;

H. R. 6853. An act to relinquish the title of the United States to the land in the preemption claim of William Weekley, situate in the county of Baldwin, State of Alabama;

H. R. 8226. An act granting relief to the First State Savings Bank of Gladwin, Mich.;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9688. An act granting public lands to the city of Red Bluff, Calif., for a public park;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.; and

H. R. 10411. An act granting desert-land entrymen an extension of time for making final proof.

On February 26, 1925:

H. R. 2720. An act to authorize the sale of lands in Pittsburgh, Pa.;

H. R. 4114. An act authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.;

H. R. 4202. An act to amend section 3186 of the Revised Statutes, as amended;

H. R. 7190. An act to amend the China trade act, 1922;

H. R. 7780. An act for the relief of Fred J. La May;

H. R. 8438. An act granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Monongahela River from Cliff Street, McKeesport, to a point opposite in the city of Duquesne;

H. R. 10412. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct a bridge across the Little Calumet River;

H. R. 10596. An act to extend the times for commencing and completing the construction of a dam across the Red River of the North;

H. R. 11030. An act to revive and reenact the act entitled "An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.," approved May 31, 1921;

H. R. 11255. An act granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.) to construct a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va.;

H. R. 11668. An act granting consent of Congress to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate bridges over the Mississippi and Ohio Rivers at or near Cairo, Ill., and for other purposes;

H. R. 11703. An act granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of St. Charles, in the county of Arkansas, in the State of Arkansas;

H. R. 11737. An act authorizing preliminary examinations and surveys of sundry rivers with a view to the control of their floods;

H. R. 11825. An act to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio;

H. R. 491. An act for the prevention of venereal diseases in the District of Columbia, and for other purposes; and

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians.

On February 27, 1925:

H. R. 5204. An act to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian, Polk County, in the State of Florida, and for other purposes;

H. R. 4522. An act to provide for the completion of the topographical survey of the United States;

H. R. 8169. An act for the relief of John J. Dobbertin;

H. R. 5726. An act to amend the act of Congress of March 3, 1921, entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act of Congress for the divisions of the lands and funds of the Osage Indians in Oklahoma, and for other purposes'";

H. R. 8522. An act granting to certain claimants the preference right to purchase unappropriated public lands; and

H. R. 11753. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes.

On February 28, 1925:

H. R. 10533. An act granting the consent of Congress to the State of Washington to construct, maintain, and operate a bridge across the Columbia River;

H. R. 27. An act to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the settlement for the Minnesota National Forest;

H. R. 2689. An act to consolidate certain lands within the Snoqualmie National Forest;

H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 8366. An act to add certain lands to the Santiam National Forest;

H. R. 9634. An act to provide for the creation, organization, administration, and maintenance of a naval reserve and a Marine Corps reserve;

H. R. 11444. An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes;

H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands"; and

H. R. 12192. An act to authorize the creation of game refuges on the Ozark National Forest in the State of Arkansas.

On March 2, 1925:

H. R. 11706. An act to authorize the construction of a bridge across the Pend d'Oreille River at or near the Newport-Priest River road crossing, Wash. and Idaho;

H. R. 11978. An act granting the consent of Congress to the commissioners of McKean County, Pa., to construct a bridge across the Allegheny River;

H. J. Res. 318. Joint resolution establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, authorizing an appropriation to be utilized in connection with such observance, and for other purposes;

H. R. 1569. An act for the relief of Andrew A. Gieriet;

H. R. 4913. An act to pay to Jere Austill fees earned as United States commissioner;

H. R. 5660. An act for the relief of Charles Spencer;

H. R. 5759. An act for the relief of James F. Abbott;

H. R. 7118. An act for the relief of the Mechanics & Metals National Bank, successor to the New York Produce Exchange Bank;

H. R. 8072. An act for the relief of Emma Zembsch;

H. R. 8294. An act for the relief of Edward B. Sappington;

H. R. 8297. An act for the relief of the Canadian Pacific Railway Co.;

H. R. 11362. An act to authorize an appropriation for the purchase of certain lots in the town of Cedar City, Utah, for the use and benefit of a small band of Piute Indians located thereon;

H. R. 12001. An act to provide for the elimination of Lamond grade crossing in the District of Columbia, and for the extension of Van Buren Street; and

H. R. 12086. An act to authorize the transfer of the United States Weather Bureau site and buildings at East Lansing, Mich., to the State of Michigan in exchange for another Weather Bureau site on the grounds of the Michigan State Board of Agriculture and other considerations.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

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

H. R. 11444. An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes;

H. R. 8297. An act for the relief of the Canadian Pacific Railway Co.;

H. R. 8294. An act for the relief of Edward B. Sappington;

H. R. 8072. An act for the relief of Emma Zembsch;

H. R. 8037. An act for the relief of the Mallory Steamship Co.;

H. R. 7679. An act for the relief of Lars O. Elstad and his assigns and the exchange of certain lands owned by the Northern Pacific Railway Co.;

H. R. 7118. An act for the relief of the Mechanics & Metals National Bank, successor to the New York Produce Exchange Bank;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 6268. An act for the relief of Francis M. Atherton;

H. R. 6095. An act to authorize the Secretary of War to sell real property, to wit, a portion of the Fort Revere Reservation at Hull, Mass.;

H. R. 6045. An act authorizing the Secretary of the Interior to sell and patent certain lands to Flora Horton, a resident of De Soto Parish, La.;

H. R. 6044. An act authorizing the Secretary of the Interior to sell and patent certain lands to Lizzie M. Nickey, a resident of De Soto Parish, La.;

H. R. 5786. An act for the relief of Roberta H. Leigh and Laura H. Pettit;

H. R. 5759. An act for the relief of James F. Abbott;

H. R. 5660. An act for the relief of Charles Spencer;

H. R. 4913. An act to pay to Jere Austill fees earned as United States commissioner;

H. R. 4148. An act to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes;

H. R. 3842. An act to provide for terms of the United States District Court at Denton, Md.;

H. R. 2905. An act to authorize an exchange of lands with Ed Johnson, of Eagle, Colo.;

H. R. 2016. An act for the relief of William M. Phillipson;

H. R. 1569. An act for the relief of Andrew A. Gieriet;

H. R. 1539. An act for the relief of Caleb Aber.

H. R. 1415. An act for the relief of Josiah Frederick Dose;

H. R. 1948. An act for the relief of Samuel Friedman as trustee for the heirs and devisees of B. Friedman, deceased, and Henry Mills, as trustee for the heirs and devisees of Emanuel Loveman, deceased;

H. J. Res. 318. A joint resolution establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, authorizing an appropriation to be utilized in connection with such observance, and for other purposes;

H. J. Res. 115. A joint resolution approving the action of the Secretary of War in directing the issuance of quartermaster stores for the relief of sufferers from the cyclone at Lagrange and at West Point, Ga., and vicinity March, 1920;

H. R. 12086. An act to authorize the transfer of the United States Weather Bureau site and buildings at East Lansing, Mich., to the State of Michigan in exchange for another Weather Bureau site on the grounds of the Michigan State Board of Agriculture, and other considerations;

H. R. 12001. An act to provide for the elimination of Lamond grade crossing in the District of Columbia, and for the extension of Van Buren Street;

H. R. 11701. An act to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887;

H. R. 11360. An act to provide for the permanent withdrawal of certain 40-acre tract of public lands in New Mexico for use and benefit of the Navajo Indians;

H. R. 11358. An act to authorize the Secretary of the Interior to cancel restricted fee patents covering lands on the Winnebago Indian Reservation and to issue trust patents in lieu thereof;

H. R. 11362. An act to authorize an appropriation for the purchase of certain lots in the town of Cedar City, Utah, for the use and benefit of a small band of Piute Indians located thereon;

H. R. 11977. An act to extend the time for the commencement and completion of the bridge of the American Niagara Railroad Corporation across the Niagara River in the State of New York;

H. R. 11954. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River at Gary, Ind.;

H. R. 11953. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, and range 9 west of the second principal meridian in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue;

H. R. 11886. An act to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stat. L. p. 961);

H. R. 11726. An act to authorize the creation of a national memorial in the Harney National Forest;

H. R. 11644. An act granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes;

H. R. 11410. An act to extend the time for the exchange of Government lands for privately owned lands in the Territory of Hawaii;

H. R. 11361. An act to provide for exchanges of Government and privately owned lands in the additions to the Navajo Indian Reservation, Ariz., by Executive orders of January 8, 1900, and November 14, 1901;

H. R. 11355. An act authorizing the Secretary of War to convey by revocable lease to the city of Springfield, Mass., a certain parcel of land within the Springfield Military Armory Reservation, Mass.;

H. R. 11210. An act to grant certain public lands to the State of Washington for park and other purposes;

H. R. 11077. An act authorizing the issuance of patents to the State of South Dakota for park purposes of certain lands within the Custer State Park now claimed under the United States general mining laws, and for other purposes;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.;

H. R. 10472. An act to provide for restoration of the old Fort Vancouver stockade;

H. R. 10347. An act for the relief of Robert B. Sanford;

H. R. 10277. An act to extend the time for the construction of a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

H. R. 9825. An act to extend the time for the construction of a bridge across Pearl River at approximately 1½ miles north of Georgetown, in the State of Mississippi;

H. R. 9435. An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes;

H. R. 9062. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes;

H. R. 9027. An act authorizing the Secretary of the Interior to sell and patent to William G. Johnson certain lands in Louisiana;

H. R. 5722. An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre;

H. R. 11818. An act granting the consent of Congress to the construction of a bridge across the Rio Grande;

H. R. 12262. An act for the relief of certain enlisted men of the Coast Guard; and

H. R. 12033. An act making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

DISPOSAL OF VESSELS OR VEHICLES FORFEITED TO THE UNITED STATES FOR VIOLATION OF THE CUSTOMS LAWS OR THE PROHIBITION ACT

Mr. FOSTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3406) relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter any vessel or vehicle summarily forfeited to the United States for violation of customs laws may, in the discretion of the Secretary of the Treasury, under such regulations as he may prescribe, be taken and used for the enforcement of the customs laws or the national prohibition act, in lieu of the sale thereof under existing law.

SEC. 2. That upon application therefor by the Secretary of the Treasury, any vessel or vehicle forfeited to the United States by a decree of any court for violation of the customs laws or the national prohibition act may be ordered by the court to be delivered to the Treasury Department for use in the enforcement of the customs laws or the national prohibition act, in lieu of the sale thereof under existing law.

SEC. 3. That any vessel or vehicle acquired under the provisions of section 1 or 2 of this act shall be utilized only for official purposes in the enforcement of the customs laws or the national prohibition act. The appropriations available for defraying the expenses of collecting the revenue from customs or for enforcement of the national prohibition act shall hereafter be available for the payment of expenses of maintenance, repair, and operation of said vessels and vehicles, including motor-propelled passenger-carrying vehicles. Said appropriations shall also be available for the payment of the actual costs incident to the seizure and forfeiture, and if the seizure is made under any section of law under which liens are recognized, for the payment of the amount of such lien allowed by the court: *Provided, however,* That a report shall be submitted to Congress each year in the Budget, setting forth in detail a description of the vessels or vehicles so acquired, the cost of acquiring, the appraised value thereof, the uses to which they have been put, the appraised value of seizures resulting from their use, and the expense of operating such vessels or vehicles: *Provided further,* That any vessel or vehicle so acquired when no longer needed for official use shall be disposed of in the same manner as other surplus property.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. FOSTER. I ask unanimous consent that the second may be considered as ordered.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, a parliamentary inquiry. Is the gentleman from Texas opposed to the measure?

Mr. BLANTON. This is a measure that I am heartily in favor of.

Mr. O'CONNOR of New York. Is the gentleman from Texas entitled to control the time in opposition?

Mr. GARRETT of Tennessee. Is the gentleman from New York opposed to the bill?

Mr. O'CONNOR of New York. I do not know.

Mr. GARRETT of Tennessee. I would like to ask the gentleman from Ohio is this a bill that was unanimously rejected by the Ways and Means Committee?

Mr. FOSTER. I never heard of such rejection until a moment ago. I will give a short history of the legislation. It is a bill drawn by the Treasury Department. A report is attached. In the report will be found a letter from the Secretary of the Treasury to the chairman of the Committee on Finance of the Senate dated January 17, 1925. The Senate Finance Committee reported the bill out with a favorable recommendation. It passed the Senate by a unanimous vote. The bill relating to enforcement of prohibition was referred to the Judiciary Committee of the House. That committee, with the exception of my colleague, Mr. WELLER, of New York, voted to report it favorably. The gentleman from New York [Mr. WELLER] reserved the right to file a minority report in order to further investigate. To my knowledge no such minority report has been filed.

Attached to the report is a letter from Hon. McKenzie Moss, Assistant Secretary of the Treasury, dated February 19, 1925, urging its passage. There is also a letter from the Prohibition Commissioner.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. CHINDBLOM. I will say that this same bill was introduced and referred to the Committee on Ways and Means. The Committee on Ways and Means had hearings, a representative of the Treasury Department appeared before that committee and the committee refused to report out the bill.

Mr. FOSTER. May I ask the gentleman when his committee took such action?

Mr. CHINDBLOM. I do not recollect. When a bill is referred to the Senate Finance Committee it goes to the Ways and Means Committee in the House.

Mr. FOSTER. Was it prior to the letter of the Secretary of the Treasury of January 17, 1925?

Mr. CHINDBLOM. I do not know anything about the letter of the Secretary of the Treasury. I would say that, ordinarily, matters that go to the Finance Committee of the Senate go to the Ways and Means Committee of the House. This is a matter that relates to revenue.

Mr. FOSTER. This bill relates primarily to prohibition enforcement and therefore was referred to the Judiciary Committee. I submit that this legislation must stand or fall on its merits regardless of committee assignment. Now I shall read the communication from the Secretary of the Treasury to the Finance Committee of the Senate:

It is the belief of administrative officers of the department concerned in the enforcement of the national prohibition act and the customs laws that the bill in question should be enacted into law.

Merchandise seized for violation of the customs laws and the national prohibition act and forfeited is now required to be sold at public auction. Occasionally boats and vehicles engaged in the illegal importation or transportation of intoxicating liquor are, when offered for sale at auction, bought on the account of those from whom they were seized and are again placed in illicit traffic in liquor, and at prices much lower than similar boats or vehicles could be purchased for in the open market.

The appropriation for enforcing the customs laws will not permit of the purchase of a sufficient number of boats and vehicles for the use of the customs service in combating the illegal liquor traffic; and the Prohibition Unit is without authority of law to purchase passenger-carrying motor-propelled vehicles and is under the necessity of hiring automobiles for use of its enforcement agents in traveling and for patrol duty. To hire one automobile for 24-hour patrol duty costs at least $20 per day, and in many instances $25. The monthly expense accounts of prohibition enforcement agents assigned to patrol duty in sections where smuggling and illegal transportation of liquor are going on extensively show expenditures of around $200 per month for automobile hire.

The department is of the opinion that if S. 3406 is enacted into law it will serve a twofold purpose: First, it will withdraw from the illegal traffic in liquor boats and automobiles which are now being used to violate the law; and second, it will provide the Govern-

ment means of transportation in conducting enforcement work without cost except for running expenses and upkeep, which would be a great deal cheaper than hiring vehicles by the day or mile.

The passage of S. 3406 would not necessitate a supplemental estimate of expense.

Very truly yours,

A. W. MELLON, *Secretary of the Treasury.*

I shall read an extract from the letter of Hon. McKenzie Moss, Assistant Secretary of the Treasury:

The wording of the bill has been carefully considered, and the passage of same would greatly facilitate the services named above in patrolling the waterways on the seacoast and the land borders.

At the present time all vehicles seized by the customs service after forfeiture proceedings have taken place are sold at public auction with the result that the law offenders repurchase the same to continue their illegal operations. This result applies equally to vessels and small water craft seized by the Coast Guard for violation of customs laws.

The customs service is charged with enforcing the laws against smuggling on the land borders, and at the present time they have very little equipment which they can use to enforce these laws. If the bill be enacted, considerable economy will result in the allocation of some of the seized vehicles being used as equipment by the enforcement officers and will also prevent such vehicles and vessels from being reacquired by the lawbreakers.

The passage of the bill will also supply the customs service, the Coast Guard, and the prohibition service with suitable equipment which is now denied them for the enforcement of the law.

Very respectfully,

MCKENZIE MOSS, *Assistant Secretary.*

I will not stop to read the communication from Mr. Haynes, the prohibition commissioner, as my time is rapidly passing. I call attention, however, to the fact that last year there were 5,214 automobiles and 234 boats seized. You may see the scope of this bill.

Mr. SNELL. Will the gentleman yield?

Mr. FOSTER. I yield.

Mr. SNELL. The purpose of this bill is to furnish every prohibition agent with a good car and a yacht.

Mr. FOSTER. To be serious rather than facetious, may I observe that the only objection I have heard to the bill is a fear that a person who had a bona fide lien against an automobile, say a bill of sale, might be prevented from enforcing such equity in the machine so forfeited. I want to call attention to the fact that this bill in no manner modifies the present provision of section 26 of the Volstead law.

May I put it this way: This bill relates only to those automobiles and vessels regarding which a court, after judicial determination, decrees a forfeiture. In such a suit, where forfeiture may occur, under section 26 of the Volstead Act ample provision is given for the lien holders to come in and have their claims adjudicated. I realize that some legislative confusion may occur at the finish of the session; but, may I say, what this bill really does is this: Upon application of the Secretary of the Treasury, any automobiles or vessels so forfeited by the court may be utilized by the Secretary of the Treasury in the customs or the prohibition enforcement. In no way does it deny rights now existing under section 26 of the Volstead Act. That section is untouched, but it does provide that instead of turning back as, last year, were some 5,000 automobiles and some 300 boats, that those which may be forfeited by the court, under this provision of the Volstead Act, the Secretary of the Treasury may request to be turned over by the court to be used in the customs and prohibition enforcement rather than let the Government pay from $20 to $25 a day hire for each automobile so needed in such enforcement.

Mr. McSWAIN. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. I yield.

Mr. McSWAIN. I call attention to the fact that the first section speaks of the summary forfeiture of vehicles and boats rather than their forfeiture pursuant to judicial process at which the parties in interest may be summoned for a hearing.

Mr. FOSTER. If the gentleman will turn to section 26 of the Volstead Act he will find the exact proceedings set forth, no part of which is repealed by this act.

Mr. Speaker, I reserve the remainder of my time.

Mr. WELLER. Mr. Speaker, I am a member of the committee and I demand recognition.

The SPEAKER pro tempore. The gentleman from New York is recognized for 20 minutes.

Mr. WELLER. Mr. Speaker, this piece of legislation I consider ill-advised legislation. To begin with, it is sought to obviate the effect of United States against Grant, the decision of the Supreme Court of the United States which held that an automobile upon which a lien has been placed, and upon which there was conditional sale, could be forfeited upon its being found in possession of illicit liquor. That decision was handed down about four years ago, and during the past four or five years we have had a number of automobile cases and some yacht and motor-boat cases where a small quantity of liquor was found in the car, and where the car was owned, for instance, by the automobile company, it having been purchased upon time payment, known as the installment plan.

The title was still in the automobile company. I trust that this will not be construed by anybody as a discussion of the law enforcement feature of the Volstead Act. We must not confuse this situation. This is a question of substantial rights; legal rights. In this bill it is sought to permit the Secretary of the Treasury upon a confiscation to summarily take possession of the ship and forfeit the ship or the yacht or the motor boat. That will not avoid the effect of the situation, because we have boats of all kinds, as everybody knows, that are also bought upon time payments, and if those boats are to be confiscated, and you must take an extreme case, a serious question will arise. Suppose the mate of the boat or the engineer of a boat had a case of liquor on board, and suppose the boat was confiscated summarily under this act. The Secretary of the Treasury would have the power without any further adjudication of the court to seize and use the boat. There is ample provision of law which protects the Government and the law enforcement provision of the Prohibition Unit, and that is that the ship must be libeled, or the automobile can be libeled, in the regular way, as provided for by the United States Federal Statutes. If you are going to take this summary power and place it in the hands of the Secretary of the Treasury who in turn of course will know practically nothing about the situation, finally it will filter down and get into the hands of the local Prohibition Unit and then into the hands of the Federal internal revenue agents, or a member of the Prohibition Unit, you are going to open the door to an arbitrary confiscation summarily of a man's motor boat or a man's yacht without any remedy at law.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. WELLER. Yes.

Mr. BANKHEAD. I want to understand clearly the legal situation. My sympathy naturally is with the bill. When the gentleman says "summary seizure" does that mean, for instance, that if an automobile were captured with liquor in it upon which the vendor still held a lien to secure the purchase price, that the Secretary of the Treasury could sell the property without the holder of the title having a day in court?

Mr. WELLER. I will say to the gentleman from Alabama you ought not to confuse the automobile situation with the boat situation.

Mr. BANKHEAD. Let us take the automobile.

Mr. WELLER. Take the automobile situation. In the case of United States against Grant it was shown there that the Grant Automobile Co. had title to the car, and without knowledge of the physical owner of the car, the man who desired to purchase the car, the car was found out on the road in the possession of a third party, and let us assume that the third party was a thief. That automobile was found out on the road in the possession of illicit liquor and was seized summarily and without warrant by revenue agents and confiscated, and the Supreme Court held——

Mr. BANKHEAD. Did the holder of the legal title make a claim for the car?

Mr. WELLER. Made a claim, the Grant Automobile Co. made a claim in court for the car. It was held irrespective of whether or not the owner, the Grant Automobile Co., or the lessee or the man who purchased the car from the Grant Automobile Co., had knowledge of the illicit trading, that car notwithstanding was being used in violations of the law and must be confiscated.

Mr. BANKHEAD. How does this bill affect that situation?

Mr. WELLER. By the provision of this bill it is sought to seize a boat or vehicle, whether it has 40 cases of illicit liquor or 1 case, to seize the boat and immediately, instead of offering it for sale and putting it up at public auction, which the law contemplates now, it shall be forfeited to the Secretary of the Treasury, and he may then use that boat as an adjunct of the Prohibition Unit. That is the difference in the two situations. Now, I will say to the gentleman from Alabama and the rest of my colleagues, in my judgment this legislation is ill-advised, for this reason: There is ample protection to the Government by due process of law.

It would be wrong, I believe, to put it in the hands of an internal-revenue agent or any subordinate the power summarily to take a boat or automobile and confiscate it and let the civil right thereafter be determined by putting up an indemnity bond; he may get what is the value of the boat and he may not get anything like the value of the boat, whereas if we vote down this bill and leave this proposition just where it is now——

Mr. RAKER. Will the gentleman yield for a question——

Mr. WELLER. If you vote down this limitation and leave this situation as it is now, if it is determined that the boat within the contemplation of the law has been illegally engaged in the traffic of liquor, that the boat may then be libeled in a suit "in rem," which, of course you understand, if it is found the boat itself in the libel proceeding is violating the law, it is confiscated.

Mr. RAKER. Now, the first question with regard to the automobile. The only difference in the provision in this bill and the present law is that instead of selling at public auction we turn it over to the Prohibition Unit to be used?

Mr. WELLER. Turn it over to the Secretary of the Treasury.

Mr. RAKER. That is the only difference.

Mr. WELLER. It is and it is done summarily without a court proceeding by some subordinate prohibition agent.

Mr. RAKER. It has to be a judgment and forfeiture according to the bill.

Mr. FOSTER. Second line, page 2.

Mr. RAKER. Now, just a moment. The only difference between the present law and the law proposed is instead of selling it at public auction the Government takes it itself.

Mr. WELLER. Exactly.

Mr. RAKER. That is all the difference.

Mr. FOSTER. It has to be by order of the court or recommendation of the Secretary of the Treasury.

Mr. WELLER. The vice of the situation is that it is summarily taken and forfeited.

Mr. RAKER. It is forfeited, and that ends it.

Mr. WELLER. It may be forfeited to the Government and used by the Government, the act provides.

Mr. DEAL. Mr. Speaker, will the gentleman yield?

Mr. WELLER. Yes.

Mr. DEAL. Would it not be possible for some prohibition-enforcement agent to select such a car as he might want for his own use, and "frame" the owner, and confiscate the property, and use it for his own purposes?

Mr. WELLER. Yes. The same situation might also prevail with reference to a yacht or a motor boat. In other words, you are proposing to place in the hands of these men, who are not, in my judgment, in a position in the department of sufficient responsibility, a very unusual power.

Mr. TYDINGS. Mr. Speaker, will the gentleman yield?

Mr. WELLER. Yes; I yield to the gentleman.

Mr. TYDINGS. I would like to ask the gentleman from New York whether under this provision of the law an ocean liner or a Pullman car could not be confiscated?

Mr. WELLER. It would seem so.

Mr. Speaker, I reserve the balance of my time. I yield three minutes to the gentleman from Illinois [Mr. CHINDBLOM].

The SPEAKER pro tempore. The gentleman from Illinois is recognized for three minutes.

Mr. CHINDBLOM. Mr. Speaker and gentlemen of the House, I said a moment ago that the Committee on Ways and Means had considered this legislation and had passed unfavorably upon it. You will observe that it relates to the disposal of vessels and vehicles forfeited for violations of the customs laws and the national prohibition act. It was because it relates to the customs laws primarily that the bill was referred to the Committee on Ways and Means.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. CHINDBLOM. No; I have only three minutes. I tried to get time from the gentleman, but he would not listen to me, and then I had to get time from the other side.

What are you going to do about cars and vehicles on which there are liens? Is the Government going to assume the liens? Who is going to pay off the mortgage lien or the purchase price? The gentleman from Ohio [Mr. FOSTER] said that it would lead to complications.

Mr. FOSTER. I referred to the third line of the second page of the bill.

Mr. CHINDBLOM. I do not yield to the gentleman.

One ground of opposition by the Committee on Ways and Means to such legislation as this was that the customs department and the Prohibition Enforcement Bureau are going to get valuable property which they will use for purposes of the Government without any record of expenditures and without any appropriation by Congress as to the value of the vehicles or vessels used for this purpose.

And another thing: Most of the automobiles—in the large cities, at least—which are captured by officers as used in violation of the law have been stolen by the men who use them. Your car and mine, or any man's car, might be picked up at any time from a bootlegger or other criminal who has stolen it right in front of the door of one's house.

I consider, gentlemen, that to try to pass this legislation under suspension of the rules is unwise. Although I have no criticism whatever to make of the system of passing legislation under suspension of the rules when necessary, yet to pass this legislation at this moment is, in my judgment, very ill considered. It has so many ramifications that it ought to receive thorough consideration. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

The SPEAKER pro tempore. The gentleman from Michigan is recognized for five minutes.

Mr. CRAMTON. Mr. Speaker and gentlemen of the House, personally I think that while all the courtesies between the committees must be observed, I do not believe that to be the big issue in the consideration of this bill. But this debate has demonstrated that even so, the parliamentary clerk of the House was right when he referred this Senate bill to the Committee on the Judiciary instead of to the Committee on Ways and Means, because the controversy about it is a legal proposition and not one affecting our revenues. Our revenues are not concerned in it. Appropriations may be affected, but revenues are not concerned. The bill has to do with the enforcing of the laws, and should go to the Committee on the Judiciary.

What happened? By mistake one bill seems to have gone to the Committee on Ways and Means, and, as was their province, they did not report it out. This bill passed the Senate and when it came here was sent to the Committee on the Judiciary and was favorably reported, as I understand, with only one or two objections.

Now, what does the bill do? The bill does not change the grounds on which a vessel or automobile may be forfeited. It makes no change in that. It makes no change in the circumstances under which such a vessel or automobile can be forfeited. It makes no change in the rights of lien holders, and so forth, but it provides that when a vessel or automobile is forfeited, then it may be turned over to the Secretary of the Treasury and used for the enforcement of the law. The second section provides that upon application therefor by the Secretary of the Treasury, any vessel, and so forth, that is forfeited for violation of the laws may be ordered by the court to be turned over to the Treasury Department.

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

The SPEAKER pro tempore. The gentleman from New Jersey makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and forty-one Members are present, not a quorum.

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

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 78, noes 23.

So a call of the House was ordered.

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

[Roll No. 98]

Anderson	Dempsey	Griffin	McKeown
Andrew	Denison	Hall	McLaughlin, Nebr.
Barkley	Dickinson, Iowa	Hardy	McNulty
Beck	Dominick	Haugen	Mansfield
Bell	Doyle	Hayden	Michaelson
Berger	Drane	Hersey	Miller, Ill.
Bixler	Eagan	Hooker	Mills
Boies	Edmonds	Hull, Tenn.	Moore, Ill.
Britten	Evans, Iowa	Humphreys	Morin
Browne, Wis.	Evans, Mont.	Jost	Morris
Buckley	Fairfield	Kelly	Nelson, Wis.
Burdick	Favrot	Kendall	O'Brien
Burtness	Fish	Kerr	O'Sullivan
Butler	Fleetwood	Kindred	Paige
Byrnes, S. C.	Frear	Kunz	Parker
Casey	Fredericks	Langley	Parks, Ark.
Clark, Fla.	Free	Larsen, Ga.	Peavey
Clarke, N. Y.	Freeman	Larson, Minn.	Perlman
Cole, Ohio	Fulbright	Lazaro	Phillips
Connolly, Pa.	Fuller	Lilly	Porter
Corning	Funk	Lindsay	Pou
Croll	Gallivan	Lineberger	Prall
Cummings	Garner, Tex.	Linthicum	Quayle
Curry	Gasque	Logan	Rainey
Davey	Gifford	Lyon	Ramseyer
Davis, Minn.	Glatfelter	McClintic	Ransley

Reed, W. Va.	Sears, Nebr.	Timberlake	Wertz
Richards	Sherwood	Tinkham	Williams, Tex.
Roach	Sites	Tucker	Winslow
Rogers, Mass.	Smithwick	Underhill	Wolff
Rogers, N. H.	Sproul, Ill.	Vare	Wood
Rosenbloom	Steagall	Voigt	Woodrum
Salmon	Sullivan	Ward, N. Y.	Wurzbach
Sanders, Ind.	Sweet	Ward, N. C.	Zihlman
Sanders, Tex.	Swoope	Watson	
Schall	Taylor, Colo.	Welsh	

The SPEAKER. Two hundred and eighty-nine Members have answered to their names; a quorum is present.

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

The motion was agreed to.

The doors were opened.

The SPEAKER. The Chair will state for the information of the House now that a quorum is present, that it is planned to take up just one more bill under suspension, and then to adjourn. If a quorum can be maintained, it will shorten the time during which we are here.

Mr. CHINDBLOM. Mr. Speaker, at what hour is it expected the House will meet to-morrow?

The SPEAKER. It is expected that the House will meet at 10 o'clock to-morrow morning.

Mr. BEGG. Mr. Speaker, has that order been entered as yet?

The SPEAKER. It has not.

Mr. BEGG. Then, Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 10 o'clock to-morrow morning.

The SPEAKER. The gentleman from Ohio asks unanimous consent that when the House adjourns to-night it adjourn to meet at 10 o'clock to-morrow morning. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. WELLER) there were—ayes 136, noes 57.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

ADDITIONAL JUDGE IN DISTRICT OF MARYLAND

Mr. HILL of Maryland. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5083) to create an additional judge in the district of Maryland.

The Clerk read the bill as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint an additional judge of the district court of the United States for the district of Maryland, who shall reside in said district, and whose compensation, duties, and powers shall be the same as now provided by law for the judge of said district.

SEC. 2. That this act shall take effect immediately.

Mr. SUMNERS of Texas. Mr. Speaker, I demand a second.

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker, I reserve my time.

Mr. SUMNERS of Texas. Mr. Speaker and gentlemen of the House: I want to make a very brief statement with regard to this bill. This bill was presented to the Judiciary Committee of the House about a year ago. At that time the bill was submitted to the Attorney General of the United States. Under date of January 15, 1924, the Attorney General addressed a letter to the chairman of the Judiciary Committee which, with your permission, I shall read. It is brief:

I have the honor to acknowledge the receipt of the letter of January 11, 1924, signed by the clerk of the committee and inclosing a copy of a bill to create an additional judge for the district of Maryland. Although there is need for an additional judge, I am of the opinion that other districts are more congested than the district of Maryland and therefore suggest the advisibility of waiting such time as the situation in Maryland may become more urgent.

Now, it is fair to the situation for me to state to the House that I understand a more recent communication has been received from the office of the Attorney General recommending this additional judgeship. My attention has not been directed to that communication.

Gentlemen, this is the general situation that confronts the country with regard to the Federal judiciary. It is understood, of course, that when these positions are created, not only is the person who is appointed made a judge for life, but it is not, practically speaking, possible ever to abolish the position. I do not know—and I am very candid with the House about it, although I have given a good deal of consideration to it—what we shall do or what we ought to do with reference to the condition that is growing up in the country.

I do not know how long the Federal Government is going to continue to accumulate Government responsibility. I do believe we have reached the time, generally speaking, when jurisdiction and governmental responsibility must be sent back to the States. I have been hoping—I still hope—that the statesmanship of this country will soon devise some practical plan by which much of the jurisdiction that has been absorbed by the Federal Government will be placed in the States where it belongs.

I do not know what we are to do with regard to the Federal courts. I do not know whether we are to create semi-police courts, Federal courts with criminal jurisdiction, to take care of that branch of the work or not. We have given to the Chief Justice of the Supreme Court and to the presiding justice of the circuit courts of appeals power to shift Federal judges and thereby utilize the spare time of some of these judges whose entire time is not required in their respective districts. I am in favor of waiting awhile before increasing the number of Federal district judges, Mr. Speaker, and reserve the remainder of my time.

Mr. HILL of Maryland. Mr. Speaker, I yield one minute to myself.

Mr. Speaker and gentlemen of the House, the council of judges and the Chief Justice have unanimously asked for this additional judge. It is late in the day, and I shall not take the time of the House any longer than is necessary. My colleagues from Maryland, Mr. GOLDSBOROUGH, Colonel TYDINGS, Mr. LINTHICUM, Mr. ZIHLMAN, Mr. GAMBRILL, and I are prepared to show the congested state of the docket in the Maryland District Court, but in view of the statement of the Attorney General it is not necessary. Here is a letter from Circuit Judge Rose and one from District Judge Soper:

BALTIMORE, MD., *January 14, 1924.*

HON. JOHN PHILIP HILL,

House of Representatives, United States, Washington, D. C.

DEAR COLONEL HILL: I am obliged to you for sending me a copy of the bill which you have introduced in Congress for an additional judge for the Maryland district, in which, of course, I am very much interested. The following figures show the situation for the last three years, and bring up to date the total submitted by you to Congress which appears on page 827 of the CONGRESSIONAL RECORD of January 10, 1924:

Number of cases pending on June 30, 1921, 1922, and 1923, in the District Court of the United States for the District of Maryland

	1921	1922	1923
Civil cases in which the United States is a party	51	57	76
Criminal cases	33	36	108
Admiralty	69	51	50
Bankruptcy	163	284	398
Other cases in which the United States is not a party	56	77	113
Total	372	505	745

You will perceive that the cases in arrears have doubled. During the period from June 30, 1921, until June 30, 1923, Judge Rose was on the bench except for the period from March 2 to June 30, 1923. During these last four months any time that was lost by reason of my newness in the position was, I think, more than offset by the fact that Judge Rose necessarily did some of the work in cases in which he had already made a beginning. I do not need to say to you that Judge Rose's capacity for the dispatch of business was very much greater than that of a man of average capacity. If he did not keep up with the work, I am sure that nobody else can. I have no figures at hand at present for the period which has elapsed since June 30, 1923, but if it is desirable I can bring the figures up to date.

Court is held practically every day and I do not leave the office before half past 5 or 6 o'clock, and I am obliged to work a great many nights in order to get up opinions in cases which were heard. Notwithstanding the best that I can do, the work is running behind.

In the early spring I expect to begin a case which counsel on both sides agree will take from six weeks to two months to try. I hate to think what the condition of the docket will be when this case is finished.

I should not like to be put in the position of making a complaint. As a matter of fact I have very greatly enjoyed my year on the Federal bench, but the pressure is very great and I am not always able to give as full consideration to cases as they deserve.

If you need anything further, please let me know.

Very truly yours,

MORRIS A. SOPER.

BALTIMORE, MD., *January 30, 1924.*

Hon. JOHN PHILIP HILL,
House of Representatives, Washington, D. C.

MY DEAR MR. HILL: I hope very much that your bill providing for an additional district judge in Maryland may receive favorable consideration. If it is entirely proper, I shall be glad for you to tell the Judiciary Committee of the House, before whom I believe the bill is now pending, that I am thoroughly satisfied that another judge is imperatively needed. I should personally have asked for one in the later years in which I was district judge in Maryland had it not been that I thought the great increase in cases was temporary and would pass away. It is evident that that result is not coming at an early date, if it ever comes.

During the last year of my incumbency as district judge I was unable to quite keep up with the work. I would have been in much greater arrears had I not worked the court longer hours than in the public interest the court should work. It is not merely the increase in the criminal docket that calls for another judge, but the general civil business of the court is at least two and one-half times as great as it was when I went on the bench.

That the judge ruins his health in trying to keep up with the work is perhaps not a conclusive reason why relief should be afforded, because doubtless successors can be obtained even under these extra hazardous conditions, but it is of importance that cases shall be considered carefully and by a judge whose nerves and mental faculties are not under strain. Wisdom does not come from such a source.

I am, respectfully yours,

JOHN C. ROSE,
United States Circuit Judge.

Since those letters were written the condition has grown worse. The Bar Association of Baltimore, the council of judges, and the Attorney General have all asked relief for the Federal court condition in Maryland by the appointment of this additional judge. No one can explain the situation better than the chairman of our House Judiciary Committee, and I shall call on him.

The Attorney General has asked for this judge and the Committee on the Judiciary has asked for it. I shall not take up the time of the House further than to yield two minutes to the chairman of the Committee on the Judiciary, the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Speaker, I have no issue to take with the careful and candid statement made by the gentleman from Texas [Mr. SUMNERS] with regard to this measure except this: I think the gentleman stated that the Attorney General had since recommended, because of the accumulation of business, the appointment of an additional judge in this district.

As has been said by the gentleman from Maryland [Mr. HILL], the request for an additional judge in this district comes from the council of judges, which was created by an act of Congress to look over the various districts and to advise from time to time what was necessary. There is no doubt that with the increase of population, as well as other causes, litigation has largely increased in many sections of our country where necessity exists now for additional judgeships.

I believe in the establishment of additional judgeships rather than to have delay, which in the end amounts to a denial of justice, and it is for that reason that I in the committee and now upon the floor advocate the passage of this bill to appoint an additional judge in Maryland.

There is another item that comes to my mind, and that is that we recently passed a bill providing for holding an additional court down on the Eastern Shore, where owing to the geographical conditions the water divides this portion of Maryland from the rest, and we have established a separate court for the convenience of citizens in that section as a matter of necessity. Now, in addition to holding the regular court, you have imposed on the courts in Maryland the duty of holding a court on the Eastern Shore. I hope the House will pass this bill.

Mr. SUMNERS of Texas. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, this has certainly been a field day for the gentleman from Maryland [Mr. HILL]. He got his probation bill through under suspension of the rules a while ago. He got his extra two judges bill through under suspension of the rules a while ago. He helped to get the bill passed under suspension of rules that spends $700,000 in Seville, Spain. He helped to pass under suspension of rules the bill to spend $110,000 of the taxpayers' money to educate Persian students in America. He has helped to pass various other and sundry bills under suspension of rules, all of which take tax money out of the Treasury.

Now, as the crowning event of this great day's work for the House of Representatives he seeks to have us create another lifetime Federal judgeship job for some friend of his in Baltimore. You may be willing to pass the bill by a two-thirds vote, but there ought to be enough Representatives of the people in this House at this time to force a roll call, and I do not think under such circumstances you can pass it. I do not think under a roll call you can get two-thirds of the membership of this House to create another district judge in Maryland, another lifetime job, another position that will require the poor people of the United States to be taxed to pay his salary. I do not care to take up any further time, but I hope the House will not pass the bill.

Mr. HILL of Maryland. Mr. Speaker, I ask for a vote. The Federal council of judges and the Attorney General have clearly stated the need of this extra judge. The gentleman from Texas [Mr. SUMNERS] has stated that the Attorney General asks for the passage of this bill, and I hope you will suspend the rule and pass it.

Mr. SUMNERS of Texas. Mr. Speaker, and gentlemen of the House, I have this additional statement to make. I believe that we can wait until next session of Congress to create any additional district judges. We turned down New York, we turned down Pennsylvania, and all over this country demand is coming up to Congress to create additional judgeships. I believe it would be the wise thing for this Congress not to create any additional district judgeships.

Mr. MOORE of Virginia. May I ask the gentleman a question?

Mr. SUMNERS of Texas. Certainly.

Mr. MOORE of Virginia. Can the gentleman give us the facts that apply to this particular case in reference to the necessity for having an additional judge?

Mr. SUMNERS of Texas. It is very difficult for a member of the Judiciary Committee to take an array of figures and determine from looking at those figures whether or not an additional judge is required. But the condition which obtains in the Maryland district in a greater or less degree obtains in many of the other districts throughout the United States.

Mr. O'CONNELL of New York. It is not more critical than in New York when we could not get them.

Mr. SUMNERS of Texas. We turned down New York, we turned down Pennsylvania——

Mr. GRAHAM. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. GRAHAM. Gentlemen should understand that the districts referred to by the gentleman from Texas were not turned down by the House, but by objections to the bill, except New York.

Mr. SUMNERS of Texas. That is true, but these districts, I assume, had as much right to apply for passage under suspension of the rules as Maryland. Perhaps they may not have been regarded as meritorious as this is.

Mr. ALLGOOD. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. ALLGOOD. The gentleman from Maryland [Mr. HILL] has helped to congest these courts, has he not?

Mr. SUMNERS of Texas. Well, that does not appeal to me.

Mr. McSWAIN. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. McSWAIN. If the council of judges and the Attorney General and everybody else are positive that this should be done, and the gentleman from Texas, whose advice I always adopt, is against it, how is a poor, innocent country boy to resolve the doubt? [Laughter.]

Mr. HILL of Maryland. By taking the advice of the Chief Justice and voting for the bill.

Mr. SUMNERS of Texas. By retaining his attitude of doubt and voting against the bill.

The SPEAKER. The question is on the motion of the gentleman from Maryland to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. HILL of Maryland) there were—ayes 78, noes 91.

Mr. HILL of Maryland. Mr. Speaker, I object to the vote upon the ground that there is no quorum present.

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

The SPEAKER. The Chair hopes that the gentleman will not do that.

Mr. BEGG. We will have to go into a roll call if we do not, unless the gentleman from Maryland will withdraw his demand.

The SPEAKER. The Chair will count.

Mr. HILL of Maryland (interrupting the count). Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER. The gentleman from Maryland withdraws the point of no quorum.

Mr. BEGG. Mr. Speaker, I withdraw the motion to adjourn.

So two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the bill was rejected.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to—

Mr. WILLIAMS of Texas, for three days, on account of important business.

Mr. LINTHICUM, for to-day, on account of death in family.

AMENDING THE JUDICIAL CODE

The SPEAKER laid before the House the following Senate concurrent resolution:

Senate Concurrent Resolution 37

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, to strike out in the first line of the title the words "three years" and insert in lieu thereof the words "one year," so that the title may conform to the amendment made by the House of Representatives to the text of the bill and agreed to by the Senate.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

SETTLEMENT ON GOVERNMENT LAND IN IRRIGATION PROJECTS

The SPEAKER laid before the House the following order.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
February 26 (calendar day, February 28), 1925.

Ordered, That the House of Representatives be requested to return to the Senate the bill (S. 4151) to provide aided and directed settlement on Government lands in irrigation projects.

The SPEAKER. Without objection, the order will be agreed to.

There was no objection.

IRRIGATION OF CERTAIN LANDS IN NEBRASKA

The SPEAKER also laid before the House the following order.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
February 26 (calendar day, February 28), 1925.

Ordered, That the House of Representatives be requested to return to the Senate the bill (S. 4057) providing for the irrigation of certain lands in the State of Nebraska.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

CHILD LABOR AMENDMENT

The SPEAKER also laid before the House a communication from the secretary of state of the State of Texas, announcing the rejection in that State of the proposed amendment to the Constitution relating to the labor of persons under 18 years of age.

NINTH INTERNATIONAL PRISON CONGRESS

The SPEAKER also 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 by the Secretary of State, recommending legislation by Congress authorizing an appropriation of $10,000, or so much thereof as may be necessary, for the expenses of delegates, not exceeding 12, to the Ninth International Prison Congress to meet at London in August, 1925.

I approve the recommendation, which I trust will receive the favorable consideration of the Congress.

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, March 2, 1925.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles, when the Speaker signed the same:

H. R. 2646. An act for the relief of Ida Fey;

H. R. 5637. An act for the relief of Edward R. Wilson, lieutenant commander, Supply Corps, United States Navy;

H. R. 5722. An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Arkansas, to A. R. Bowdre;

H. R. 9846. An act for the relief of Francis Kelly.

H. R. 10770. An act granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes;

H. R. 11067. An act to provide for the relinquishment by the United States of certain lands to the county of Kotenai, in the State of Idaho;

H. R. 11818. An act granting the consent of Congress to the construction of a bridge across the Rio Grande;

H. R. 12033. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes;

H. R. 12262. An act for the relief of certain enlisted men of the Coast Guard;

H. J. Res. 347. Joint resolution providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois;

S. J. Res. 28. Joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol;

S. J. Res. 124. Joint resolution to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers;

S. J. Res. 178. Joint resolution to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay;

S. J. Res. 184. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925;

S. J. Res. 186. Joint resolution authorizing the sale of the old Federal building at Toledo, Ohio;

S. J. Res. 187. Joint resolution providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes;

S. 1707. An act appropriating money for the relief of the Clallam Tribe of Indians in the State of Washington, and for other purposes;

S. 1934. An act to amend, revise, and reenact section 549 of subchapter 4 of the Code of the District of Columbia relating to the appointment of deputy recorder of deeds, and fixing the compensation therefor;

S. 1935. An act to amend, revise, and reenact subchapter 3, sections 546 and 547, of the Code of Law of the District of Columbia relating to the recording of deeds of chattels;

S. 2719. An act to authorize the payment of an indemnity to the British Government on account of losses sustained by the owners of the British steamship *Baron Berwick* as the result of a collision between that vessel and the U. S. S. *Iroquois* (now *Freedom*) and a further collision with the U. S. destroyer *Truxtun*;

S. 2935. An act to authorize the collection and editing of official papers at the Territories of the United States now in the national archives;

S. 3162. An act authorizing the Postmaster General to make monthly payment of rental for post-office premises under lease;

S. 3633. An act to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes;

S. 3641. An act granting the consent of Congress to the State of Washington to construct, maintain, and operate a bridge across the Columbia River at Vantage Ferry, Wash.;

S. 3721. An act authorizing the Secretary of the Treasury to exchange the present customhouse building and site located in Denver, Colo.;

S. 4032. An act authorizing the Department of State to deliver to the Hon. Henry D. Clayton, district judge of the United States for the middle and northern districts of Alabama, and permitting him to accept the decoration and diploma presented by the Government of France;

S. 4207. An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes;

S. 4156. An act to authorize the establishment and maintenance of a forest experiment station in California and the surrounding States;

S. 4224. An act to amend section 2 of the act of June 7, 1924 (Public, 270), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes," in order to promote the continuous production of timber on lands chiefly suitable therefor;

S. 4225. An act to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.;

S. 4229. An act granting the consent of Congress to the State Highway Commission of North Carolina to construct a bridge across the Chowan River at or near the city of Edenton, N. C.;

S. 4264. An act authorizing the Secretary of War to convey certain portions of the military reservation of the Presidio of San Francisco to the city and county of San Francisco for educational, art, exposition, and park purposes;

S. 4284. An act granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River, at or near the city of Dardanelle, Yell County, Ark.;

S. 4289. An act authorizing the construction of a bridge across the Colorado River near Blythe, Calif.;

S. 4301. An act authorizing any tribe or band of Indians of California to submit claims to the Court of Claims;

S. 4306. An act granting the consent of Congress to R. L. Gaster, his successors and assigns, to construct a bridge across the White River;

S. 4307. An act to authorize the States of Indiana and Illinois in the States of Indiana and Illinois to construct a bridge across the Wabash River at the city of Mount Carmel, Wabash County, Ill., and connecting Gibson County, Ind.;

S. 4317. An act granting the consent of Congress to the county of Jackson, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of Newport, in the county of Jackson, in the State of Arkansas;

S. 4320. An act to extend the time for constructing a bridge across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky.;

S. 4352. An act to create an additional judge in the district of Minnesota;

S. 4210. An act to authorize the building of a bridge across the Congaree River in South Carolina;

S. 4211. An act to authorize the building of a bridge across the Catawba River in South Carolina; and

S. 4212. An act to authorize the building of a bridge across the Broad River in South Carolina.

LAWS PASSED BY SIXTH PHILIPPINE LEGISLATURE

The SPEAKER also 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 Insular Affairs:

To the Congress of the United States:

As required by section 19 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," I transmit herewith a set of laws and resolutions passed by the Sixth Philippine Legislature during its second session, from October 16, 1923, to February 8, 1924, inclusive.

CALVIN COOLIDGE.

THE WHITE HOUSE, *March 2, 1925.*

REPUBLICAN CAMPAIGN OF 1924

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. TILSON. Mr. Speaker, before the present Congress passes into history and the new Congress elected last November comes into being, I wish to record a brief reference to the political campaign in which the new Congress was elected. First, I wish to refer to the chairman of the Republican National Committee, with whom it was my privilege to work in the capacity of director of the eastern speakers bureau and eastern director of the congressional committee.

Whatever alibis or excuses the opposing parties and candidates may offer, no one, not even our most bitter opponent, will deny that the Republican campaign of 1924 was a decided success. All fair-minded people will agree that the distinguished son of Massachusetts, Chairman WILLIAM M. BUTLER, now Senator, deserves in full measure the credit for most effective leadership in the campaign.

Of the elements which go to make up the remarkable success of Chairman BUTLER in the campaign none is more important than his keen insight into and appreciation of the work of his lieutenants and, above all, the faculty for imparting to them the feeling that he was backing them up in good faith all the while and to the limit.

In all of those who worked with and under Chairman BUTLER there soon grew up a complete confidence that he would treat everyone "square," that he would not attempt to slide over upon the shoulders of some one else any blame that might in fairness attach to himself. In fact, he manifested at all times a willingness to shoulder even more than his share of any blame to be distributed. There was no fear in the minds of his coworkers that he would under any circumstances confer the order of the "double cross" upon them.

These things may not appear to be of major importance as I state them, but in little things oftentimes lies the difference between success and failure. In this case the fairness of Chairman BUTLER meant the most loyal service and cooperation on the part of coworkers and their organizations instead of an attitude on the part of such workers of simply trying to "get by."

Another element making for success was the feeling of certainty on everyone's part that the campaign was being run not only upon the best business principles but that it was being conducted upon the high plane of honor, patriotism, and good faith. There was never a fear that a skeleton might be located in the campaign closet. There was no uneasiness that questionable expenditures by the committee might be brought to light to the discredit of the committee and the injury of the party. When the usual quadrennial twaddle about slush funds was at its worst and a senatorial investigation was in progress not one of us who were intrusted with work involving the expenditure of substantial sums was trembling in his boots. Instead of fearing we were hoping that we might be called before the senatorial committee so that we might help show to the country the real character of the campaign that Chairman BUTLER had outlined and that his organizations of speakers and workers were carrying out under his direction

The country owes Chairman BUTLER a debt of gratitude for the character of the campaign conducted by him. With an electorate far larger than ever before to be appealed to and a campaign of education being indicated as desirable, Chairman BUTLER and those working with and under him made up a budget calling for much less in the aggregate than was expended in 1920, and then firmly insisted upon expenditures being kept within the budget. There are more than 50,000,000 persons in the United States of age and eligible to become voters. The budget called for a little more than $3,000,000, or an average of slightly more than 6 cents per person. In view of the result of the election, it is easy to say now that even this amount was not necessary, but this was not so apparent when the campaign was planned. The fact is that a thorough campaign, properly covering the entire country, could scarcely be conducted for less.

Having been in a position to know something of what was going on, I wish to state as emphatically as possible that no trust fund was ever more capably, honestly, or scrupulously administered for the purposes for which the fund was created than were the national Republican campaign funds for 1924. In truth it may be said that to Chairman BUTLER belongs the credit beyond that which is due to anyone else for one of the finest, cleanest, and most successful party campaigns ever carried on in the history of American politics.

Able and inspiring as was the campaign leadership of Chairman BUTLER, it alone could not have brought about the desired result had there not been back of him and his work that other and still more distinguished son of Massachusetts, Calvin Coolidge. Those who said in the beginning of the campaign that Calvin Coolidge would be the paramount issue were not far wrong. He inspired confidence to a remarkable degree. Revealed in him were character, common sense, and downright honesty, intellectual and otherwise, that appealed to the American people and gripped their hearts and understanding.

There have been candidates for the presidency who talked more than did our candidate. None ever said more when he did talk, and few ever said it as well. His opponents were

greatly disturbed and even more displeased at what they characterized as his silence and insisted upon his matching word for word with them upon subjects of their own choosing. He chose a different course. He was the President of the United States and he determined to follow a course in keeping with the dignity of that high office. This did not mean that he refrained from discussing questions of vital importance, for during the campaign on proper occasions he discussed every real issue involved. In doing so, however, he discussed principles instead of personalities, principles applicable at all times, after election as well as during the campaign.

The real reason why Coolidge appealed to the electorate was not because he was silent, but because when he talked at all he talked common sense, and usually talked about the ordinary concerns of life that people understood. He talked economy in public and private affairs. He talked tax reduction and showed why and how taxes might be reduced to the greatest advantage of the people as a whole. The people came to believe in him, not because of what he promised but rather because he made no glittering promises of impossibilities. He did not strain their credulity by insisting that there is really a pot of gold at the end of the rainbow.

One added reason for Republican success in the campaign must not be overlooked. Against a candidate whose life and character were the embodiment of honesty and whose every word and deed indicated straightforwardness, our opponents had the hardihood and the lack of perception to put forward as a principal issue honesty in government. Mr. Davis in his lament to Senator BRUCE was right, for, in fact, this issue made no impression upon the people. They refused, as they should have refused, to indict an administration or a party for dereliction on the part of isolated individuals, even if such charges were substantiated. It can not be too often reiterated that crime is personal and guilt is individual. Such an issue collapsed of its own weight and fell out of the campaign. It stood refuted from the beginning, not by argument, but by the character of our candidate. With such a candidate and such a campaign we simply could not lose.

So we won and it was a decisive victory—no uncertain or half-way affair. Our time-honored antagonist held only the solid South, minus Kentucky, while the much-heralded newborn venture failed to capture anything beyond the State of its birth.

The victory having been won, the duty is now laid upon the Republican Party of making good the pledges of our platform and the modest promises of our candidate. The platform pledge and the candidate promised economy, and economy must be insisted upon. Not that further great reductions were promised, because it was frankly stated that in most departments of the Government bed-rock had been reached. Wherever further economies may be had, however, they must be insisted upon, and above all, the ground that has been gained in this direction must be held.

I have said that President Coolidge talked tax reduction and tax reform. Our platform promised and our campaign emphasized these things. The people heard us gladly and expect results. The tax burdens must be further reduced and they must be reduced in a manner that will put our tax system on a better and more scientific basis. It must do more than simply produce the revenue necessary to run the Government economically administered. It should so distribute the tax load as to bear less heavily upon those whose names are not borne on any tax returns, but who in the final analysis carry the burden. Such a change will further unfetter business enterprise by relieving it from burdens now unnecessary.

The place to begin with tax reform is with the stupid and economically vicious high surtax rates. No one has shown more clearly than has the President the futility and economic folly of such rates as are now carried in the upper brackets of our surtaxes. There are many who doubt the wisdom and the justice of any kind of progressive income tax. It is a principle unknown in levying State, county, and municipal taxes on property. In all these cases each individual is taxed in accordance with the amount of property owned, so that a man owning property worth $100,000 pays just ten times as much as one owning property worth $10,000. In other words, all pay exactly the same rate. This principle has been universally regarded as even-handed justice. Conceding, however, that in the case of income taxes those receiving greater incomes should pay a somewhat higher rate, nevertheless a rate so high as to be relatively confiscatory can not be justified on financial, equitable, or social grounds. Such a tax defeats itself in the long run. The figures in the Treasury Department are too plain for dispute that it is doing so in our own case.

Large incomes have not paid, do not pay, and will not pay the high surtax rates now imposed. Treasury figures show clearly that while the aggregate of incomes has continued to rise, the amount of revenue collected from the larger incomes has rapidly decreased. It has been clearly shown that such a tax not only defeats itself by diminishing the revenues but that it produces a disastrous effect upon the normal processes of investment and business. Large incomes are either so adjusted and shifted as to evade the tax or go into tax-exempt securities instead of going into productive enterprise. All other taxpayers, wage earners, persons with small incomes, and consumers generally suffer from the effects of this unsound policy. It should be corrected. If our progressive income tax is to be continued at all and be effective as it should be, the surtax rates must be placed at a figure where they can and will be paid.

Whatever may be said for or against the inheritance tax as a principle, the field is one that should be left to the States, which are in sore need of additional sources of revenue. The imposition of an inheritance tax is in effect a capital levy. It has no relation to income, but deals directly with the capital itself, removing it from the jurisdiction and control of the States, where it has been accumulated, to the coffers of the Central Government, there to be used in paying current expenses. As a means of raising Federal revenue it has been used heretofore only in cases of war or other great emergency, and always before has been promptly repealed after the emergency has ceased. The very high progressive rate of taxes on inheritances is a mistake and should be remedied.

An equally unsound tax is the so-called gift tax, which is also a capital levy. It has all the faults and fallacies of the inheritance tax and some additional ones, for it has the effect of preventing the distribution of large estates, which is advanced as one of the principal reasons in favor of the inheritance tax. It should be repealed altogether.

Other changes in our tax laws should be made which experience has shown to be necessary or desirable. Standing out above all the others in this class is the provision that permits, if it really does permit, the unnecessary and harmful publication of the private affairs of individuals.

An overwhelming popular mandate has cast upon our party the responsibility and duty of acting upon the matters just referred to and the other matters stressed during the campaign. The Constitution must be guarded and adhered to in the letter and spirit. The pressure for legislative panaceas and quack remedies must be firmly and steadily resisted. Economy in government must be practiced. Not only must taxes be reduced and our tax laws improved, but other legislation which actual conditions may from time to time make necessary must be enacted. What are the means by which those charged with responsibility and representing the party in power may bring these things to pass?

Group government as it exists in continental Europe has never met with great favor in this country. It has, in fact, no place in the American system. As the name indicates, the bloc system belongs elsewhere. The people of this country expect the party intrusted with power to meet its responsibilities, and it can do so only by those who represent the party working together.

The first essential for carrying out any party program is party cohesion and solidarity. The Republican Party in Congress must either stand and work together harmoniously for the carrying out of a sound party program or it must fail ignominiously. In order to carry out such a program most effectively there must be not only accord and cohesion in the legislative branch, but there must be cooperation between the legislative and executive branches. The Constitution separates our Government into three branches—legislative, executive, and judicial—but it should not be forgotten that the President, in addition to his executive functions, has a substantial part in the enactment of legislation by the exercise of the veto power.

President Coolidge has already demonstrated both his courage and his wisdom in the exercise of this great power, and thus far the people of the country have been with him. Shirking nothing of responsibility or duty, he has acted fearlessly, but he has not failed to make his position plain in advance so that there might be no misunderstanding so far as he is concerned.

The President has a still further power which at the present juncture is of more than usual importance. He is the titular head and leader of his party. He has just received the ap-

proval of a tremendous majority of the people themselves. In the incoming Congress a clear majority of both Houses has been elected to perform their constitutional function in conjunction with the President. The President and Congress, or at least his own party in Congress, should keep step together as nearly as possible. It is a case where teamwork is the most effective, both for party and for the general good. Fortunately, the prospects are bright in this direction. President Coolidge has made it clear that it is his desire to work in accord with the Congress so far as possible for the public good. So, also, in Congress, I have seldom witnessed during a somewhat lengthy service a better spirit or a more manifest disposition to join with the Executive in a united effort to advance the public weal.

"OTHER FOUNDATIONS"—A DISCUSSION OF CHARACTER AS THE BASIS OF NATIONAL STRENGTH AND INTERNATIONAL RECONSTRUCTION

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I insert a speech I made on founders' day at the Mercer University, Macon, Ga., January 14, 1925, which is as follows:

Ladies, gentlemen, and fellow Mercerians, honored as I am by being called to this sacred task and this far-reaching opportunity, I speak the truth—I lie not—when I tell you humbly and humanely that I tried hard to save you from this hour.

I can prove by none other than that great master builder and wizard, president of Mercer University, Dr. Rufus W. Weaver, that even after the invitation had been extended and accepted I spent my perfectly good coin treating him with electricity in an effort to secure for the founder's day address that eminent American and Baptist layman, Secretary of State Charles E. Hughes, who furnishes such a splendid refutation of the foolish charge that preachers' children are always bad.

But, superior as Mr. Hughes would have been in ability, I am frank to say without offense to modesty that the speaker of this hour excels him in at least one qualification, and that is, intimate acquaintance and consuming love for this historic institution. Only by a sort of latitudinal grace am I permitted to call Mercer my alma mater, for, tragic as is the confession, I hold no Mercer diploma; and although I have bought shining badges of gold here for many "medalsome" oratorical boys, I never wore a Mercer medal myself, but goodness knows, I wanted one more than tongue could tell. Perhaps, for the sake of the truth of history, it should be "put in the record," as we say up in Congress, that I was never in a contest where a medal was the inspiration and the crown.

Entering college here when I was 31 (after my seven years on bed), under the administration of that princely president, Dr. P. D. Pollock, of whom the president of the Baptist World Alliance, Dr. Robert Stuart MacArthur, said; "He is the most beautiful man I ever saw," it was my high privilege to cheer toward victory such forensic and oratorical Titans as John Roach Straton, J. C. Flannigan, A. J. Moncrief, Mark Bolding, Walter George, Harley Lawson, and—but time would fail me to continue the list of those who came after me in the arena of debate to add luster to our alma mater's diadem of stars, until the Georgia Intercollegiate Oratorical Association bodily went out of business to stop the annihilating process of Mercer's oratorical monopoly. And then—I tread softly and utter his blessed name with reverent love—there was my old Brick Hall roommate, Emmett Stephens, in whose conversion the Lord allowed me to make the treasured investment of friendly influence, and whose consecrated pluck brought him back from China to get his doctor's degree at Mercer. Oh, my masters and my comrades, how these Mercer memories bless me; how those Mercer days caress us; how the Mercer skies are laughing, and the Mercer clouds, if any must be remembered, are turned to gold by the alchemy of hope and the wonder radiance of Mercer love.

But, to the call that brought me. It was hard to get away. The "wets" are too devilish and the Republicans too numerous for a "dry" Democrat to leave Congress long; but poulticing my conscience with the thought that I am serving my country well when I am serving Mercer University in her mighty mission of sending Christian manhood out to lead and bless the world, I am here with such simple wares as my crowding official duties have suffered me to bring.

If I were an ordained preacher, I think my text would be that ringing Corinthian declaration, "Other foundation can no man lay than that is laid, which is Jesus Christ."

But as my founder's day message is intended, not so much as an exegesis or a homiletical exposition, as you preachers say, but rather, a layman's affirmation and exhortation, I suppose you may call my subject, "Other foundation"—a discussion of Christian character as the basis of national strength and international reconstruction.

PYRAMIDS MUST HAVE FOUNDATIONS

No earthly pyramid can lift itself in beauty above the smiling plain or crown some Parthenon of architectural glory unless foundations broad and deep shall first secure its enduring splendor.

And it is as clear as reason and as true as history that no pyramid of civilization can either shine to-day or endure to-morrow unless that structure of symmetry and power "hath foundations whose builder and maker is God."

The very theme of this hour, "National strength and international reconstruction," carries with it the melancholy contemplation of a great tragic fact that is at once the sorrow and the despair of weeping millions. If something must be reconstructed, then something has been destroyed.

Is that something civilization itself? Is that something merely the golden fruitage on the tree of European progress? Or is that something which has been destroyed, and therefore must be reconstructed, the very basis of that civilization?

I declare to you, as Henry Grady would say, "Not in bitterness but in sorrow," that the basis of international construction has been for the present destroyed. For, greater than the ravages of war upon all the ramifications of commerce, greater than its vandal hand upon the hoarded treasures of art and culture, greater than its gory clutch upon the comely throat of peace, greater even—O God, if that can be—than the appalling sacrifice of human life amid all the horrors and hell of war, is the murder—the red-handed murder of confidence among the nations that now fight or plan to fight and the depleted ranks of their children that are hundreds of years unborn!

Next to the death of a despairing soul, ushered into eternity like another Hobbs with his "innate ideas," declaring with latest breath "It is a long leap into the dark," the saddest death, I tell you, that any man has ever seen is the death of confidence in a trusted friend!

In such an hour love staggers, chastened faith trembles at the door of starless hope, and the stricken heart of man looks out through the tear-dimmed windows of the soul and cries: "Where shall I turn? My soul is sick unto death—a splendor from the earth hath fled, a glory from the skies!"

NATIONAL AND INDIVIDUAL STANDARDS

Fellow friends of a reconstructed civilization, I declare unto you that a nation's standard of faith and action is but the sum total of the faith and character of its individual citizens.

It is unthinkable, it is illogical—it is suicidal to all constructive comity among the nations of earth—to think of a national standard of character and conduct that is lower than the highest standard of individual honor.

Confidence must be reestablished among warring nations before there can be that reconstruction of international relationships which is the only basis of international peace and prosperity. And character is the only basis of confidence!

THE BASIS OF CHARACTER

If, then, confidence is based on character and character is the basis of "international reconstruction," we be neither patriots nor the friends of constructive and enduring civilization if we do not concern ourselves in such an hour as this with a proper consideration of the basis of that character which must be the foundation stone of individual, national, and international progress. As we Americans face our new and stupendous responsibility of reaching our hands of conciliation and construction to our unhappy brothers across the seas, we humbly recognize among ourselves and declare to the world that we do not seek a commercial prowess that will make us lose our soul, nor would we for all the trade and gold of earth be counted among the nations that have forgotten God. For what shall it profit, even a nation, if it gain the whole world and lose its own life?

ILLIBERAL LIBERALISM

I do not at all, ladies and gentlemen, sympathize with that illiberal liberalism that says, in the realm of religion, "Just so a man is honest, anything will do." I heard a so-called liberalist say one time in a speech in New York that that Biblical injunction, "Given to hospitality meant hospitable to all new ideas that come along." Pitiable the plight of that man's brain and tumultuous the condition of that man's heart whose vagrant and flagrant intellectual and spiritual hospitality would force him to entertain under the same roof every fool doctrine that comes careering and cavorting, sniffing and snorting, dancing and prancing down the thorn-strewn highway of the unregenerate intellectuals of to-day.

My observation as a plain, everyday layman convinces me more and more that "liberalism," so called, is the most illiberal ism on earth. Parading its hospitable intellectuality, its brilliant breadth, and its latitudinal generosity, it refuses to allow any honest and reverent soul to believe anything definite without charging him with medieval mediocrity and narrow ignorance.

These unregenerate intellectuals forget that the only men who have ever stirred the consciences of men and lifted them out of the ditch up to God have been leaders who have believed something definite and who have offered something definite to challenge and command

the faith of men. Verily, the faith that sings is the faith that clings—clings, thank God, to something as strong and as definite as "the old rugged cross," while the lightnings flash, the thunders roll, and the storms of time and eternity break.

Hear it, young men, once and for all—the highest and deepest loyalties of earth are never laid on the altar of any uncertainty!

But I do declare, what we all know, that whatever a man's creed may be, he is a better member of his civic and commercial community—that he comes nearer to the vision that Victor Hugo had when he said, "I am a citizen of the universe," if that man makes an honest, unselfish effort to be true to his Creator—true to the living church of the living God.

NO CHARACTER IN THE ABSTRACT

Character, the character that commands and holds the hearts of men, in Europe as well as in America, can not be considered in the abstract. It must be embodied. It can not be computed in the aristocracy of philosophy, nor yet in the "hoi polloi," if you will, of thoughtless moral abandon. It can not be counted a transcendental code of unattainable ethics, neither can that character make itself or lose its responsibility in the formalism or the imperialism of a national religion; for religion that produces the character that honors God and blesses the world is as personal as the physical birth and as individual as that miracle of a "twice-born man" which puts infidelity to a stammering hush.

TRIED EVERYTHING BUT CHRISTIANITY

Let no devotee of the Orient or the Occident who has laid his gold and frankincense and myrrh before the Babe of Bethlehem, let no devout lover and follower of the Prince of Peace be disturbed by the cry of the materialist or the unthinking sentimentalist that "the recent European war argues the failure of Christianity." Not so, a thousand times over! Rather, let them remember that startling declaration of Dr. E. Y. Mullins, the great American preacher and teacher, that "Europe has tried everything but Christianity."

It has been the emptiness of formalism and the blight of nationalism in religion, I fear, that has largely left the individual soul a stranger to the vital redeeming love of the Prince of Peace, that has left giant selfishness enthroned in the human heart, causing blinded kings and mistaken followers to rush at each other's throats with a bloody fury that must cause a daily jubilee among the devils in hell.

WHAT SHALL AMERICA DO?

What, then, shall America do? What is her duty? What are her priceless opportunities? From our high vantage ground of peace and neutrality America ought to be able to present to the eager hunger of a driven river, and storm-tossed Europe a wealth of character and unselfish purpose which should be at once the stay and the inspiration of the younger sons of Europe for generations to come. Unfortunately, however, the reputation of individual Americans in Europe is not commensurate with that lofty national ideal which commanded the love, the faith, and the enthusiasm of all the best of Europe for the United States of America. We need a new baptism of conscience, of national pride, and national loyalty on the part of tourist Americans who cross the seas. For instance, when my party was in Vienna, or may be in Paris, a waiter who spoke English asked the usual question at the café. "Beer and wine?" Whereupon, our old Mercer friend, Carl Hutcheson, replied with commendable and righteous indignation: "No; we are from prohibition America!" and that observant and mischievous waiter naively answered: "Oh, I see; you want whisky, then." Alas! alas! but I could not express the noble rage within me for fear of causing diplomatic complications. Alas and alack! too many over there know that—

The Frenchman takes his native wine,
The German takes his beer.
The Briton takes his "arf and arf,"
Because it brings good cheer;
The Irishman takes his whisky straight,
Because it brings him dizziness;
The American has no choice at all—
He drinks the whole —— business.

America—prohibition America—must redeem her bibulous reputation if she would save the depleted manhood and the staggering civilization of continental Europe. If Russia found that her safety was no longer secure while vodka poisoned her army at the front and debauched her peasantry at home and then shattered the governmental shackles of alcohol by one imperial edict of freedom and prosperity; if the German Emperor became a total abstainer himself and urged abstinence upon all of his soldiers during the war; if the fiery absinthe was dethroned in France and general war-time temperance propaganda swept the loyal land of Gaul; if the titular head of the British Empire turned down his glass; and Lloyd George, the kingly little commoner—God bless him for evermore!—if he pleads for the speedy overthrow of alcohol as England's most deadly foe; then in God's name, in freedom's name, in the name of that sobriety which is essential to that character that is fundamental to international reconstruction, let us rise in the majesty of our militant American manhood and womanhood and smash every effort at home and abroad to trample our sober Constitution and defy our stainless flag!

AMERICA GOD'S BEST EFFORT

If Emerson was right when he declared "America is God's last best national effort in behalf of the human race," then every loyal, God-fearing citizen of America should leap up and live beyond that circumscribed declaration of many a well-meaning loyalist who says, "I stand for America first, last, and all the time; let the rest of the world go to the devil!" I stand for America first, last, and all the time, but I hope I love God too well and humanity too well and our beautiful flag too well not to be anxious to see our glorious civilization mean not only our own country's highest and deepest strength but the hope and the inspiration of all mankind.

We must remember that our forebears but a few generations removed were strangers upon these friendly shores, and that with their love of liberty and opportunity leaping in our veins—from Hastings and Runnymede all the way—we should receive our highest and holiest impulses toward personal and national endeavor from the thought that we are lifting the torch of our Christian civilization not only that ours may be the greatest nation on earth but that all peoples struggling upward toward the light may follow America upward and onward until they stand in peace and prosperity together upon that lofty tableland of perfected civilization that is the dream of seers, the task of patriots, and the plan of God.

But how shall we as a Nation present that national strength which shall best fascinate other lands and present to the watching world the highest type of international inspiration? Certainly by the largest possible proportion of the highest possible development of individual citizen units. And these citizen units can not and will not grow unto their fullest stature in an atmosphere that is alien rather than generously, intelligently, and loyally American. The child that lives on indigestion and in spite of indigestion will stop far short of normal development and will never present glowing cheeks of ruddy health at the age of maturity, and that nation will be a "runty" midget among the other nations of earth, or perhaps suddenly die of acute indigestion, that tries to absorb without assimilation all phases and forms of foreign elements that are inimical to its national ideals.

Our friends in foreign lands must not charge American restrictionists on the question of immigration with being in any sense unfriendly to them. It means in the last analysis that we are their better friends, because we wish first to digest the millions of aliens that we now have and help them to help us make America a fit place in which to welcome and develop the waiting millions that are eager to come to the "land of the free and the home of the brave."

I have in my possession hundreds of foreign, unpronounceable un-American names, indicted in one southern city for violating our prohibition laws—trampling our Constitution and defying our beautiful flag, whose protection they invoke for their new-found homes and their illicit fortunes. I count myself all the more American and all the more humanitarian because I believe that such defiant aliens should be promptly sent back across the ocean and not allowed to set foot again on American soil for a thousand years.

That is not narrow; it is "safety first"—an absolute essential to the national strength which these very aliens need, which all foreigners need as a challenge to their highest personal and national development.

BOLDING'S IMMORTAL SENTENCE

It is not within the compass of this brief address to discuss in detail the problem of immigration. But we do know that the United States of America, with its wondrous statue of "Liberty enlightening the world," can not welcome or harbor those from other lands whose false concept of personal and national character would turn liberty into license. With a thrill that yet abides, although a quarter of a century rolls between, I love to remember that immortal sentence of dear old Mark Bolding when he was one of Mercer's victorious triumvirate in that hair-raising debate with the University of Georgia on the question of "Imperialism" in our attitude toward the Philippines. Hear it now with accumulated power that makes our American pulses tingle to our finger tips:

"There is no place beneath the American flag for the heart that does not love it and the arm that will not defend it."

ROCK OF AGES ONLY FOUNDATION

It is the challenge to the Christian forces of America to win these un-American millions, and lead them to plant their feet, their hearts, and their homes on the Rock of Ages! What a ringing call of patriotism and religion to the more than one thousand, God-fearing students of Mercer University! Let them make the latest slogan of the Woman's Christian Temperance Union their own: "For God and home and every land!"

It is yours, stalwart evangels of Christian truth, to help give to America that vital, unselfish Christian character that will command the faith and the emulation of the fevered, restless nations beyond the seas.

It is not within the province of this hour to discuss with any amplification the political question of international relationships. Only one sentence, it seems to me, holds the heart of the whole unsettled question, and that sentence is this: If it was wise for the United States of America to fight side by side in war with the great allied nations for the overthrow of military autocracy, surely it would be wise to clasp firm hands with them and all other possible nations in peace to keep that dangerous autocracy forever overthrown. That is the basic sanity of permanent international reconstruction. That is the world statesmanship; that is the world vision of which and for which, from varying angles, Theodore Roosevelt, William J. Bryan, William Howard Taft, Warren G. Harding, and Woodrow Wilson wrought and prayed and dreamed!

The only thing that will calm the fevered pulse, hold the restless steeds of passion, and stop the mouth of cannon across national and international lines is the faith that is born of character—the character that is born of God.

MERCER'S STALWART CONTRIBUTION

While the first thought of the fathers who founded Mercer was the education and general training of a more efficient ministry among men called of God to preach the everlasting gospel of Christ, the State of Georgia, the Nation, and the cause of our conquering Christianity throughout the world have cause to thank God that its mission was so broadened as to embrace the classical and practical education of leaders in every walk of life.

I rejoice to remember that I was fascinated and inspired in my young manhood soon after I became a member of the Baptist Church by the fact that half of the Congressmen in Georgia at one time, plus the Governor of the State, were Mercer men. Such illustrious names as Gov. Henry McDaniel, Gov. Allen D. Candler, Congressmen Rufus E. Lester, R. W. Everett, Anderson Roddenberry, and that brilliant Thomas E. Watson, father of the rural free delivery, were notable contemporaries, while the famous historian who was in the United States Senate when he died; and such other brilliant political leaders as Senator Thomas W. Hardwick, Senator WALTER F. GEORGE, Gov. Richard B. Hubbard, of Texas, Governor Jelks, of Alabama, Governors Jennings and Hardee, of Florida, Congressman JOSEPH SEARS, of Florida, and Congressmen CARL VINSON and EUGENE COX, of the present and succeeding House, are all notable illustrations of the stalwart contribution which Mercer has made to the State and National political life.

My final word must be personal to the "crown jewels" of Mercer University, her more than 1,100 students who are here at this founder's day celebration because Jesse Mercer, Billington Sanders, J. H. T. Kilpatrick, Adiel Sherwood, John L. Dagg, N. M. Crawford, Humphrey Posey, and all their pioneer compatriots believed in the old-fashioned Bible and the deity of Christ, and loved the souls and the Christian character of Georgia's young manhood more than the allurements of learning, the triumphs of science, and the blandishments of earth. You are here, O my young heroes of hope and ambition, because these wise old fathers of Israel believed that "the fear of the Lord is the beginning of wisdom"—because they were willing to dedicate their money above their taxes to the State on the altar of their radiant faith; that education without religion is like a flower without fragrance, like a statue without a soul.

It is yours in these testing times to present to your alma mater and to the battling world that calls you beyond the campus gate that glorious, aggressive Christain manhood which Nature designed "through the sequence of the suns" in the wondrous plan of God. Angela Morgan caught the vision which I pray God you may catch and embrace upon the sun-kissed Mercer heights of this historic hour:

When Nature wants to name a man
And fame a man
And tame a man;
When Nature wants to shame a man
To do his heavenly best * * *
When she tries the highest test
That her reckoning may bring—
When she wants a god or king,
How she reins him and restrains him,
So his body scarce contains him
While she fires him
And inspires him,
Keeps him yearning, ever burning for a tantalizing goal—
Lures and lacerates his soul;
Sets a challenge for his spirit—
Draws it higher when he's near it—
Makes a jungle, that he clear it;
Makes a desert, that he fear it
And subdue it if he can—
So doth Nature make a man.
Then, to test his spirit's wrath
Hurls a mountain in his path—
Puts the bitter choice before him
And relentlessly stands o'er him.
"Climb or perish!" so she says * * *
Watch her purpose, watch her ways.
Nature's plan is wondrous kind
Could we understand her mind. * * *
Fools are they who call her blind.
When his feet are torn and bleeding,
Yet his spirit mounts unheeding,
All his higher powers speeding,
Blazing newer paths and fine;
When the force that is divine
Leaps to challenge every failure, and his ardor still is sweet,
And love and hope are burning in the presence of defeat. * * *
Lo, the crisis! Lo, the shout
That must call the leader out.
When the people need salvation
Doth he come to lead the Nation. * * *
Then doth nature show her plan,
When the world has found—a man!

And yet such a master man mentally, physically, and perhaps morally, may be developed through the human processes of education and ethics. Recently I spoke to an audience of 2,000, not one of whom left until I had finished—it was a Federal prison—and there were men before me with enough of intellect and enough of resolution to have university diplomas and scholarly degrees. Their heads and hands had been trained, but their hearts had been left empty of the great impulse divine; they had kept punctilious schedules and meticulous cultural demands, but God had been forgotten. And their life's pyramid fell.

"Other foundation can no man lay than that is laid, which is Jesus Christ."

Let every Mercer man, laying his highest loyalties on the altar of that regenerating faith in which this great institution was born, sing with its stalwart founders:

In the cross of Christ I glory,
Towering o'er the wrecks of time!
All the light of sacred story,
Gathers round its head sublime!

THE PUBLIC BUILDING SITUATION

Mr. BOX. Mr. Speaker, I ask unanimous consent to extend my remarks on the public building situation.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOX. Mr. Speaker, this statement is in the nature of a report to the people I represent, advising them of the proceedings, situation, and prospect as to the erection of needed public buildings. The statement made by me on this subject at the end of the first session of the Sixty-eighth Congress gives a correct view of the situation which continues after the close of the short and final session of the Sixty-eighth Congress. The body of it will be found at the close of these remarks.

To bring the information down to date, the handling of this question during the session just closed should be understood. First, it should be clearly recognized that the President's opposition to the erection of needed public buildings is the chief and almost sole cause of the failure to authorize and provide for their construction in the manner which has prevailed since the establishment of the Government.

Several hundred such buildings are acutely needed now to house the courts and the customs, postal, and other important Government services. The United States is paying rentals amounting to about $24,000,000 per year, which would finance the construction of a great portion of the housing needed. About 1,000 bills were introduced during this Congress to provide these buildings. The House and Senate and their committees handling these bills know of this great need and would join almost unanimously in supplying it but for the opposition of the President.

I am informed, in fact it is very generally known, that during the two sessions of the present Congress members of the House Committee on Public Buildings and Grounds were more than once in conference with the President on this subject. Some of us interested in buildings repeatedly conferred with members of the committee both before and after those conferences. Their failure to report and the failure of the two Houses to pass any bill making provision for the present situation resulted from what these gentlemen learned at these conferences, and from other sources, as to the opposition of the President to the resumption of the building program as it has been followed during the history of the Government. This may be denied, but it is true and the people should know the truth.

There is often much talk about "pork barrel" legislation concerning rivers and harbors and public buildings bills. Most of this talk is uninformed or misinformed, spoken or printed

gossip. Some of the buildings asked for ought not to be erected. Congress never has authorized the construction of anything like all buildings asked for. So far as I can ascertain, Congress has never erected many buildings that were not needed, and has never provided for all that were badly needed. Whoever can point out a substantial percentage of unused or little-used Federal buildings can substantiate the charge that there has been a substantial abuse of this kind, but unless the proof can be made the charge should not be reiterated. I know that many public buildings are needed now. No man who knows the situation at Beaumont, Orange, Lufkin, or Jacksonville, for which places I have labored to provide buildings, will deny that they are needed there.

A Government survey of the activities and housing at Beaumont, made at my request, officially ascertained and declared that the space in that building was not half enough some three years ago. The need at Beaumont is pressing—distressing.

The building at Orange was ordered built in 1913, but the cost of building increased, causing the amount appropriated to be insufficient. The appropriation was later increased by $10,000 in a deficiency appropriation bill. Repeated revision of the building plans to reduce the cost finally brought the expense of building within the limit of increased appropriation, and a contract for its erection was made during 1924 under the authorization of 1913 and appropriations thereunder. Orange will soon have its new Federal building, though much reduced in size.

At Lufkin the Masonic lodge is furnishing the Government a building under an inconsiderate proposition made some seven years ago, under which the Government is paying $100 per month for space and equipment. To provide them now costs that fraternity in fixed charges nearly or quite as much as it is receiving, and possibly more, forcing the Masonic lodge to furnish the use of a valuable building to the Government practically free of charge. An adjoining and less desirable storeroom is rented to a private owner, without the appliances which are furnished the Government, for a price substantially more than the Government is paying. This means that the Government is receiving space at a loss of about $1,500 per year to the Masonic fraternity, the owner of the property. A fair rental price of the space and fixtures used by the Government there would be $150 per month or more. Within three years this lease will expire and probably can not be renewed except at a greatly advanced price. Why does the Government not provide a building in which to transact its business at Lufkin, just as merchants, banks, and the county do?

At Jacksonville a good business man and property owner is erecting a new building, expecting to lease it to the Government for a post-office building. If it will pay a private investor to erect such a building for that purpose, why would it not be good business for the United States Government, which can control money at a very low interest rate, to do so?

Who would say that the present post-office buildings in the thriving cities of Nacogdoches, Marshall, Port Arthur, and Beaumont were not needed, and that "pork-barrel" considerations prompted their erection? Federal buildings are needed at each one of the points for which I have asked them and at other places, whatever those who talk about "pork barrel bills" may say.

The same kind of talk is often heard about rivers and harbors legislation. In most cases it is treaceable to two or three viewpoints. One is the lack of knowledge or misinformation as to the mertis of the projects involved; another is the fact that the improvement is in some locality other than that of the critic. It is easy enough for a knocker to say that his territory or city needs this waterway development or this new or additional Federal building, but that similar improvements for the benefit of other people whose needs he does not know or feel are "pork." Again there is a disposition to criticize whatever the public schools, the city or county governments, or the State or National Governments do. All phases of government activity and all public officials should be watched, but an intelligent citizenship should be informed, careful, reasonable, and just in the criticism it makes. Otherwise it will not discriminate between good and bad public officials and policies.

The difficulties which have confronted some of us who are trying to provide for the legitimate needs of our people in this direction have been greatly magnified by this idle talk about "pork-barrel" legislation, running among the people and through the press, so that officials, fearing it, often fail to do the needful.

The President's economy program did not forbid him to favor the spending of some $8,000,000 or $10,000,000 on the Cape Cod Canal project, which doubtless has some merit and which may have to be adopted, but has provoked so much opposition, based on an alleged lack of sufficient merit, that successive Congresses and administrations prior to his have refused to sponsor it. He favored, encouraged, and approved the authorization of the construction of a $15,000,000 decorative bridge across the Potomac in the city of Washington. There are three other bridges across this river in and near this city, not to mention an old one still used in a substantial way. The new one will be an architectural beauty and, of course, a utility, but what it will cost would have erected 100 to 150 public buildings in the towns and cities where the people need them very much more than rich, official, and political Washington needs this fourth or fifth bridge across the Potomac in the District of Columbia. A greater appreciation of what is needed among the people and a more consistent application of economy would have given the people of the Nation that many buildings out of the funds which will now go into this bridge. If the bridge should have been erected at all now, a small part of the expenditure this bill authorizes would have built a beautiful, substantial bridge.

The Elliott bill, which the Executive was known to favor, and which was forced through the House by the steering committee and supporting majority, provided a program of building for six years at the rate of $25,000,000 per year. It was known and thoroughly understood in Congress and official Washington that at least $50,000,000, or one-third of this amount, probably the first and greater third, was to be spent in Washington City.

Some public buildings are needed in Washington and should be supplied along with relief to the whole country. The rents paid for Government uses in Washington City do not amount to anything like one-third of all the rentals paid for buildings by the Government. In fact, they amount to less than one-twentieth of the total rentals for Government purposes. The need for public buildings in Washington is nothing like one-third of what is needed in all the hundreds of cities and towns in the 48 States of the Union. Yet, under local financial, official, and political pressure it was expected to spend $50,000,000 or more for public buildings here, while the people of the country waited for relief or did without entirely.

It would now require an additional appropriation of some $7,000,000 or $8,000,000 to construct the buildings which were authorized by the Government in 1913—twelve years ago. They should be among the first built. An effort was made during this session of Congress to provide for their early erection, but that was opposed by administration forces. They were willing enough to have $50,000,000 or more spent for new buildings and $15,000,000 more for a new ornamental bridge and approaches in Washington not until now authorized, but "economy" forbade the erection at a cost of $7,000,000 or $8,000,000 buildings among the people to which the Government committed itself a dozen years ago.

Rightfully, a small part of $50,000,000 might have been used soon and annually thereafter in Washington, leaving some $20,000,000 to be used annually at other places, where the people and the public service need the buildings, but the Executive plan includes at least $50,000,000 for present public building use in Washington, plus $15,000,000 to be used for the ornamental bridge and approaches in Washington, making a total of $65,000,000, or more, to be spent here, while the people are told that economy forbids the doing of anything for their relief. Not even the $7,000,000 or $8,000,000 required to complete buildings ordered erected in 1913, but not yet contracted, can be spared, though one-half the money to be spent on this ornamental bridge and its approaches would have supplied this urgent need.

Under the Elliott bill the chances of the smaller towns and cities for relief would be slim, indeed. Texas has only four or five cities large enough to assure them of favorable consideration on the program contemplated, and they would have to wait for the crumbs, until after Washington had feasted.

The same type of "politics" which controls the selection of postmasters, and even rural carriers and other subordinate employees, under this administration and usually under most administrations, would have been sure to control the execution of such a program as that proposed in the Elliott bill. Whoever imagines that "politics" do not control the executive heads, bureau chiefs, and assistants in administrative matters here must be an outsider. No man who knows anything about the present or the average political régime here for a moment doubts that under the proposed system post offices would be handed out just as postmasters' places are.

"Politics" is the seeking, filling, and administration of public office by ordinary human beings, working with and for

ordinary mortals. It has evils of which no government, whether popular or centralized, is or has been free. The evils of "politics" are worse and take less note of the rights and needs of the masses of men in autocratic or centralized government than in democratic ones. Whoever hopes to escape "politics" by fleeing from free democratic government to autocratic or centralized government hopes without experience, knowledge, or reason.

There is some "politics" in a building program in which the representatives of 48 States and 435 congressional districts participate, but the beneficiaries of what is done are more numerous and widely distributed, and the evils are fewer and less dangerous than the evils which result from centralized and autocratic handling of this and similar undertakings.

While I continue to serve my generous constituents here, believing in their right to have a representative who has a voice in Government policies, I shall labor and contend for the carrying forward of a program of public buildings, river and harbor, and other improvements such as is consistent with the necessities of the public service and with economy in expenditures. To pass to the executive department the control of these questions is to place them where the Constitution did not vest them and to take them away from that branch of the Government which has, under the Constitution and with the approval of the Nation, exercised them for some 150 years. I yet hope that a proper building program may be carried out early enough to relieve needs now existing.

The rivers and harbors improvement situation is in better condition. There has been an understanding that the Elliott bill would place public building programs on the same basis as the rivers and harbors program. Nothing is further from the truth. No project for rivers and harbors improvement can be either authorized or appropriated for until each specific project is thoroughly surveyed, reported to Congress, and acted on by Congress in detail and by name, with specific reference to the specifications of the work to be done and specific limitations as to the amount of local contributions, and the amount of costs of each project. As appropriations are made from year to year under the system now in vogue, a specified amount is provided by Congress for the rivers and harbors improvements which it has adopted and specified. Then the engineers planning and superintending the construction have a right to use the lump sum provided when and where it will be first and most needed, all of which is under the specific plans and reports and printed recommendations made to Congress before the adoption of the projects and during the construction of the work. Under the Elliott bill projects would not be adopted by Congress. The amounts to be used on each would not be specified. The choice of sections, towns, and cities to be favored with buildings, the determination of the amounts to be used, and the whole execution and administration of the plan would be beyond the control of those who, under the Constitution and under fixed American usage, should exercise it.

I am glad to be able to report to the people of the second congressional district that we have been treated well in the legislation enacted by the present Congress for river and harbor and waterway improvement. Under appropriations made the work of deepening and widening the channels and harbors on the Sabine-Neches project to a depth of 30 feet will go steadily forward toward completion of the projects adopted some three years ago. Surveys have been ordered made with reference to further development of this great and much-needed improvement.

The Intracoastal Canal, connecting us with the Mississippi River and all its vast system of navigable tributaries, on which are such cities as Pittsburgh, Cincinnati, St. Louis, and Kansas City, and with points east of New Orleans on the coast, and also connecting us with our growing neighboring cities of Galveston and Houston on the west and their water and railways, has been ordered constructed. Appropriations will hereafter be made for that work according to the plans specified and within the limits fixed by the act of Congress authorizing the work.

Vessels which navigate the deep sea can not enter the shallower inland rivers and waterways. The tugs, barges, and river steamboats which navigate the Mississippi, Missouri, Ohio, and their tributaries and the inland coastal rivers and other waters can not enter the Gulf or open sea. The Intracoastal Canal will make the inland rivers and waterways available to carry the products and commerce of the interior to the wharves which line the harbors where the sea fleets gather. The people will be served by having their products carried at lower water transportation cost, and the ports and adjacent towns and sections will thrive and grow probably more than the most farseeing can now visualize, because interior and ocean commerce will flow in ever-increasing volume through them.

I am grateful for the opportunity of helping to bring about the accomplishment of these great plans. All the difficulties can not be met at once. Nor can all our public needs be supplied at once. The people interested are working together and I am and shall be glad to work with and for them toward the accomplishment of these great purposes. Not unimportant among these plans is that for the erection of needed public buildings. That need has not been and will not be neglected by me.

I subjoin a copy of what I said on this subject in the CONGRESSIONAL RECORD of May 19, 1924, calling special attention to the fact that I then saw and specifically pointed out the disposition in certain circles to ignore the public-building needs of the whole country and to favor the Capital, the home of the rich, political, and official set, by giving it a lion's share of what is to be expended for public buildings during the next few years:

REMARKS OF HON. JOHN C. BOX, OF TEXAS, IN THE HOUSE OF REPRESENTATIVES, MONDAY, MAY 19, 1924, ON THE PUBLIC-BUILDING SITUATION THROUGHOUT THE NATION—IN TEXAS—BEAUMONT, ORANGE, LUFKIN, JACKSONVILLE

Mr. BOX. Mr. Speaker and gentlemen of the House, because the Congress and administration do not seem to appreciate the acuteness of the need for the erection of Federal buildings in which to transact public business at many places in the country outside of the District of Columbia, and because the people of those points do not generally understand why the Government persistently fails to provide these necessary buildings, I am occupying this space in the RECORD for the purpose of making this statement for the information of the House and the people.

There is a continuous, loud clamor in Washington for the spending of additional millions for the construction of a great memorial bridge, many public buildings, and similar improvements in the District of Columbia. There is doubtless need for some additional buildings here which should receive consideration; but the commercial interests of Washington cause much of this noise to be made. They want these vast sums spent here for business reasons. Those who clamor for these buildings in Washington seem to forget the urgent needs of the country while considering the liberal or lavish use of money to adorn the Capital City. Large expenditures by the Government here for Washington improvements will increase business and the price of real estate, but Members of the House and Senate and others who favor such a course need to have their attention recalled to the fact that the Federal funds come from the people of the United States and must be expended for the benefit of every part of the country.

There is now, and for several years has been, an urgent need of courthouse and post-office buildings all over the Nation. No general public buildings bill and no individual bill authorizing the construction of such buildings as these has been enacted since 1913—before the beginning of the World War. Many of the buildings authorized and appropriated for then have not yet been constructed by the Treasury Department, which lets the contracts for the erection of such buildings, supervises their construction, and controls the expenditure of the funds appropriated for that purpose by Congress.

In the second district of Texas, which I have the honor to represent, the need of housing for Government business is distressing. I have three bills providing for such buildings pending before the House Committee on Public Buildings and Grounds. So often and urgently have I pressed upon the chairman and some members of that committee the needs of my people in this respect that I have doubtless made myself troublesome, but the distressing need among my constituents compels me to urge that they be granted relief. I take this method of again calling the attention of each member of that committee to the acute situation at those points in that district.

At Beaumont, a city of some 50,000 people, handling great volumes of all kinds of business, is located an important division of the United States court for the eastern district of Texas, with its retinue of necessary officers. The customs service at that point is extensive and increasing with the great increase of foreign trade passing through that and adjacent ports. The prohibition enforcement officers, internal revenue forces, and other Government agencies all require office and working room at Beaumont. The post-office business and forces have doubled and trebled since the erection of the present building. The city of Beaumont itself has more than doubled in population and made still greater increases in the volume of business handled.

The result has been the piling up of a greatly increased amount of Government business, handled by the several Government agencies mentioned and others without sufficient room for its handling. At my instance the Chief Architect in the Department of the Treasury some two or three years ago, sent an expert to survey the housing situation and Government business at Beaumont. After a thorough survey he officially reported that the present building there, even at that time, was not quite half sufficient to meet the requirements. The business has increased since then. The situation now is even worse. The Government is trying to rent space in buildings near by in which to handle

Government business. It is bad for the taxpayers and for all concerned for the United States to pay heavy rents and have Government activities scattered here and there with the division, confusion, and inefficiency thereby produced. I have had this bill for the relief of that situation pending through several sessions of Congress and have urged its consideration in every possible way. That bill, with all others introduced by me and every one of my colleagues, has remained on the calendar of the Committee on Public Buildings and Grounds without consideration and, of course, unreported.

The city of Lufkin is thriving and growing and now has more than 5,000 people, without a Federal building in which to handle its post-office and other Government business. When I became a Member of this House five years ago I introduced a bill for the purchase of a site and the erection of a building at Lufkin. That, too, has had my diligent attention. Every effort has been made to get the committee and Congress to act favorably on it; yet it, like all of the hundreds of bills introduced by the 435 Members of the House, has remained on the committee calendar, unconsidered and unreported.

Five years ago I introduced a bill for the purchase of a site for a building at Jacksonville, but it has shared the same fate as all the others. During the present Congress, because of the continued growth of Jacksonville and the increasing volume of post-office business handled there, I introduced another bill authorizing both the acquisition of a site and the erection of a building. Notwithstanding every effort, it has remained, like all the others from Texas and every other State, dormant in the Committee on Public Buildings and Grounds.

Every Member of the House and Senate knows, and every citizen should be advised, that no such bill has any chance to be passed through the House and Senate and be approved by the President until it has been considered and favorably reported by the Committee on Public Buildings and Grounds. It is equally well understood by all who are informed that even if it were possible to get a favorable report from the committee on one or two isolated buildings from a single district it would be impossible to even get it up for consideration in the House, where the other 434 Members, all of whom have similar bills, are the judges as to what measures will be considered or passed. They will not tolerate the passage of bills providing for other districts and slighting theirs. I know, and am sure my intelligent constituents know, that a public buildings bill is only possible when it makes sufficient provision for the general needs of the country to command the support of majorities of both Houses and the approval of the President. The most influential Member of the House or Senate is not exempt from this rule. Hon. FREDERICK H. GILLETT, the Speaker himself, whose position and power approaches that of the President and Vice President, is not able to avoid the operation of this rule. He has had pending for some years a bill for the relief of an acute situation in the city of Springfield, Mass., but his people have been compelled to wait, just as my people have. No more progress has been made in the consideration of or toward the passage of the Speaker's bill than has been made in the consideration of mine.

Every one of the 18 Members of Congress from Texas, including the 1 Republican, has had the same experience that I and all the other Members of Congress from other States have had.

Since Texas became a State, some 80 years ago, four Federal buildings have been erected within the second Texas congressional district—ours—as the result of the continued and able efforts of a long line of able Representatives, including such men as Reagan, Stuart, Cooper, Brooks, and Dies. The Federal buildings within the second congressional district are located at Beaumont, Port Arthur, Nacogdoches, and Marshall. One was authorized for Orange 11 years ago. It has not yet been erected, but we hope to get it built within the next year. Other Texas districts have not fared better.

The first congressional district of Texas, represented by Hon. EUGENE BLACK, has four Federal buildings. The post-office building at Paris burned in 1916. A one-story post office was constructed on the ruins of the old building and temporarily covered out of funds appropriated in 1917 in the emergency created by the fire. Temporary quarters are rented for the use of the Federal court. No new courthouse or general Federal building has been erected since the fire, because the funds have not been provided.

The third congressional district of Texas, represented by Hon. MORGAN G. SANDERS, has obtained three Federal buildings during the history of the State. Mr. SANDERS has had bills pending for the erection of Federal buildings in six cities in the district, none of which has been reported or passed.

The fourth congressional district of Texas, represented by Hon. SAM RAYBURN, has seven Federal buildings. No new buildings have been authorized during the last 11 years.

The fifth congressional district of Texas, represented by Hon. HATTON W. SUMNERS, has three Federal buildings. Mr. SUMNERS has had bills pending for the erection of a Federal building at Dallas, none of which have been reported or passed since 1913, though the need is said to be great.

The sixth congressional district of Texas, represented by Hon. LUTHER A. JOHNSON, has had bills pending for the erection of Federal buildings in three cities in the district, none of which have been reported or passed.

The seventh congressional district of Texas, represented by Hon. CLAY STONE BRIGGS, has two Federal buildings, located at Galveston and Palestine. Mr. BRIGGS has had bills pending for the erection of Federal buildings in four cities in the district, none of which have been reported or passed.

The eighth congressional district of Texas, represented by Hon. DANIEL E. GARRETT, has four Federal buildings. No new buildings have been authorized for that district in a dozen years, though said to be badly needed.

The ninth Congressional district of Texas, represented by Hon. JOSEPH J. MANSFIELD, has five Federal buildings. Mr. MANSFIELD has had bills pending for the erection of Federal buildings in five cities in the district, none of which have been reported or passed.

The tenth congressional district of Texas, represented by Hon. JAMES P. BUCHANAN, has four Federal buildings. Mr. BUCHANAN has had bills pending for the erection of Federal buildings in two cities in the district, none of which have been reported or passed.

The eleventh congressional district of Texas, represented by Hon. TOM CONNALLY, has four Federal buildings. Mr. CONNALLY has had bills pending for the erection of Federal buildings in two cities in the district, none of which have been reported or passed.

The twelfth congressional district of Texas, represented by Hon. FRITZ G. LANHAM, who is the Texas member of the Committee on Public Buildings and Grounds, has three Federal buildings, located at Fort Worth, Weatherford, and Cleburne. Mr. LANHAM has had bills pending for the erection of Federal buildings in three cities in the district, none of which have been reported or passed. The Texas member of this committee knows this general situation well. He has heard so much about the needs of Beaumont, Lufkin, and Jacksonville that he could not forget them if he would. I know he is our friend and will do his utmost to help us.

The thirteenth congressional district of Texas, represented by Hon. GUINN WILLIAMS, has four Federal buildings. Mr. WILLIAMS has had bills pending for the erection of a building at Bowie, which, like the others, has remained unreported and unpassed.

The fourteenth congressional district of Texas, represented by Hon. HARRY M. WURZBACH, the only Texas Republican in Congress, has four Federal buildings. Mr. WURZBACH has had bills pending for the erection of Federal buildings in three cities in the district, none of which have been passed or even reported.

The fifteenth congressional district of Texas, represented by Hon. JOHN N. GARNER, who has served in Congress some 22 years, has four Federal buildings. Mr. GARNER has had bills pending for the erection of Federal buildings in six cities in the district, none of which have been reported or passed since 1913.

The sixteenth congressional district of Texas, represented by Hon. C. B. HUDSPETH, has four Federal buildings. Mr. HUDSPETH has had bills pending for the erection of Federal buildings in three cities in the district, none of which have been passed or reported.

The seventeenth congressional district of Texas, represented by Hon. THOMAS L. BLANTON, has had no bills for the erection of Federal buildings for post offices or courthouses in the district reported or passed since 1913.

The eighteenth congressional district of Texas, represented by Hon. MARVIN JONES, has one Federal building. Mr. JONES has had bills pending for the erection of buildings but has been unable to get any of them passed or reported.

The second congressional district of Texas, which I have the honor to represent, has four Federal buildings, which is a little above the average for Texas congressional districts, and these buildings in our own district and in all the others are not the work of present Congressmen chiefly but are the result of the efforts of all the above-mentioned men, such as Mills, Coke, Bailey, Reagan, Cooper, the Culbersons, the Sheppards, the Lanhams, and all of the strong men who have represented Texas in the upper and lower Houses during the nearly 80 years of our statehood.

The average length of service of the present Texas delegation in Congress is greater than my own, yet they have not been more fortunate than I have in getting their public buildings bills passed.

Among the Texas cities now asking and thus far failing to secure Federal buildings are Huntsville, Crockett, Athens, Mineola, Kaufman, Wills Point, Henderson, Kerrville, Gilmer, Pecos, Big Springs, Gatesville, Hamilton, Stephenville, Dublin, Texas City, Mexia, Bryan, Groesbeck, Seguin, Kenedy, Bowie, Lufkin, and Jacksonville. Among the larger cities having older Federal buildings which have been outgrown and are now insufficient, which have asked for enlarged Federal buildings and failed to obtain them, are Beaumont, Fort Worth, Galveston, Dallas, and Houston.

This condition of old, outgrown, and overcrowded Federal buildings insufficient to meet present needs and the inability of hundreds of

flourishing young cities to obtain any at all extends not only over all Texas but throughout the United States.

All of the Members of this House and of the Senate from all of the States have had the same experience. In hundreds of places the most urgent needs of public buildings have gone unsupplied. I have already referred to the fact that the Speaker of this House has had exactly the same experience met by me and all of my Texas colleagues.

Under the present Budget system the passage of a bill authorizing a public building does not provide the funds necessary. The money must be provided by an additional bill making the appropriation for the building. Even after that is done the immediate erection of the building is not assured. As just stated, we are just now securing the erection of a building at Orange which was authorized and appropriated for 11 years ago. After bills are passed authorizing the erection of buildings and others making appropriations for the purpose, the letting of the contracts and the expenditure of the money is in charge of the Secretary of the Treasury, who acts through the office of the Supervising Architect of the Treasury. That department often waits years before erecting buildings.

There are now scores, possibly hundreds, of buildings authorized and appropriated for 10 or more years ago which remain unconstructed. Doubtless this is caused by the heavy demands made upon the taxpayers by the expenses of the war and in part by the fact that the cost of building has very greatly increased since these bills were passed, so that funds then ample are now insufficient.

Members of this House, the country generally, and my own intelligent constituents particularly, should be frankly told these facts in order that they may know conditions exactly as they are. When many flourishing young cities expect to secure immediate authorizations and appropriations for public buildings and their prompt erection, it is well to remember that Federal buildings are nothing like as numerous as is generally understood, and that in the whole history of Texas, covering 80 years, the second district of Texas, an older section of the State and having at least its average share of these buildings, has been able to secure only four within 75 or 80 years, through the efforts of my numerous and able predecessors. Public buildings are not nearly so easily secured as is commonly supposed. I sincerely regret that I am not able to assure my constituents that my public buildings bills for their relief will be immediately passed and approved by the President and thereafter appropriations made and thereafter contracts for the erection of the buildings promptly let.

I am doing my utmost to present their claims, and I hope for success, but I can not truthfully say that relief is sure to come at once. However, my colleagues of the Committee on Public Buildings and Grounds, and particularly the Texas member, Hon. FRITZ G. LANHAM, and the chairman, know with what diligence I have presented this need of the flourishing and ambitious young cities of my district which really need these buildings for the transaction of Government business. It is to be hoped that the condition of the Public Treasury will be such, and the views of the House organization and administration and majorities in both Houses of Congress will be such, that substantial progress can soon be made. This line of improvement has been falling further and further behind and the need becoming more and more acute. It will take the Government years to catch up with its building program, and the sooner it takes it up again the better it will be for the branches of the Government service and the needy communities involved.

I make this statement through the columns of the CONGRESSIONAL RECORD in an effort to impress upon both branches of Congress and all concerned in the administration of the Government with the urgent need not only of my constituents, which to me are special, but the whole country, and to advise my constituents and all others who read this part of the RECORD of the situation as it is.

GOVERNMENT CONTROL OF DESTRUCTION OF PREDATORY ANIMALS

Mr. MORROW. Mr. Speaker, I ask unanimous consent to extend my remarks on the destruction of predatory animals.

The SPEAKER. Is there objection?

There was no objection.

Mr. MORROW. Mr. Speaker, in discussing this subject it may appear as a subject that does not appeal to the ordinary statesman. But when one realizes the destruction wrought by predatory animals to the food products of the Nation, it has a different bearing upon our feelings. Predatory animals in the Nation yearly destroy millions of dollars' worth of animal food.

The Department of Agriculture in its report for 1924 has this to say about livestock losses:

It is estimated that predatory animals until recent years took an annual toll of $20,000,000 to $30,000,000 worth of livestock on the western ranges. The Department of Agriculture (Biological Survey) is now cooperating with State and county officials and livestock associations in the destruction of these wild animals, approximately 500,000 having been destroyed since 1915. The destruction of the large numbers of wild and practically worthless horses, which on some areas number thousands, would also increase the capacity of the range in many districts. Their presence not only decreases the number of valuable livestock, but they are an actual source of injury to the range. In many instances they are so wild and the country is so rough that it is impossible to round them up or remove them. Even if rounded up they have no commercial value except for fertilizer or for poultry feed.

This department must be better supported both from a Government standpoint and also in the cooperation by the States. Predatory animals should be reduced to the minimum and in time practically wiped out.

Of the predatory animals most destructive to the farmers are wolves, coyotes, mountain lions, and the rodents, prairie dogs, and pocket gophers; these animals not only destroy the domestic animals, as sheep, calves, pigs, and other livestock, but they also destroy very much of the game of the country; prairie dogs and pocket gophers ruin the grass and grain crops.

The figures given by the Agricultural Department are so appalling that Congress should appropriate liberally and ask the cooperation of the States; especially should Congress do this where the public lands and forest reserves exist, to the end that these destructive animals be fully extinguished. In place of wiping out the predatory animals our Government, by its not sufficient force, is really permitting the predatory animals to wipe out our remaining game animals, as the deer, antelope, elk, and mountain sheep. The coyotes are the most prolific multipliers of the predatory animals.

In my State, New Mexico, under an act of the legislature the New Mexico College of Agriculture and Extension Service, under the supervision of the United States Biological Survey, by the expenditure of $35,000 has saved the stockmen of the State more than $150,000 by the destruction of more than 1,000 predatory animals in 1924, such as wolves, mountain lions, and coyotes.

To the stock growers, cattle, and sheep men it is of the greatest interest that a close cooperation be had between the Biological Department of the Government and the State, to the end that predatory animals that prey upon the livestock and the game of the Nation be eradicated and kept in as close check as possible. In this manner the meat food can be saved and the stock-raising business is made less hazardous from predatory animal loss.

The Government should unite with the public-land States through sufficient expenditures to put a field force at work; a force which in a few years would practically eradicate the principal destructive predatory animals. It is conceded that the losses to the stockmen each year are several million dollars, and also it is a consequent loss in the meat product of the Nation.

Then why appropriate $100,000 less in this work than the estimate made by the Secretary of Agriculture? It appears from a strictly business standpoint that this is not a saving but a loss; every predatory animal that lives is a liability to the Nation; every predatory animal killed is an asset. In New Mexico over 2,000 coyotes were destroyed in 1924 by Federal and State cooperation. Sixty thousand square miles were covered in a general poisoning campaign and this with a hunting force ranging from 15 to 35 men.

The report from New Mexico for the month of December, 1924, was 306 true predatory animals, as follows: 269 coyotes, 25 bobcats, 10 mountain lions, and 2 wolves. A force of 36 men, including 4 field assistants, worked an average of 26 days. The average catch per man was 8½ predatory animals.

A. D. Gray, leader of rodent control in New Mexico, reports a total of 4,396 acres on the Elephant Butte irrigation project were poisoned for gopher control. During the past year gopher-control operations on the Butte project made a net saving of $31,454 for the farmers. Two thousand and fifty-six cooperators were given assistance in the control of prairie dogs during the past year.

It is estimated that rodent pests—prairie dogs, jack rabbits, pocket gophers, and kangaroo rats—destroy annually in New Mexico grazing and crop production the sum of $7,694,155.

In taking up the different public-land States and the western agricultural States, where the predatory animals and rodents are destructive, I want to cite some of the reports made by officers having in charge the destruction of predatory animals under the Bureau of the Biological Survey.

In Nevada coyotes, bobcats, and mountain lions are the principal predatory animals that infest that State, and they are very destructive to the livestock industry. That State has about 1,000,000 sheep within the State and about 700,000 sheep grazed from outside the State each year. The losses annually of sheep are from 2 to 6 per cent, and the losses are estimated on the basis of 2 per cent, or about $272,000 per year. In addi-

tion to this the destruction of ground squirrels and other rodents is estimated to grazing and forage crop of that State at $500,000 per year, making the losses to this State of nearly $1,000,000 per annum.

In the State of Colorado it is shown that there are 8,000,000 acres of land in that State occupied by prairie dogs. There are 80,000,000 prairie dogs within the State. The loss per year per dog runs from 10 cents to $1, and on a conservative estimate the injury to pasturage and forage in the State of Colorado is $4,000,000 annually. If the prairie dogs alone were destroyed in that State the agricultural valuation of the State would be enhanced $50,000,000. This estimate is said to be very conservative. This estimate does not include the losses sustained from ground squirrels, pocket gophers, and rabbits; these losses combined might well be estimated to be 50 per cent of the losses sustained from the prairie dogs. So that the wiping out of these rodents would save millions of dollars to that State each year.

The report from the experiment station of Kansas, made by Mr. Otis Wade, of the extension department, shows that there are 120,000 acres of farm land in Kansas infested with prairie dogs. The eradication of prairie dogs would mean an increase in money value in the production of cattle of $547,530 and in the production of crops of $263,298. The report further shows that the loss due to prairie dogs in grazing and farming lands reaches beyond the one-half million dollar mark in Kansas each year, that pocket gophers infest 400,000 acres of land, and that the loss means about 250,000 tons of hay, which at the average price of hay in the State would mean a loss of $2,500,000 annually. So the loss can be readily seen in that State.

A report from the chairman of the department of entomology at the University of Nebraska shows that the loss to the stock interests of the State from coyotes runs to about $50,000 per year. It is estimated that the loss from prairie dogs in that State is better than $80,000 per year. The report further shows that the loss from pocket gophers, that ruin the grain and grass crops, runs to $3,000,000 per year. It would appear to me to be very much in the interest of the Government and all the States that are infested with predatory animals, including the rodents, to seek, through national control and State cooperation, ample funds for the wiping out of these animal pests at the earliest time possible. This can not be accomplished unless sufficient funds are appropriated for maintaining an efficient field force for the destruction of these pests.

The Government should appropriate twice the amount it now appropriates, and the State cooperating do likewise, and thus wipe out these destructive pests. Every pest destroyed means a saving, and twice the field force can accomplish more than twice what the present force is doing. It is a real business proposition for our Government to become as efficient along this line as possible. The saving to the American farmer and stock grower by the destroying of these pests means, in the opinion of those who have made this subject a study, a saving of several million dollars each year in each of our Western States, both in livestock, wild game, and in the utility of grazing and agricultural land now wasted by rodents.

The next appropriation should increase the amount for the purpose of carrying on this work to make the same more efficient and thorough with the purpose in view of finally exterminating the more destructive species of the predatory animals and rodents.

A SQUARE DEAL FOR THE FARMER

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my remarks on farmers' relief legislation.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, another Congress has come and gone and there has been made much the same record as heretofore. Nothing worth while has been done for the farmers of the Nation. I wonder how long this is to last. At the beginning of each Congress there is much noise made about a program for the farmers, but at last noise is all that there is to it.

There will probably be several months of vacation and there will not be much said about legislation for the farmers until near the beginning of next session, but then the same old noise will be started by those who never intend to do anything for the farmers of the country. If this was campaign year there would be a great uproar about relief legislation for the farmers during the entire vacation.

Just think what happened last year. Congress was in the control of the Republican Party and President Coolidge was in the White House. The Republican Party could have easily put through any program that it desired for the farmers of the country. Many of the Democrats were anxious to get something done for the relief of the farmers. The Republicans had, as usual, promised some real legislation for the farmers. Nothing was passed for the farmers. Near the last of the session the McNary-Haugen bill was put up and defeated. No real consideration was given to it. There was no chance to perfect it and make it a real piece of legislation. The friends of the farmers were forced to vote for it in its defective condition or vote against it. If we voted for it we would be voting for a bill with many bad features in it and if we voted against it we would be considered as voting against the only bill offered during the session by the administration for the farmers.

I voted for it as I was anxious to get a bill started and was hopeful that it might be perfected in the Senate. This bill was never passed.

The Republicans in June of last year with the McNary-Haugen bill still pending and with nothing done for the farmers adjourned Congress and went home to tell the farmers of the Nation what great things they were intending to do for them. They did not tell the farmers that they had adjourned Congress rather than stay longer and really pass some laws for the farmers. When the Republicans adjourned Congress they said to the country that they had done all that they wished to do. They said to the farmers of the Nation we have finished our program for you. They had of course done nothing for the farmers, and yet I am sure that they had done all they wished to do. They had at least done as much as they ever do. They had done as much as has been done at this session of the Congress. They had done nothing for the farmer.

The great trouble, though, was that while the party in power had done nothing for the farmers they had made some laws to injure the farmers. They had not helped him but they had helped some others, and in helping the others they had hurt the farmers of the country. So the Republicans said, "Let's adjourn and go to the country and tell the farmers how much we love them and what great things we will do for them if only we are elected again."

Well, there were many protestations of love and much waving of hats and shouting for the farmers, and the Republican Party went back into power. The President made a great show as a farmer's friend. He went back to his old home and had his picture made while he was pitching hay into a wagon. The newspapers carried the picture. The President and all his party kept making promise after promise, but the real trouble was that the promises were general in nature and no real plan was offered.

When those that talk for the farmer simply to get his vote make promises they are always general when they are for the farmers, but those same men make very definite promises when they are promising those that exploit the farmers.

For the farmers the promises are general. In fact, a close analysis of the promise shows that it is nothing but a vague, indefinite shadow, with no real substance or body.

Those same people who make such indefinite promises to the farmer make a very definite promise to the manufacturer of a tariff which will produce the manufacturer a certain number of hundred thousand dollars extra at the expense of the farmers. The railroad owners get a very definite promise of legislation that will enable them to collect freight and passenger fare to an amount which will yield them a definite income. No such promise is made to the farmer.

In fact, Mr. Speaker, the people of big wealth are promised legislation which means a definite increase of so many millions of dollars for them or means a tax reduction of a certain number of thousand dollars for them. The farmers get no such promises. His promises are general. Why not make some definite promises? Why not do something definite for the farmers of the Nation?

The great trouble, Mr. Speaker, is that three-fourths of the time of the Congress is taken up with passing legislation that hurts the farmer and puts on his already bended back additional burdens, and the other one-fourth of the time of Congress is taken up shouting for the farmers and for those that toil in an effort to fool them into believing that something is really about to be done for them.

Those that are not at heart real friends of the farmers have to make a lot of noise for the farmers in an effort to make the farmers think that they are the friends of the farmers. It is not noise that counts. It is service that counts.

There are many here who are real friends of the farmers of the Nation, but the trouble is that we are in the minority. It hurts me to see a real friend of the common people go down in defeat. We need more of them. We are losing several good

friends of the farmers and of the laboring people at the close of this Congress. Unless some mighty good men take their places the cause of the farmers will suffer.

Let me say just here that all friends of the farmers are not in any one party. Some are Democrats and some are Republicans. Some are independents, progressives, and some belong to the Farmer-Labor Party. All Democrats are not friends of the farmers. I wish that they were. I am a Democrat and believe firmly that the Democratic Party is the party of the common people. It more nearly stands for the common people than either of the old parties. It really seems to me, though, that some in the Democratic Party should be in the Republican Party, which is the party of the big rich, and I am sure that some that are in the Republican Party should be in the Democratic Party.

The real line-up here, Mr. Speaker, is not between the two old parties, but is between the men representing the common people and those representing the men of great wealth. The line-up is between money and folks. Some put money and those that own money ahead of everything, and there are others that put men, women, and children ahead of everything else in the world.

Those that make money their God legislate for the common people only for the purpose of helping the common people make and produce in order that they may rob them of their hard-earned property. Many want the farmer to produce so that he can be robbed of what he produces.

Too many there are who value the farmer only as a butcher values a pig—that is, for what he will produce. Many help the farmer because they hope to get out of him all that they help him and more. The middleman is for the farmer, but he is also for the profit he can steal from the farmer. I do not mean to say that all middlemen are thieves, but I do say that many are; and still more get money that should go to the farmer under a proper plan of distribution of the products of the farm. Very few middlemen are getting only what they really earn by rendering a real service to the farmers and to the consumers.

Mr. Speaker, all of us here in Congress are for the farmer. Some are for the farmer because we want him to prosper and find a ready market at a reasonable price for all he produces, and then want him to keep for himself and family what he gets for his products. Others are for the farmer and also for all he produces, except just enough to keep him and his folks from starvation. All want the farmer to produce abundantly, but we differ as to who are to have what the farmer produces. Many of us want the farmer to have all he produces as his own to be used by him and, if he wishes, to be sold by him at a fair price, and want him to keep the money he gets for his product for the use of himself and family. We believe that there should be no unreasonable middlemen's profits, and believe that the farmer should be given a square deal in all of his dealings. Others want the farmer to bear the burden not only of his taxes, interest, cost of living, and other expenses but also the burden of others who are nonproducers. They want the farmers not only to feed and clothe the world but also want the farmers to furnish the money for the nonproducer to use in buying the food and clothes made by the farmer.

Mr. Speaker, those of us serving here in the House are called Representatives. It is said that we represent our respective districts and the people therein. Well, we do, but we also represent more fully the kind of people that we are ourselves. An apple does not represent an orange grove nor any part thereof. An ear of corn does not represent a gold mine nor a diamond field. Neither can a man represent some one or many who are entirely different from him and with whom he is not in sympathy. The millionaire here in Congress, represents the millionaire. The big manufacturer here represents the manufacturer. The railroad owner here represents the railroad owners. The man born in luxury and raised in a bank with a big bank account represents his crowd and no one else. The man raised on the farm, who plowed, and who always had a hard struggle and who sympathizes with the farmers of the Nation, represents the farmers. We represent the same kind of folks that we are ourselves. It is easy here to determine ofttimes how almost every man will vote in advance if we know how the men were raised. As a man is raised and as he lives so will he vote. We vote with the crowd that we are in sympathy with.

Mr. Speaker, we are in sympathy with those who have suffered as we have suffered or who are suffering as we have suffered.

The man or woman who has always had more money than they knew what to do with does not sympathize with those of us that have always been poor. The man with a big bank account does not understand how a fellow feels when his home is being sold out from under him. The man who owns two or three cars and is figuring out ways to use more of his money in pleasure and in having a big time does not understand how the fellow feels who tumbles in his bed all through the long night and can not sleep for trying to figure out some way to pay his taxes, interest, and pressing obligations, and thus save from sale all that he has ever owned.

The man in a brick mansion does not understand the poor fellow in a log house or in the world with a big family and no home. The man driving a big $5,000 car with an extra car or two standing up waiting at home does not understand or sympathize with the fellow driving a Ford or walking down the dusty road with no car at all They may say they do, but they do not. What we need here in order to make a winning fight for legislation for the farmers is more men who are in sympathy with the farmers and with all who earn their living in the sweat of their faces. The farmers of the Nation need more, in fact, many more, of their own kind of folks to represent them.

Nothing is so hard for those who abound in riches as to conceive how others can be in want.

In the days of the early settlements the Indians reported a great day and much success when they returned at the end of the day with the scalps of many men, women, and children dangling at their belts. So it is with those who live off of the farmers and the laboring men and women of the country. It matters not how many have lost their homes or have suffered or have been driven to a premature grave just so the bank account of the profiteer is swelled, just so the thousands of those living off of the farmer is multiplied, there is reported a great day or a great and prosperous year.

Mr. Speaker, I get so disgusted at the politics played here. So many are playing and acting as the friends of the farmers and at the same time are really fighting the farmers and the common people. Mr. Speaker, it is enough to make one almost lose faith in the honesty of the human race.

There comes back to my mind the adjournment of Congress made last June, and the trick that was worked at that time by those in power. Of course, many saw through the entire scheme, but after all it was hypocrisy in the extreme. Just think of the situation. Congress was in session and could have stayed in session for many months. Much had been promised the farmers, nothing had been done, and yet Congress quit and went to the country and at once and of one accord began to make promises of what the Republican Party would do if returned to power. It was in power; why did it not do instead of make promises?

Why did that Congress adjourn before the campaigners began to make speeches and to make promises to get votes? If the Republicans had intended to do anything for the farmers, why did they not do it and show the deed instead of making more promises? Simply because they did not intend to keep the promises which they were making. But why adjourn? I will tell you the secret. It is plain enough. Let us suppose a Republican running for Congress up making a speech and telling what he tried to do while in Congress and what his party would do if elected. He would be too open to attack. Some one in his audience would simply rise and say, "Well, you and your party are in power, and you say if you are returned this good thing will be brought about by the Republicans in Congress; then why not go back to Washington by the next train and do it now; why wait? Congress is in session; why not do what you are promising and bring us the deed instead of an empty promise?" Of course, this would not do, so the Republicans adjourned so that they could say, "Of course, Congress will not meet again until after election, and it is very essential that you elect us so that we can do this great thing for you."

Mr. Speaker, I have been here for six years and it has been the same old story every time. Many promises during campaigns and at the beginning of Congress and then committee hearings and finally near the end of the session a bill is brought up in such a way and under such a parliamentary manner as to prevent its perfection. Much noise is made and several speeches are made and the papers carry much ado about the farmers' relief legislation. There are statements that the administration is very strong for legislation for the farmers. Then the papers say there is danger of the administration's farm-relief program falling down. The farmers may not get the legislation that was expected for them. Soon Congress ad-

journs and nothing is done to relieve the farmers and everything is done to make his burdens heavier.

The truth is, Mr. Speaker, all was accomplished that ever was intended by the powers that are in control. Nothing was intended; nothing was done. Did I say nothing was intended? I should have said that nothing was intended for the farmers but a lot of publicity and noise and shouting for him.

A new session will start again later this year, whether adjourned, or special session, or regular session. Let us see what is done. There is no use waiting to see. It will be the same old program of promises and a lot of noise. Later some bills before the committees and finally a bill or two brought out at the very last of Congress under such circumstances as to insure their certain defeat. Then there will be the usual noise about the farmers' relief bill being lost in the last or closing hours of the session.

Mr. Speaker, it is my definite purpose not to let this kind of a program go by again without making more complaint about this manner of deception than I have ever made before. I have several well-defined things which I want done for the farmers of the Nation and I am going to insist on something being done. I know that I may fail and I know that the Republican Party is in power and can keep any legislation from passing by keeping its party in line. But I am glad that all the Republicans can not be kept in line when there is at stake a bill for the farmers. I do not want to become an obstructionist, but, honestly, I find myself almost determined to object to every other bill and move unless the farmers can be given a fair deal. I feel very much like not consenting to other matters being taken up out of order unless the farmers are given a fair deal. I realize that much time is saved by doing most of the things here by unanimous consent; but why allow unanimous consent and why let the presumption of a quorum prevail in the absence of a quorum, and why do many other things to save time if in the end no sufficient time is given to the bills that concern very vitally the farmers of the Nation?

There are several bills pending for the relief of the farmers, and I venture the assertion that not one out of every ten here in Congress knows what are in these bills. A few of us have studied them, but even then it is hard sometimes to find what the author had in mind, as the language is indefinite. What we want to do is to take up each bill for full general debate and discussion. Let the author of each bill explain his bill fully and let us study the hearings in the light of the discussion. Let us then read each bill under the five-minute rule with a liberal extension of time of any speaker who is really discussing the bill. Let us get the ideas of all concerned and let us offer amendment and in this way perfect the bills. Then let us decide which bill in its perfected form is the best bill, and let it be passed. I shall insist upon the matter being handled at the next session along the line just indicated or in some other way allowing full study, discussion, amendment, and perfection of the bill.

I do not mean to make any threat but I am getting tired of this camouflage. I am getting tired of this way of bringing up a bill under a special rule in such a way as to insure its defeat in the beginning. It is true that some of the bills brought up should be defeated. But I observe that when a bill to relieve the millionaires of taxes comes up that it is brought up in such a way as to help in its passage and not to hinder.

All that I want for the farmers is an equal chance to pass their legislation; that is, such a chance as is given the bankers and others.

Not only should the farmer be given an equal chance with the banker to pass farmers' relief legislation, but the legislation proposed for the farmer should be as good as that proposed for the banker and it should be passed and when passed should be executed and enforced in behalf of the farmers and not for some other group.

The farmers of the Nation should be given an equal opportunity with other trades and professions in obtaining credit, in the selling of what they produce, and in the matter of taxation. In fact, I believe that the farming industry is so essential to the very life of our Nation as to authorize the granting of privileges to the farmers not granted to others, but the farmers are not asking for this. They are asking only to be granted the same rights and privileges as are granted to other people. They only ask for a square deal.

Are the farmers getting a square deal? I say no. Let us see if I am right.

Congress passed, over my protest and vote, the Esch-Cummins railroad bill, giving to the railroads many privileges and rights not enjoyed by the farmers of the Nation. The bill endeavored to make good all losses sustained by the railroads during the Great War, but there is no provision in that bill nor in any other law to make good the losses sustained by the farmers in that war or as a result of that war.

The Interstate Commerce Commission is operated under authority of that bill and other laws for the purpose of fixing freight rates and passenger rates so as to help and insure the railroads a profitable business. No freight rates are fixed to help the farmers do a profitable business. The passenger fares are arranged not to help the farmers but to help the railroads. Even at this session, just a few days ago, there came near passing a proposal to decrease the cost of riding in Pullman cars. Well, sleeping-car fares may be too high, but it seemed to me and many others that if there is to be a reduction of the incomes to the railroads that it should be first made in the freight rates of farm products, such as watermelons, cantaloupes, and so on. We succeeded in defeating the proposal for we knew that if the reduction was made it would not help the thousands of farmers and their families who do not ride in Pullman cars and that the railroads would use it as a reason why they should not reduce freight on watermelons and other farm products. A fight is being made for cheaper freight rates for farmers and let us put nothing in the way of securing this much-needed relief.

Do the farmers get the same relief as that given the manufacturers? No. The Fordney tariff bill was passed only recently, in spite of the protest of the Democrats, fixing a high tariff on manufactured articles, so as to not only guarantee to the manufacturers a big profit but so as to make millionaires of them. These tariff rates are fixed with a view of helping the manufacturer get his enormous profit, but is without regard to the expense to the buyer. The theory is that it makes no difference whether the farmer or other consumer breaks and his family is turned out of a home just so a big profit is made by the manufacturer, who already has his millions of dollars. The farmer is not getting a square deal as compared with the manufacturer.

In fact, Mr. Speaker, it is impossible to give the farmer a square deal if a high tariff is put on everything that he buys. The present law puts a very high tariff on nearly everything he buys and puts very little tariff on what he sells. The trouble is that there are only a few things that a farmer produces that a tariff can be put on and help the farmer. High tariff, of course, only helps the price of articles which are shipped into the United States from other countries. The tariff runs up the price of the article coming in and thus enables the manufacturer or producer here to run up the price of what he has to sell. Everything that farmers buy can be shipped in, and thus the price of what he buys can be and is run up by the tariff. A high tariff can not help the price of canteloupes, watermelons, corn, cotton, tobacco, or many other farm products. Why? Simply because these articles are not shipped in in such amounts as to affect the price of them, and most of them are shipped out by the producer.

There are some articles grown by the farmer on which a tariff can be placed and help the producer. But even on these the manufacturer in most instances gets the advantage. The manufacturer fights for and generally gets no tariff on cowhides so that he can buy cowhides from South America cheap and thus also buy cowhides from the farmer cheap, but the same manufacturer gets a high tariff on shoes, boots, harness, saddles, and all kinds of leather goods, so that if any of these come in the tariff runs the price up so that the manufacturer here has the farmer and other consumers at his mercy and makes unconscionable profits. The manufacturer fights for and gets no tariff, or a very light tariff, on wool, so as to let in cheap wool, but he at the same time gets a very high tariff on woolen goods that the farmers buy to keep from freezing, and thus is enabled to rob the farmers. I said a little while ago that tariff does not help the price of cotton, but I had in mind then only the short staple. Tariff would help the price of long-staple cotton just a little, but as to this the manufacturer fights for and gets very little tariff on long-staple cotton, so as to let in the Egyptian cotton, and at the same time the manufacturer fights for and gets a high tariff on every blessed thing made from either short or long staple cotton and thus is enabled to sell back thread and everything made from cotton at a high price to the very people who worked and even crawled on their knees to make and gather the cotton.

A tariff on peanuts and vegetable oils helps the price of peanuts, and cottonseed and vegetable oils in this country, and especially helps the people of my section of the country. But here is also waged a mighty conflict. The manufacturers of soaps, perfumes, and various articles made from peanuts and

cottonseed make a hard fight for peanuts and cottonseed, olive oils, and everything that can take the place of the raw product of peanuts and cottonseed to be on the free list and to come in free so as to hold down to the bottom the price which the farmer gets for these things, and at the same time these same manufacturers fight for the very highest rate of tariff on every conceivable thing that is made from peanuts and cottonseed.

Does the farmer get a fair deal? Not by any means. Many of us here have made a fight in every session of Congress for a high tariff on peanuts and cottonseed and on all substitutes for these products and have succeeded in a reasonable way. Just here the Democrats are divided. Many Democrats will not vote for a high tariff on anything on the theory that it is all wrong. They will not even vote for a high tariff on products of their own farmers for fear of being called a high-tariff advocate and declared to not be in harmony with their party. Well, I can not agree with this idea. I am opposed to a high tariff but when there is a high tariff on every blessed thing that my people buy I am determined to vote for as high a tariff as possible on peanuts, cottonseed, cowhides, and everything that the farmer produces which I believe can be helped by a tariff.

When the millionaire profiteering manufacturers are stealing everything they can from the poor ragged little children of my district and from their fathers and mothers who are toiling as people never toiled before to live, I feel no compunction of conscience in helping to steal back from those same manufacturing hogs all of their stolen property that I can get my hands on. I wish I could return much more of these stolen goods to the true owners. I am so firm a believer in putting as much tariff as possible on everything a farmer grows which can be helped by a tariff when a very high tariff is being placed on what he buys until I voted for the emergency tariff bill putting a high tariff on farm products when most Democrats voted the other way and when my own delegation all with the exception of me voted against the measure and when I was told that for me to cast such a vote meant that I never could again be elected. Well the people of my district were good enough to me to elect me twice since then. I only want my people to have a fair deal and I never expect to cast a vote which I believe is against a square deal for the farmer, the laboring man, and the great mass of common people..

Does the farmer get as square a deal as the laboring man on the railroad? No; because the laboring men on the railroads and elsewhere are organized and in position to make a fight for their rights. They are more nearly getting a living wage than the farmers. I am glad that they are getting better treatment than they once received. I am in sympathy with them. I can not help it. It is a part of my nature. My father for many years was a track hand, and later a section foreman on the Atlantic Coast Line all the way from Dupont, Ga., to Doctortown, on the Altamaha River, in Wayne County. He lived for a long time just out of Jesup, where the old section houses stood. He ofttimes told me of his low wages and the hard times which he endured. He told me how happy he was when he found that he was to be section foreman and get $40 per month. I have always been in sympathy with railroad employees, and always shall be their friend. My father moved to the farm just after he married, and I was raised on the farm and am familiar with all the hardships of the farm, and I want the boys and girls of the farm and their fathers and mothers to have a square deal.

Congress passes measures to pay the teachers of the city of Washington a living wage, but no measure to help the farmers to get a living wage or even to get what they earn.

Congress takes care of the postal employees and votes to give them more salary, but no legislation giving the farmers a living wage or to help them get what they toil so hard to earn. Just here let me say that I am in sympathy with the teachers of the Nation. I taught a country school for seven years, and I wish that the teachers of the entire Nation were receiving as good pay as is being given to the teachers of the city of Washington. I am also in sympathy with the postal employees of the country. One of my brothers was a postal employee for many years, and I have many of my very best friends in the employment, and I am only mentioning the pay increase they are to receive to show that even they are treated better than the farmers of the Nation.

Congress has the right to fix and does fix the pay of all Government officials, from the President down, and ample provision is made for all officials. All are paid for the services rendered, and many are paid much more than they earn. Congress passes on the compensation of its own Members and members of the Cabinet of the President, and always all officials holding high offices are provided a salary as large or larger than they deserve, and yet the farmers get no legislation guaranteeing them a living wage or even a fair deal.

The farmers of the Nation do not get a square deal in matters of appropriation. The farmers of the Nation get much so-called help which does not really assist them. More money is appropriated each year for the city of Washington than is appropriated for the entire agricultural interest of the whole Nation. The Congress appropriates for one city here where the Capitol is located more than is appropriated in the agricultural bill for the whole country. Furthermore not over $1 out of every $70 appropriated to the Department of Agriculture ever does the farmers any good. What do I mean? I mean that nearly all the Agriculture Department money goes to pay experts, employees, and so forth, of the department whose work does very little good for the farmer. I know that it does some good, but as I said only about $1 out of every $70 ever gets through to the farmers. The yearbooks, bulletins, and books on diseases of horses and cattle does some good, but there is not as much money used to help the farmers as should be.

One great trouble nowadays is that when it is proposed to make a new move for the farmers or to help the farmers there is proposed to be set up a new department or bureau which is to cost money to begin with and which may do as much harm as good. When this bureau is organized it is to be managed by some bureau head who is to be appointed by the President, and, of course, it is given to some political friend of the President. This new bureau chief may not be a friend of the farmers and runs the bureau for political purposes and to help his friends, who are ofttimes the middlemen or the enemies of the farmers.

The scheme of the profiteers and those that live off of the farmers is not to let any legislation pass that will give the farmers a chance of a fair deal, and the scheme is further that if such legislation does get through, then have it managed by some bureau chief, and, of course, then get the President to appoint some man who will see to it that the legislation is managed so as not to interfere with the rights of the profiteers to fleece the farmers.

The farmer does not get a fair deal. He gets no legislation helpful to him unless there is as much or more legislation at the same time to hurt him. Much legislation is designed to hurt him and much of the legislation that appears on the surface to be for him in the end is to be managed by his real enemy and will help to work his undoing. I very much fear that one of the recent so-called farmers' relief bills was very much troubled with this disease. I refer to the Haugen bill, which had some excellent provisions, but which had some very vicious provisions. In fact, there were provisions in that bill which to my mind meant the eventual destruction of the cooperative-marketing system, which system I believe to be the eventual salvation of the farmers of the country. Oh, there is always good and bad in every measure of any considerable length. The very meanest and most vicious bills are ofttimes sugar-coated. There is arsenic in the middle, but sugar on the outside. The most dangerous bills always have a nice name. Ofttimes the strychnine or arsenic of destruction is placed in a bill not by the man who proposes the bill but by some enemy of the farmers or common people, who desires that if the bill does pass that it carry with it an explosive that will later destroy the bill and all its good provisions and really damage those that the bill was designed to help.

The friends of the farmers should be on hand all the time to watch just such legislation as this. If the friends of the common people would always be here except in case of sickness, much bad legislation that gets by could be halted and defeated. I do not mean to complain too much of the friends of the common people, for they remain here better than almost any other Members. What I mean to say is that Congressmen are elected to represent their people, and that if they are away at a baseball game when a vote comes on an important piece of legislation that they are really traitors to the cause of the people whom they represent as much as if they were present and voted against them. I feel very strongly about this. In fact, my convictions are so strong that I have never been to see a baseball game here. If a person goes for a while, it soon becomes a habit, and if he does not go he is very little good here while the game is going on, for he has his mind on the game and is watching the score board and is not minding his business. Of course, baseball is not the only thing that takes Members away from their duties. Some go fishing. Some go down town to a show. Some to a specially prepared dinner, and so on.

The place for Members of Congress while Congress is in session is here on the floor or in such close touch with the pro-

ceedings as to be ready at a moment's warning to get into the thickest of the fray. Mr. Speaker, when the time comes when I am not able to stay on the job I will not keep the position but will ask my people to send some one else. I know that as long as I am elected and retain my health that I will stay on the job. We are not, I fear, giving the farmers a fair deal when we do not stay on the job at all times.

Much of the legislation that appears to be in behalf of the farmers of the Nation, after all, only helps the farmers at long range. There is too much red tape and delay and expense. Take the rural credit system and the intermediate credits system. They are both good, but could be much better. There is too much expense, delay, and red tape. There is present in these systems, as in almost every scheme or system to help the farmers, the additional individuals, employees, and officials which are to receive pay, a salary, and a profit, payable by the farmers. I do not mean to criticize these systems just now, except to say that both of them should be improved. I have heretofore introduced a bill which will assist the farmers very much along the lines of additional credit. The Congress should pass a measure giving the farmers the same credit system given to other borrowing individuals. I have urged here on this floor the merits of my bill, and shall call the attention of the Congress to its provisions again very vigorously from time to time until there is some additional relief given along this line.

But instead of an effort to improve the rural credit system of the farmers, there is an underhanded effort to destroy it, and not only to destroy it but to destroy one of the most important rights of the States of the Union. Much has been said and done here to pass a constitutional amendment to prevent the issuance of tax-exempt securities. This bill and move has a very pretty name. It is sometimes called the bill to tax the rich and to make the millionaires pay taxes, and so forth. It looks like everyone except the very rich would be for it, but the trouble is the big rich are for it and the common people, when it is understood, are against it. I have spoken against it and fought it from the beginning, notwithstanding its pretty name. It is a complete example of a sugar-coated pill of the most deadly poison. What are the tax-exempt securities which it proposes to tax? Here they are: Rural-credit bonds from which money is raised to loan to the farmers by the rural credit system. These bonds being tax free, more money is raised from the sale of them, and thus the farmers borrowing from the rural credit system get the money at a lower rate of interest.

This money being at a low rate of interest, other concerns are forced to also loan at a lower rate of interest. Of course, every life-insurance company and other long-term loan concerns are anxious to make the Government tax farm-loan bonds and thus force up the rate of interest of the farmers, but they could not afford to call the bill what it is, so they called it by a pretty name, to wit, a bill to prevent the issuance of tax-exempt securities. But I must name some more of the securities that it is proposed to tax. Here they are: School bonds, good-roads bonds, drainage bonds, and all kinds of bonds issued by cities, States, and counties. The bill ought to be called a bill to tax loans to farmers, loans to build school buildings, and to tax loans to build good roads, and to tax all moneys advanced to improve all counties and cities. It might also be called a bill to prevent further help in the way of loans to the people for marketing or farm purposes by the Government.

But it might be argued that if the bond is taxable, that what the farmer loses by its being taxable could be made back by taxing the bond. Let us see. The bonds are owned by the people in the great cities and would be taxed there. A city bonds itself to build a schoolhouse, and under this proposed amendment would get much less for its bonds, and thus have much less money to use in the school building, but when it comes time to tax the bonds the city in Georgia which borrowed the money to build with would find that the bonds all would be owned by some people in the big money centers and that the little struggling city would lose all, for it could not get any back by taxation. This would be true of good-roads bonds and with all other kinds of bonds.

But, Mr. Speaker, it is not my purpose to make a speech on this question now except to point out how there is an effort to undermine the legislation which is on the books for the farmers and the common people. The question of whether a city, county, or State should bond itself should be left to the particular community. Sometimes they should bond and sometimes they should not; but if they decide to bond for an improvement, then I want them to get all the money they want at the very lowest possible rate of interest.

Let us do nothing to place a tax on the privilege of borrowing money to improve the farms, build good roads, or to build school buildings.

Unless we educate the boys and girls of the present generation our Nation will suffer in the future. Thousands of children on the farms are not going to school as much as they should simply because the fathers and mothers are not getting a square deal and are not able to educate their children as they would like to educate them. This is deplorable. The same wealthy manufacturers who are stealing from the children on the farm by reason of the high tariff on manufactured articles are also stealing from the children in the factories by working the life out of their little bodies and giving them just enough to buy food and practically no clothing. They get their work done by cheap child labor and then sell their goods under a high tariff as though it was done by grown men and women and make enormous fortunes. They then use these fortunes to prevent any legislation that prevents their robbing the common folks. Grown-up men and women are prevented from working in many places because the manufacturer would rather crush out the life of a child than pay a living wage to a grown-up. This makes it more difficult for the laboring man and woman to support the family and only tends to make greater the fortune of the wealthy manufacturer.

Just here let me say that when the laborer is injured the farmer is hurt, and when the farmer is injured the laborer on the railroad and in the factory is hurt. There is an effort to make people believe that the interest of the laborer and the farmer are antagonistic; that is, that the farmer and the man who labors in the shop, on the railroad, and in the factory should fight each other. This is not true. It is only an effort of those that exploit both to make them fight each other so that the big interests will not have to do so much fighting of the farmers and the laborers. But I will talk more along this line at another season. I only want to urge that the farmers are not being given a square deal when the laboring man is not given a square deal.

In passing it may be of interest to state just how many children are having their lives crushed out in the factories of this country. The textile industry employs more children than any other, namely, 55,000 children from 10 to 15 years of age, according to the census of 1920. The census shows, besides the textile industry, nearly 13,000 between 10 and 16 years of age in steel mills; almost 12,000 in clothing factories and shirt shops; 10,500 in lumber mills and furniture factories; 7,500 in shoe factories; and 5,800 in coal mines. There were child servants and waitresses reported to the number of 41,600; messengers, bundle wrappers, office boys and girls, to the number of 48,000; sales boys and sales girls in stores, 30,000; other child clerks, 22,500; insurance boys and girls, 20,700; and there were in other manufacturing, mechanical, or industrial occupations 162,700.

The same men who are plundering and stealing from the children on the farm are stealing from the children all over the country. Our children are being sold into slavery before our eyes even before they are born into the world. They are being sold in the manufacturing centers to have their lives crushed out in the sweatshops of the factories manufacturing goods for their taskmasters practically without pay, and the children of the farms are being sold into slavery and are being compelled along with their fathers and mothers to work all through the day and into the night in an effort to save enough to buy at a most unreasonable price the very goods that the little factory boys and girls made so cheaply.

The children of the farm and their fathers and mothers produce to the limit, only to be robbed of much of what they produce; and yet they that take the products of the farm from the farmer for so little when they offer to sell it to the children of the factory demand so much for the food until the factory people with their hard-earned pennies can not get enough to prevent starvation and dire want.

The children in the sweatshops toil their lives away in the dust and foul air, getting a mere pittance for their labor, producing almost without pay, and yet the protected profiteering manufacturer charges so much for his goods under the law until when the farmer and his children come to buy clothing to keep away the winter's cold they are forced to go in want because of the exorbitant prices demanded. Is this a fair and a square deal for the children of the Nation? Is it a square deal for the children of the farm? I say no—a thousand times no. But, Mr. Speaker, time will not now permit my going further into this proposition. I will, however, discuss one feature of the proposition which is directly on my line of thought and plea for a square deal for the farmers.

The evil which I have been discussing could be very much remedied if the products of the farm were sold direct to the consumer. In other words, do away with the middleman and the profits of the middleman as to all food products of the farm. There is need of middlemen probably as to some other products, but there is no real reason for a middleman's profits as to most of the food products of the farm. The farmer should get much more for what he produces than he now gets, and the consumer should buy it for much less than he now pays for it. The interest of the producer and the consumer is the same and not at all antagonistic.

Much has been said about high freight rates. Well, freight rates are too high, but that is not the real trouble. The middleman's profits is where the real loss to the farmer comes in and where the consumer has to pay too much. The railroad gets freight for hauling the product, and thus makes some pretense of earning the freight charged, but the middleman in dealing with watermelons and many other farm products really does more damage than good and yet takes a very large profit. The middleman delays the sale of the product while he is manipulating the distribution of it, and all the while he is charging for his services and the article is deteriorating. If food could only be sold directly from the producer to the consumer, it would be fresher and there would be no loss from decay. There would be a greater market for the fresh article than for the stale article now sold under the present system of handling through middlemen.

The watermelon market alone can be doubled and trebled in a year or two by the sale of fresh melons directly from the producer to the consumer. The farmer would get a good price for all he can produce and the consumers would eat many more melons for less money and always get a good melon. I have introduced several bills seeking an appropriation for use in experimenting in the sale of watermelons and other farm products directly from the producer to the consumer. I am being fought on every hand but I will not give up as long as I see any chance to remedy the situation. I am only seeking to get the Government to experiment in this idea of direct sales from the producer to the consumer. As soon as the Government determines whether or not it is a good plan then the Government can step aside and tell the farmers and consumers of the country the plan is good, now organize your cooperative marketing organizations and also your cooperative buying organizations. The great trouble is that the middlemen who deal in farm products are opposed to the idea and are willing to fight it to the limit and they have enough friends here in Congress to make it hard for any bill looking to the elimination of the middlemen and the unjust profits of the middlemen.

I have a dream of a cooperative marketing scheme and a cooperative buying plan which I believe will mean the salvation of the farmers of the Nation, the great help of the consumers and a forward step in the proper distribution of the foodstuffs of the country. I may be wrong, but if I am wrong I want some one to tell me so and then not quit, but tell me a better plan. We all agree that the present plan is not good. That is, all friends of the farmers agree that it is very objectionable. Well, what is better? At the next session I shall reintroduce bills seeking to put my plan into effect and will discuss it more fully at that time.

I do want to discuss, briefly, a resolution which I have offered seeking to help the cooperative marketing situation. The resolution, after the usual enacting clause, reads as follows:

That the following be proposed to the several States, as an amendment to the Constitution of the United States, which shall become valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

ARTICLE —

No tax, assessment, or occupation charge shall be assessed or collected against or from any farmer, fruit grower, dairyman, or livestock grower, or group or organization of the same, for engaging in the sale of articles of food produced by them to the consumer, nor shall there be any tax assessed against or collected from incomes derived from such sales or business of selling from the producer to the consumer.

I shall again offer this resolution at the very beginning of the next Congress and urge its passage with all my ability. It is the purpose of the resolution to encourage the sale of farm products directly from the producer to the consumer. It will not call for a lot of new officers and bureau chiefs and will without question help in the promotion of cooperative marketing. At present if a group of farmers wish to sell their watermelons, cantaloupes, or other farm products in any of the cities of the country they are confronted with a State, county, and city tax, and it is almost impossible for the sale of farm products directly to the consumer. The tax-making power in most large cities is in the hands of the friends of the middlemen, and, in fact, the middlemen are generally in charge of the city government, and a band of farmers seeking a market for the products of their farm directly are at the mercy of these people. This resolution, if made a part of our Constitution, would clear the field for the sale of farm products so long as they are sold directly from the producer to the consumer.

I am only striving to help the farmers of the Nation get a square deal. Nothing is more important in our life as a people than a production of an abundance of food and a proper distribution of the same. To my mind this resolution if adopted means the beginning of the proper recognition of the farmer as the great economic factor that he is in the life of our Nation. It means the opening of the door of opportunity to him for the sale of his products at a reasonable price and means the opening of the door of opportunity to the starving consuming public to get the good things that the farmers produce, fresh, and at a reasonable price.

In a further effort to get a square deal for the farmer and the common people I have introduced another resolution proposing an amendment to the Federal Constitution so as to provide as follows:

All lands and improvements thereon owned by any farmer, fruit grower, dairyman, or livestock grower, or any group or organization of the same, and all residences or homes and the land used immediately in connection therewith of any person shall be tax free except that taxes may be levied upon and collected from the equity of the owner in said land and improvements after deducting from the value thereof the amount of all liens against said land and improvements.

It will be seen that this resolution proposes to help the farmers and home owners of the Nation. I want to give them a square deal. I know that the idea will be attacked and that by the very people who are now enjoying the same privileges that I propose to give to the farmers and owners of homes everywhere. The banks of the country in Georgia and, as I understand it, all over the country, pay taxes only on the value of their capital stock and surplus; that is, they take the value of their property and deduct from that amount their debts and pay on the balance. That is all I am asking for the farmers and other owners of homes. A man owns a farm worth $5,000 and owes on that farm $4,000; is it right for him to pay on the entire value of the farm or only on the amount of the farm which he actually owns—to wit, $1,000? If he was to sell that is all he would get; that is all he owns, and that is all he should pay on. The same is true of other property, but at present I am only seeking to remedy the situation as to farms and homes. The people who own the mortgages or loan paper on the home or farm ought to pay on their paper and thus the full tax on the farm would be paid.

I can not see why the banks of the country should have the benefit of this kind of a law without other people having it also. I know that it will be urged that this interferes with State rights and this will be urged by the very people who are in favor of overturning State rights to put additional burdens on the farmers. Why not do something to help the farmers get a square deal both in the States and in the National Government affairs? I will reintroduce and fight for this measure at the next session.

Congress always passes the big appropriation bills carrying millions of dollars for the various departments. Much of these appropriations, in my opinion, should be left off, but I can not have my way about it. I do not mean to appear as an alarmist, but I have simply tried to figure out and make clear some of the discriminations against the farmers and to offer some ideas as to how these injustices can and should be remedied.

I try not to get too blue over the situation, and when I find myself worrying about what we fail to get done for the farmers I turn to the other side and observe the victories the friends of the farmers have won for them since I came to Congress. I will only mention a few of them. When I first came there was a determined effort to put a tariff or tax on potash and thus make fertilizers cost much more to the farmers of the country. I am truly glad that the efforts of those of us who worked so hard on this proposition have been rewarded and that this proposition now appears to be dead forever.

The friends of the common people won a victory when an amendment to the Volstead Act, at my instance, was adopted protecting lien holders and those who are forced to buy machines, if at all, on a credit.

I was truly glad to be the author of a part of the amendment to the War Finance Corporation which enabled many of the

banks of the country to borrow money from the War Finance Corporation and thus tide over the financial depression that was threatening them. I secured the adoption of an amendment making notes of merchants, supply men, and others discounted with the banks of the same value with the War Finance Corporation as notes given directly to the banks, thus helping the credit of the farmers regardless of whether or not the farmers were dealing directly with the bank or with supply men. I had previously introduced a bill seeking the authorization of a farmer's relief finance corporation. My bill was not passed, but many of the ideas contained in it were put into the amendment to the War Finance Corporation which was adopted.

Another bill worth much to the farmers who have boys injured while working on the farm is the measure to authorize and empower the Government, in cooperation with the respective States, to help educate boys and girls who are injured while working on the farm. This bill now applies only to children who are injured or crippled while actually engaged in farm work. I offered an amendment to make it apply to boys and girls living on the farm who become crippled in any way, regardless of whether they were actualy working at the time or driving a car or hunting with a gun. My amendment was defeated by a small number of votes. I have in mind two boys now in my district who I am intending to help get an education under this law, one a young Mr. Metts, who lives near Pearson, Ga., who lost his foot while operating a mowing machine, and the other young man, a son of my good, life-long friend, Mr. Joe Powell, of Milltown, Ga. Each of these young men is entitled to the help authorized by this law, as both were injured while working on the farm. I would be glad to hear of any others who may be so injured and who may learn of this proposed relief.

Then again, Mr. Speaker, those of us who worked so hard to get a tariff on peanuts and cottonseed and other material which can take the place of these products have been rewarded and have had the pleasure of feeling that we were really helping the growers of these products. But the fight never ceases. The manufacturers of soap and other manufacturers and individuals who want to buy peanuts and cottonseed at a sacrifice from the farmers are never tiring in their efforts to get this tariff off. We must continually watch them and ever be ready to fight as the battle goes on. This is true in all matters of this character. Those that seek legislation for their own interest and against the farmers never tire and the friends of the farmers must be equally as diligent if they are to get for the farmers a square deal.

During this Congress, while the House was in the Committee of the Whole House on the state of the Union, in spite of the votes and effort of the friends of the farmers present, there was slipped on the revenue bill a provision to tax cigarettes to such an extent as to very probably injure the sale of tobacco and thus injure the farmers in the tobacco-growing sections. I urged in a speech that the tax be left off and urged that it would injure my people who were just beginning to grow tobacco as a new enterprise to take the place of cotton growing, which had been injured by the boll weevil. We got busy and got all the votes pledged possible to take the tax off and then demanded and secured a separate vote on this amendment when the bill came up for final passage and defeated the tax.

I do not have the time now to tell of the many victories we win from time to time. We lose sometimes but we win sometimes. If we had a Democratic administration we could win so much more. I have never had the pleasure of serving for a single minute in a Democratic Congress. I served two years under President Wilson, but the Congress was Republican.

One great victory for the South was the defeat of the Dyer antilynching bill, which would have forced the counties in which a negro was lynched to pay $10,000 to the folks of the lynched party. This bill, in my opinion will never pass. It is too vicious and would do harm instead of good. I was about to forget to mention this fight in which so many southerners made such a splendid showing.

The fight for the rights of the common people is on every day, while Congress is in session and when it is in adjournment. The opposition is ever fighting and ever on the alert and we must also be ever ready to "go over the top" for our folks.

One matter of major importance that has been held up until this time by the fight of the big interests and those generally who do not want to help the farmers if it hurts in the least the business of others who live by fleecing the farmers, is the Muscle Shoals project. This great piece of property will eventually be operated for the use of the Nation, both in war and in time of peace, or it will be turned over to the power interest or other corporate interest to be used in enriching the few at the expense of the many. There is a hard fight by those who want it to go to the corporate interests to be used for speculative purposes only, and those who want it turned over to Henry Ford or to some other concern with a contract which will fully protect the Government in the production of explosives for use in time of war and fertilizers for the use of the farmers in time of peace. I sometimes get very despondent over the situation, but still I hope for the best and shall continue to struggle to help solve the problem for the great help of the farmers of the Nation and through their help to serve the whole people of this great country.

Mr. Speaker, it is vitally important that we do all we can to help the farmers of the Nation. Some say they can not be helped by legislation and that they must work out their own salvation. The trouble is that we are everlastingly legislating for all other businesses and enterprises even when the legislation really hurts the farmer; then if he is to have a square deal we must legislate for him.

We should solve in his behalf the Muscle Shoals proposition so as to help him get cheaper and better fertilizer with which to grow his crops. We should help him get a much better credit system. He should have as good a system as that afforded other enterprises. He is entitled to a much better marketing system than he has. To my mind this question of proper marketing is of more real importance than any other matter. If he can only sell all he produces at a reasonable price, he will really need no credit system. He will be independent of the guano trusts, for he will make most of his fertilizers. In fact, he will be infinitely better off than he is at present. Of course, there should be, as I have explained, laws giving the farmers a square deal in matters of taxation, tariff legislation, and in many other matters, but the proper marketing of his products will solve nearly all his difficulties.

Some time ago the Valdosta Times carried an editorial which expressed my sentiments so fully that I clipped and saved it until this time. It is as follows:

WHO GETS THE MONEY

The Savannah Morning News had an innocent little paragraph among its short editorials Monday or Tuesday to the effect that "If the farmers are not making money in south Georgia this year, the fault is theirs." This is a car-window view of the situation, for south Georgia farmers never had better crops. But the trouble is they are toiling without recompense." They are "sowing," but others are "reaping." Let us cite a few instances to make our meaning clearer.

This morning a Lowndes County farmer received a check for $3.13 for a carload of watermelons which he shipped to Memphis, Tenn., and which sold for $110 in that city. The freight on the car was $95.87, the commissions $11, and the farmer who bought the fertilizer and gave three months of his toil, with that of his mules and hired men, received the balance—not enough to buy seed for his next year's planting.

Another farmer shipped a carload of melons to New York, where they sold for $125. The freight on them was $190, the commissions $12.50, leaving the farmer "in the soup" to the tune of $77.50, not to mention the sweat, hard labor, and money which he put into the crop.

Scores of farmers have had to "put up money" to pay freights on cars of melons that did not bring enough to pay for hauling them. Other scores of farmers let their entire crop rot in the fields rather than have to guarantee freight charges in the face of such a poor outlook.

What is said here of watermelons is equally true of peaches, cantaloupes, cucumbers, and other commodities of that character. The peach crop in middle Georgia is rotting on the trees—scores of orchards not being touched. If anyone doubts this statement, let that one take an automobile ride through the peach belt and hear the people tell of their woes.

We cite another case—one of pure fool in rate-making. A melon buyer bought a carload of melons at Melrose, 15 miles south of Valdosta, and shipped it to Knoxville, Tenn. The freight was 34½ cents per 100, or approximately $104. He also bought a carload of melons at Cecil, 18 miles north of Valdosta, and shipped them to Maryville, Tenn., which is about 15 miles this side of Knoxville. The freight was 48 cents per 100, or approximately $144 for the car. Though the distance is 30 miles nearer, it cost $40 a car more to handle the melons.

The expert rate makers can tell you how happy a farmer ought to be when he thinks of a melon selling at 60 or 75 cents a slice in the Waldorf-Astoria. The trouble with freight rates seems to be that they are based upon maximum prices of commodities, after some sleight-of-hand performances with tonnage-miles, and they do not help the growers.

We repeat what we have said before, that unless something is done to help the farmers reach profitable markets with their crops, they

might as well quit business. Their best returns this year have come from the stuff they have rushed to near-by markets over the highways in trucks.

I also took from a Washington paper a clipping as follows:

MELON PRICES SOAR—COST 3 TO 17 CENTS IN GEORGIA, UP TO $1.50 IN NEW YORK

NEW YORK, July 1.—Watermelons for which Georgia growers are glad to get from 3 to 17½ cents each are selling in the retail market here at 70 cents to $1.50, said a statement issued by Herschel S. Jones, director of the State department of farms and markets.

High freight rates, almost equally high cartage, and the "bit" taken in turn by four middlemen make up the difference, he said. The high prices are causing the melons to move very slowly in the market, despite a campaign his department has been trying to induce New Yorkers to help the Georgia farmers out with their bumper crop by eating lots of melons.

This clipping shows a deplorable condition as to watermelons to have existed. I see this condition here in Washington every summer and my heart is made sad, the farmers getting nothing for the products of their hard toil and the consumers paying exorbitant prices for melons which have been handled by the middlemen until they are not fit to be fed to the hogs. This condition should be remedied, and it shall be remedied if power to do so exists in my being.

It is remarkable just how well these good farmers keep up courage and continue their hard struggle, even in the face of unjust discrimination and when they realize that they are not getting a square deal in the marketing of their products and further realize that they are carrying the other man's burdens.

Mr. Speaker, I was raised on the farm and am acquainted with the struggles of the farmer. They never endure a hardship but that I am able to sympathize fully with them, having for many years trudged along the same hard path and never having really gotten away from the pathway of adversity, and yet I am forced to admire with real wonder and amazement the way they suffer and endure and still struggle on. The people of any other profession, meeting with one-third of the obstacles and trials of the farmer, would give up in disgust.

The other day I received from one of my good friends, Mr. D. M. Peterson, of Douglas, Ga., a poem, which has in it humor, pathos, and truth, and shows what fortitude these good people have in the very face of adversity. I think that it is well to put this poem in the CONGRESSIONAL RECORD. It is as follows:

DOWN ON THE FARM

Down on the farm 'bout half past 4,
I slip on my pants and sneak out the door.
Out in the yard I run like the dickens
To milk all the cows and feed all the chickens,
Clean out the barnyard, curry Rhoda and Jiggs,
Separate the cream and slop all the pigs.
Hustle two hours, then eat like a Turk.
By heck! I am ready for a full day's work.
Then I grease the wagon and put on the rack,
Throw a jug of water in the old grain sack,
Hitch up the mules, slip down the lane,
Must get the hay in, looks like rain.
Look over yonder, sure as I am born,
Cows on the rampage, hogs in the corn,
Start across the meadow, run a mile or two,
Heaving like I am wind-broken, get wet clean through.
Back with the mules, then for recompense,
Rhoda gets astraddle the barb-wire fence,
Joints all aching, muscles in a jerk.
Whoop! Fit as a fiddle for a full day's work.
Work all the summer 'till winter is nigh,
Then figure at the bank and heave a big sigh.
Worked all the year, didn't make a thing,
Less cash now than I had last spring.
Some folks say there aint no hell.
Shucks! They never farmed, how can they tell?
When spring rolls 'round I take another chance,
As fuzz grows longer on my old gray pants.
Give my galluses a hitch, belt another jerk.
By gosh! I am ready for a full year's work.

Mr. Speaker, there are now pending several measures for the relief of the farmers. Let all the friends of the farmers study these measures during vacation, and next session let us pass some bill that will really be helpful to the farmers of the Nation. We all have our ideas. Some are good and some are bad. We can not pass a measure that will contain all the ideas of every one. Let us offer something specific. I have several ideas as shown by the various bills I have offered and the speeches I have made. I shall at next session offer the same bills I have heretofore offered, and probably more bills and if I can not get my bills reported out and properly before the House I shall then draw my ideas up in the form of amendments and offer the amendments to the bills that are offered. If my ideas are not good then tell me so and offer something better and I will gladly support any measure that appears to me to be designed to help the farmers.

One thing that I intend to insist upon at the next session is that more time be given to the consideration of measures for the farmers than has been given heretofore. We do not want so many glittering generalities and such loud promises. We want more real, definite, specific action.

Too many designing politicians attempt to win the good will of the farmers by waiving their hats and by shouting: "Three cheers for the farmer," instead of rendering the farmers a real service. The injustice of robbery is not helped by praising the party just robbed. Too many in Congress and elsewhere shout themselves hoarse for the farmer and then vote to make slaves of him and his family and to rob them of much of their hard-earned necessaries of life.

It is not idle talk that helps the farmers but legislation to give them as square a deal as is given people engaged in other enterprises. Too many who yell loudest for the farmers are not at heart for them except to get their votes and to get from them a large portion of their earnings.

We need—oh, so much—more men in Congress who are for the farmers because they love the farmers and their folks, and because they themselves came from the farm. Those of us who were raised on the farm, who have toiled on the farm, and who owe our very existence to the farm and to the good people who toil there, can never fail to be true to the best interest of the farmer and his folks and thus being true to them we are true to our great Nation.

FARM RELIEF COOPERATIVE FARMING BILLS

Mr. WEFALD. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEFALD. Mr. Speaker, I was not one of those who guaranteed to the farmers that if Calvin Coolidge was elected President their troubles would be over. I opposed his election, and especially did I point out to the farmers that the election of Calvin Coolidge would not bring them any relief of the kind that they expect to get and that they think they need, during the time that he will be our Chief Executive. Senator MAGNUS JOHNSON, of my State, whom I campaigned with for some time during the last campaign, used to tell his audiences that on the forenoon of the day that the House killed the McNary-Haugen bill last June he had an interview with the President and pleaded with him to use his influence that that message might pass the House and Congress. The Senator dramatically recited how the President had admitted that something ought to be done for the farmer, but that he could not sanction the McNary-Haugen bill and that the Republican Party would not stand for it. Out of the failure of Congress to pass the McNary-Haugen bill grew the President's promise that he should call into conference the best minds in the Nation to work out a plan that could be carried into effect for the salvation of the farmer. The farmers believed him; they swung the election to the Republican Party on the strength of this promise.

The President appointed his commission, and Congress paid the expenses of the same. However, the commission did not report until the session of Congress was in the closing days. The bill embodying the recommendations was introduced in the House on February 11, and it was not taken up for discussion until February 21. The bill that was presented and which embodied the recommendations of the President's commission cost us $50,000, although it seems that no extensive and special study of the farm problem had been made.

The bill presented is said to be the Capper-Williams bill, previously introduced, with slight modifications, which makes this bill the costliest suggestion that has been made to Congress for some time. Yet I voted to pay the $50,000 asked to pay the expenses of the commission, for I felt that as long as we did not know what the recommendations were to be, that Mr. Coolidge had won the election upon the pledge to appoint the commission to make recommendations to Congress. There was a possibility also that the commission might make a recommendation that would be of some value and that Congress would be agreeably surprised. I did not want it said that I had been among those who did not wish to give the President a chance to make good his promise.

The findings of the commission were to the effect that the ills of the farmer could be solved by cooperative marketing, and its cooperative marketing bill became known as the Haugen bill, the principal features of which were that a Federal cooperative marketing board consisting of three appointed members and the Secretary of Agriculture, the appointed members to have a salary of $12,000 a year, who should have power to appoint such "other officers, employees, and agents" as may be necessary "for the execution of the functions vested in the board, and as may be provided for by Congress from time to time." The first appropriation asked for was in the sum of $500,000.

The board, if established, should have power to help cooperators in the formation of marketing associations, to provide for the registration "as members of the Federal cooperative marketing system," and should also have the right to suspend or revoke such registration. The board should also have the right to provide for examination and auditing of the accounts of the registered associations and to require them to render financial statements of their conditions twice a year; to provide for a method of arbitration and settlement of disputes between members and their associations in regard to "the grades, standards, conditions, and quantity of any agricultural product," and "to require such association and its members to abide by the award."

When requested, the board to render advice to the cooperatives "upon the problems confronting any agricultural industry in the phases of production, distribution, transportation, financing, or other matter upon which guidance is requested," as well as "to call upon any department of the Government having jurisdiction over such matter for assistance in the study of special problems, for the furnishing of statistics, or for other appropriate action, and in conference with representatives of such association to formulate practical solutions of problems presented."

To call a meeting once a year of representatives of the registered associations to discuss questions of importance relative to an improved marketing system such as improved grades and standards, elimination of waste, of orderly transportation, and of volume of production.

Many good men with experience in the cooperative marketing problems were opposed to the bill, serious objection was raised against registration and the examination of the books of a cooperative concern when such a supervision is not exercised over anybody else. Some people even feared that the passage of such a law might make it still easier for the big packers and other gamblers in food products to control the food market. It was argued by some that the cooperatives would have to submit to unreasonable regulations and all they would get in return would be advice and the farmers have had enough of advice as it is. Then, another Government board would be set up the size of which no one can now foresee.

The Dickinson bill was introduced as an amendment to the Haugen bill. It differed from the Haugen bill in that it sets up a cooperative marketing advisory council, composed of 40 members, representing the main cooperative marketing associations engaged in marketing the main farm products of the country. This council shall nominate eight persons, from among whom the President shall appoint four that together with the Secretary of Agriculture shall constitute a Federal cooperative marketing board and who shall be paid a salary of $10,000 a year.

The advisory council shall be called together twice a year, at least, to "consider questions of general policy in relation to cooperative marketing, and shall advise and cooperate with the Federal cooperative marketing board." Under the Dickinson bill it is also intended to take advantage to a greater extent of the experience and information regarding cooperative marketing of the Bureau of Agricultural Economics of the Department of Agriculture; much of the work contemplated is to be carried out through this bureau, and the appropriation called for in the bill, $500,000, is to be available for expenditure by the Federal Cooperative Marketing Board and the Bureau of Agricultural Economics in the Department of Agriculture. The supporters of the Dickinson bill claimed that it would give the cooperatives all the advantages and information that the Haugen bill would without subjecting the farmers to the excessive regulatory powers that that bill would confer upon a group of hand-picked associations; that the Dickinson bill would provide the sort of Federal assistance to cooperatives that the cooperatives themselves want.

The Dickinson bill was passed by the House. Its passage was due to two main factors entering into the discussion of these two measures that were much alike in many respects. First, many of the Representatives feared to put such broad powers into the hands of a board, appointed in the manner prescribed in the Haugen bill, when it is borne in mind what kind of men have been appointed to high office by the present administration and what grip monopoly has upon the throat of the people; secondly, because the House was told that it "must" pass the Haugen bill if any kind of legislation was wanted at all. It would seem that if the administration had its mind set on curing the ills of the farmers by a cooperative marketing proposition it should have been willing to try out the Dickinson bill. If it proved not to be drastic enough, it could soon be amended; besides it was sponsored by a good Republican whose party fealty has never been questioned. The country will not now take as a good excuse that a small handful of insurgents killed the President's proposal. More regular Republicans than progressives voted to substitute the Dickinson bill for the Haugen bill.

Had a vote been taken on the Dickinson amendment on February 25, when Chairman HAUGEN called for a vote, it would have received a big Republican support, but the House was adjourned at that point out of respect for the memory of the late Senator McCormick, who had died that day, and that gave the Republican leaders a chance to lay down the law to wobbly members of the party, when a vote was taken on February 26 the vote was 203 for and 175 against substituting the Dickinson bill for the Haugen bill. The vote for the amendment was 174 Democrats, 11 insurgent Republicans, 2 Farmer-Labor, and 16 regular Republicans. Of those voting against, 165 were regular Republicans, 1 insurgent Republican, and 9 Democrats. From this analysis of the vote it will be seen that if it was a crime to substitute one Republican measure for another, it can not be charged that the insurgent Republicans and the Farmer-Labor Representatives were the ones to blame. The Republican Party in Congress has cleansed itself of all evil influences within the party by reading the insurgents out of the party, so those who are left there now must be only good and true Republicans. Suppose that all good Republicans, except Mr. DICKINSON of Iowa, author of the Dickinson bill, had been subservient to party discipline, as they ought to be, leaving wicked insurgent Republicans and Farmer-Labor Representatives to go with the wicked Democrats, the vote would have been 188 for and 190 against, and the recommendations of the President's commission would have been adopted. I bring this out because a great effort will be made in my State and the States adjoining to misrepresent the progressive movement by telling the farmers that they killed the Haugen bill to spite the President, also that they are against anything being done to help the farmers.

The final vote on the bill was 285 for and 95 against; of these 95, 70 were Democrats and 25 Republicans. The Senate took no action and the Republicans control the Senate, so the Republican Party in Congress must be held responsible for the failure to pass even such a mild farm-relief measure as were either one of the proposed cooperative marketing bills.

In the last campaign the Republicans charged that the Progressives, through the influence of LA FOLLETTE, killed the McNary-Haugen bill and blocked farm relief simply because they wanted to embarrass the Republicans and the President. LA FOLLETTE has thrown no obstacles in the way of having the recommendations of the President's commission enacted into law in this session of Congress. I insert in the RECORD what La Follette's Magazine for the month of February has to say of the President's farm program:

COOPERATION HAILED AS FARMERS' HOPE

Uncle Sam will officially throw his hat into the cooperative ring if Congress adopts the recommendation of the President's agricultural commission, just submitted after several months' study of the farm situation in the United States. Of main significance to cooperators is the fact that the commission, after investigating every proposed remedy for depression and instability, was united in believing that only through applying the principles of producers and consumers' cooperation can the farmers, so near bankruptcy, pull themselves out of the slough of despair.

The commission believes that leadership and assistance through the Government can so stimulate the development of marketing societies as to obtain marked economies in the production and distribution of the farmers' crops. Four general principles are laid down for the application of cooperation to farming:

1. Cooperative marketing associations should pool products and exchange crop and market information.

2. The Government should make surveys for farming groups desiring to initiate cooperative action.

3. Government auditing of books to establish confidence in the financial side of the movement as well as to standardize accounts.

4. Establishment of grades and standards for farm products.

It is not certain that our present Congress will be able to translate the commission's views into law. Senator BORAH demands a special session, if the Congress can not pass the needed laws before March 4.

The progressives in the House stood ready to support the agricultural commission's cooperative marketing bill should the Dickinson amendment have failed. Most progressives would, perhaps, have supported the commission's bill had it come up for a vote sooner, in preference to the Dickinson bill, but the commission's bill met with very strong opposition from most all cooperative associations now doing business that had its effect on them. Besides, the Republican leaders will find out in the next Congress what they already should know, that you can lead a horse to water, as the adage says, but you can not make it drink.

What the Republican leaders will say in extenuation of their failure to pass farm legislation in the second session of the Sixty-eighth Congress I do not know; but I do know that in the West such failure in the first session of that Congress was charged against the progressives, in spite of what the Republican floor leader [Mr. LONGWORTH] said about that Congress in his résumé of that session, from which I quote as follows:

Its legislative accomplishments are unexampled in recent years. The body, which many people said at the outset would be impotent to legislate at all, turned out to be one of the most efficient and effective legislative machines in history.

He says further:

The record of disposal of public business is unexampled, so far as I know, and certainly during the more than 20 years that I have been in Congress.

And, again, he says:

In other words, during the session of the Congress just closed more public and private laws were enacted than in the similar sessions of the three preceding Congresses all put together.

So much for the irresponsible general charge made by Republican speakers in the West during the last campaign that the progressives in the House obstructed and hindered the passage of good laws in general. On the question of farm relief the distinguished floor leader says in his résumé:

It seemed that neither the Agricultural Committee of the Senate nor that of the House were able to agree on a measure which could command the necessary support.

Speaking of the defeat of the McNary-Haugen bill, he says:

The opposition to the bill was in no sense partisan, but it appeared that the main block of the votes cast against it came from the Southern States.

Speaking of the merits of this bill, the gentleman said:

The bill was very far-reaching, technical, and complicated—

And he adds that many Members of the House—

were very seriously concerned lest the remedy proposed might prove to be an even greater evil than the conditions it was designed to relieve.

I wish to reiterate the charge that I have made many times before that the Republican Party in the House killed the McNary-Haugen bill in the first session of the Sixty-eighth Congress. After having done so the Republican National Convention was held in the city of Cleveland where Mr. Coolidge was nominated for the Presidency and where the platform was adopted upon which he made his phenomenal run. In that platform, where it deals with the agricultural question, the high spots read as follows:

We recognize our agricultural activities are still struggling with adverse conditions that have brought about distress. We pledge the party to take whatever steps are necessary to bring back a balanced condition between agriculture, industry, and labor, which was destroyed by the Democratic Party through an unfortunate administration of legislation passed as war-time measures.

Also—

The crux of the problem of the farmer is the net profit he receives after his outlay.

The platform states that the net profit to the farmer can be increased by narrowing the spread between what he pays for what he buys and what he gets for what he sells, and this the platform says can be brought about, among other things—

by a reduction in taxes, steady employment in industry, stability in business, lower freight rates, and the establishment of a Federal system of cooperative marketing.

This is all to be done, however, without putting the Government into business. None of these promises the Republican Party in Congress have even made the slightest attempt to redeem. Taxes have not been reduced; that is, such taxes as the farmers pay, which are indirect taxes levied in the form of a high protective tariff.

It has time and again been pointed out that the farmers now pay no more direct Federal taxes. There has been no attempt made at all to lower freight rates even to the slightest degree, and nothing at all has been done in the line of bringing the price that the farmer pays for what he buys closer together with the price he receives for what he has to sell. Only one single promise have they in any manner attempted to tackle, that, namely, of the establishment of a Federal cooperative-marketing system and the abortive attempt that was made in that respect was done at the initiative of the President, but the Republican Party saw to it that even that came to naught. Not a single cooperative marketing bill was discussed upon the floor of the Senate. The same tactics were carried out this session as in the last session, that no agricultural relief measure should be considered outside of the House. If the President and the Republican leaders in and out of Congress were honest and had the desire to redeem the promises made to the farmer, Congress should be called together in special session to enact needed farm legislation, even though nothing but the Federal marketing system would be attempted. Unless that is done the next crop will be marketed in the same manner as crops have usually been marketed, and unless there should happen to be a world shortage in some of our leading farm staples the farmers would again be facing a calamity. It is my belief that Congress should be called in extra session to deal intelligently with the farm situation, and it should not be limited to the narrow proposition of Federal cooperative marketing. The farmers of the West are fully convinced—and they can not be otherwise convinced until something has been demonstrated to the contrary—that the United States Government must set up some kind of a governmental machine to handle the surplus crop in the main-crop staples in such a manner that the surplus will not set a price on the whole crop. The western farmers are fully determined to have this tried out or to have it conclusively demonstrated to them that their theory is wrong.

The next national campaign in the West will be fought out on this proposition. The Republican Party is now on trial with the farmer, and the day of reckoning will come in the next campaign. It is apparent to anyone that has read the hearings held by the House Committee on Agriculture that the farm condition is, on the whole, no better than it was a year ago. The farmer has simply been chloroformed by fine Republican promises, but the effect of the anæsthetic that was administered to them in such strong doses in the last campaign is beginning to wear off. The farmer must have cheaper money than he is able to obtain as yet. This will also be apparent from a reading of the hearings. No industry the products of which do not bring cost of production is able to pay 10 per cent interest on the bulk of the money that is borrowed. In this connection I want to state that it is my firm belief that no scheme of cooperative marketing can be a success unless the corner stone of it is made cooperative and profit-sharing banks by means of which the farmers can in time be able to control their own credit situation.

I gather from the committee hearings that cooperative marketing so far has redounded more to the benefit of the consumer that knows enough to buy from the cooperatives than it has to the benefit of the cooperative farm organizations themselves. On pages 533, 534, and 535 of the House committee hearings appears part of the testimony of Mr. Lloyd S. Tenny, of the Department of Agriculture, where he speaks about the success of the cooperative creameries in Minnesota in selling their Land-O-Lakes butter in the eastern markets. He states that of this very high-grade butter there is now a carload being shipped each week to the city of Washington. From his testimony I read the following:

Now, keep in mind that is 93-score butter, which is about the best made, and that that has been retailed to the housewife in Washington for from 49 to 51 cents a pound, against the price for similar butter in a great many instances from 60 to 65 cents, and sometimes as high as 70 cents a pound.

I listened to Mr. Tenny when he was giving his testimony, and it seemed to make the impression on the committee that these farmers were receiving a good price for their high-quality article, and that the farmers received the full retail price within 5 or 6 cents. The next day I telegraphed to the creamery in my home town that is making a high score Land-O-Lakes butter to find out what the creameries are receiving for the butter that the housewives in Washington pay 51 cents a pound. The answer was that they then were getting 36 cents a pound

net. From this you can see that housewives in Washington are sometimes paying twice as much for butter as the farmers receive for the best butter on the market. I mention this incident of the discussion of the marketing of butter before the committee because it made a great impression on the committee. I take the liberty to quote further from the hearings:

Mr. PURNELL. How much of that 49 cents is represented by inspection and freight and handling?

Mr. TENNY. I can not answer that now. Those figures are probably available, but I have not got them with me.

Mr. CLAGUE. I think it is about 6 cents.

Mr. KINCHELOE. Who pays it?

Mr. TENNY. The producer pays it ultimately.

Mr. CLAGUE. I think it is between 5 and 6 cents. I think that is what it was last year, all the expenses at St. Paul—the handling and everything. In other words, the farmer gets all that 51 cents except 5 or 6 cents. That is how it showed up last year. That takes care of all handling expenses and everything.

Mr. KINCHELOE. Is everybody satisfied with that?

Mr. PURNELL. You say the producer is satisfied with the price?

Mr. CLAGUE. We are getting all that is in it for once. There is no middleman in it. It used to cost from 10 to 15 cents or more for all these different middlemen.

It almost makes a man's head swim to follow the discussions when the farm question is up in Congress. Here the business of the dairy farmer is taken as an illustration of how he has almost perfected the marketing of his product; some say that he is satisfied with the conditions as they are; yet the butter that he receives 36 cents a pound for takes 15 cents a pound to bring to the consumer that has sense enough to buy cooperatively marketed butter; but it costs sometimes as high as 34 cents to market the 36-cent butter if bought through other channels.

But usually the discussion of farm relief turns around the tariff question. Republicans want more tariff, generally speaking, and the Democrats want less tariff. During the discussion of the Haugen bill in the House a gentleman representing especially a dairy section of the country, Mr. KNUTSON, of Minnesota, who expressed himself to the effect that cooperative marketing should be "voluntary and not compulsory," but who voted against the bill that would set up voluntary marketing, delivered himself of a panegyric on the blessings of the high protective tariff that I am sure that at least farmers in Minnesota will be interested in reading. It follows:

Mr. Chairman, if the dairy cow is to survive we must have a further increase in the duty on foreign-made butter. The present rate is not sufficient, and the same holds true with eggs. Let me say parenthetically that we imported last year nearly $6,000,000 worth of eggs in one form or another. Early in the life of this Congress I introduced a bill to increase the duty on butter from the present rate of 8 cents per pound to 20 cents per pound and the duty on eggs from 8 cents per dozen to 15 cents. I have not been able to get consideration for this bill from the Committee on Ways and Means, but the chairman of the committee has assured me that the revision of the tariff will receive consideration early in the Sixty-ninth Congress.

Mr. Chairman, parlor economists may tell us that there is no justification for a protective tariff, but they can not make the American farmer, laborer, and manufacturer believe that. They know that the greatest development, prosperity, and happiness have always been had under a protective tariff, and their shouts of robber tariff and other forms of smoke screens fall on deaf ears. Give the American farmer adequate protection so that he will not be compelled to meet the deadly competition of cheap labor paid with worthless currency, and he will rise and call us blessed. Then and only then will such legislation as we are called upon to-day to consider be really of help to our farmers.

Right here I wish to ask this question: If the farmer now receives 36 cents a pound for butter and it costs up to 34 cents a pound to market it with 8 cents a pound tariff on butter, how much will it increase the price of butter to the consumer if the tariff is made 20 cents a pound? How much will such an increase in the tariff on butter increase the farmer's market price? The distinguished gentleman says that chances are good for a revision of the tariff in the next session. That will be the same kind of Republican tariff revision we usually get, a little boost in tariff on farm products that does not help much of anything and a big boost in the tariff on manufactured goods that the farmer buys. Do the farmers want more of that kind of hocus-pocus?

A farm relief program that does not include an honest effort in curbing profiteering will fall far short of any real results. I put in the best licks I could for Senator LA FOLLETTE for President in the last campaign and I am proud of it. After the heartbreaking disappointment in this session in the matter of farm legislation it is cheering to take a look at the LA FOLLETTE platform to see what it had to say on the farmer's questions. It demands—

reconstruction of the Federal reserve and Federal farm-loan system, to provide for direct public control of the Nation's money and credit, to make it available on fair terms to all, and national and State legislatures to permit and promote cooperative banking.

Adequate laws to guarantee to farmers and industrial workers the right to organize and bargain collectively, through representatives of their own choosing, for maintenance or improvement of their standards of life.

Creation of governmental marketing cooperation to provide a direct route between farm producer and city consumer, and to assure farmers fair prices for their products and protect consumers from the profiteers in foodstuffs and other necessaries of life.

A program like the one here set out carried into effect would solve the problems of the farmers. It is my candid belief that nothing short of the fulfillment of such a program will do justice to the farmer or reestablish him to his proper place in our scheme of things that he is entitled to. The Republican platform of 1924 promised the farmers everything that the platform makers could think of. Only one of the promises therein made, namely, that of more tariff, is liable to be carried into effect. It is useless to vote a high protective tariff on farm products unless it is part of a governmental scheme to take charge of the farmers' surplus crops in such a manner that the rest of the crop will be sold at a price that will insure to the farmer cost of production plus a living profit. It is to be greatly regretted that some kind of a cooperative marketing law was not passed in this session, especially some such law that had embodied in it the idea of an advisory agricultural council, something like what was outlined in the Dickinson bill. The farmers must get together in council by themselves, and such council must receive its sanction and standing by act of the Government, to discuss their own affairs and to work out the main plan of their own financial salvation. When this is done the first step will have been taken on the road to justice for the farmers.

The progressive element in Congress, backed by the progressive element among the people, are not discouraged. They will not compromise on their program, because they believe that their program as it affects the vital interests of the common people is absolutely and fundamentally sound. They stand willing and ready to help Republicans or Democrats put over any sane farm-legislation program, even though it will not go as far as the progressive program, because the progressives have no political ax to grind, have no masters to dictate their actions but the people, their constituents. They have their feet on the ground. They know that all human progress is brought about by slow degrees. They know that out of defeat will come victory if they only have courage to stand up under defeat like men. They know that down through the ages the political pariahs of to-day have often become the political messiahs of to-morrow. The Republican Party in Congress is smitten with blindness. There are none so blind as those who do not want to see.

INVESTIGATION OF INDIAN MATTERS

Mr. HOWARD of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks on Indian matters.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOWARD of Oklahoma. Mr. Speaker, under permission given me to extend my remarks in the RECORD I herewith append an editorial which appeared in the Tulsa Daily World of January 27, 1925, in which it comments on the investigation and report of the Committee on Indian Affairs of the House made recently. This newspaper is the greatest Republican newspaper printed in Oklahoma and I am sure that its information as to Indian matters is authentic and its conclusions logical, and the suggestions made should be given serious consideration by the Congress. The article follows:

GIVE THE INDIAN COMPETENCY OR—

Without once stepping outside the record made by the recent congressional investigation into the conduct of the Indian department at Washington and in Oklahoma, it is possible to construct a case against the Indian Bureau of the gravest character. As a matter of fact, that case constructs itself and stands as an unspeakable indictment of those high officials of our Government charged with the responsibility of executing the sacred office of guardian, yet dishonoring that office.

The United States Government has refused to recognize many Indians as competent to transact their own business. Mineral deposits in Oklahoma have brought vast wealth to many of these Indian citizens, and the theory of the Federal Government has been and is that

they should have the guardianship of the Government for their protection against unscrupulous men, who would, without that care, despoil them of their moneys and property very speedily.

So an extensive bureau has been set up and is being maintained for that precise purpose. This bureau is manned by hundreds of officials high and low, clerical and legal, for no other purpose than to do for the Indian ward the thing justice impels; to protect that ward against the designs of adventurers and the machinations of legal intriguers.

But what does the record of the congressional investigating committee show? That despite its intimate control of these rich Indian estates, its horde of officials, its various probate attorneys, and tribal attorneys, each and all kept in office and paid salaries for no other purpose than to ascertain what the proper interests of the wards were and see that that proper interest is served, the guardian has in case after case permitted the very influences a guardian is supposed to combat, to intrigue themselves into the various wealthy estates and secure themselves independent fortunes in the form of "attorney fees." And the guardian has time after time approved this practice.

If Jackson Barnett, for instance, should have given half his estate to Bacone University and the other half to an adventuress making pretense of wifely affection and regard; if such a final disposition of that wealthy ward's affairs was by the Indian Office considered equitable and just, a question which requires some debate, by what process of reasoning can the Indian Office justify its actions in permitting enormous attorneys' fees to be paid from this estate to various notorious lobbyists on the outside for pointing out to the guardian his duties?

If the Indian Office was and is quite sure that it acted for the best interest of old Barnett in that case, why did it not act on its own initiative and under the guidance of its own legal advisers, instead of waiting for the suggestion from the fee hunters?

What would public opinion be of a court—any court—which, after taking charge of an estate and appointing a legal adviser for the receiver, should later by its own order dissipate that estate among various outside attorneys each of whom wormed into the estate either by disregarding the duly constituted legal adviser or the receiver or through connivance with one or the other?

The Indian Department has taken charge of these Indian estates for the purpose of protecting them from the wolflike disposition of some men to prey off the ignorant and the helpless for their own benefit. There can be no conception even of a necessity for any Indian minor or ward to employ an attorney other than the various ones made available by the guardian. Nor is there a single case of record—we venture the assertion boldly—where any such Indian ward or minor has of his or her own free will sought the services of any such outside legal adviser. In every instance the solicitation has come from one or two sources—either a covetous mining interest seeking possession of land willy-nilly or an attorney of questionable repute and practice seeking a slice of the moneys accumulated in the name of that ward.

The Barnett case was but one of several cases put in the record by the late congressional investigation. The committee could have put many others in the record. Time after time the committee and the whole public of the United States heard men admit getting a fee of from $15,000 to $50,000 in some instances witnesses were not permitted to state the fee they did secure. And also heard these men confess to having divided that fee with this fixer or that fixer. All of this was approved by the guardian—the Indian Office—either through its representatives here in Oklahoma or the Commissioner of Indian Affairs at Washington, or both.

How can it be defended? How can the members of that congressional investigating committee look themselves squarely in the face, recall their oath, and justify the report they made to the Congress? That report said, "All is well with the conduct of Indian affairs," both by the Federal department and the probate courts of Oklahoma. The imagination is left to feebly grapple with the problem of conceiving some conduct which would impress that committee as being improper. How would any one of those eminent Congressmen like to have precisely the same officials conduct in the same manner the affairs of their own children if left fatherless and with a valuable estate? Would Chairman SNYDER still feel that all is well should he witness such loot and pillage of the estate of a member of his own family?

Nor does the World appear bolding a brief for the probate courts of Oklahoma, either. It frankly and unequivocally admits that whatever the probate courts and their champions may say against the Indian Department at Washington that department can return with compliments and remain well within the record. The conduct of Indian affairs, whether by the Washington department or the probate courts of Oklahoma, is a blot upon the honor of men, a confession that the most sacred office in our legal system—that of guardian for the incompetent—has been betrayed time after time until it appears there is no such thing as high-minded, disinterested service anywhere.

We also confess our disposition to support the theory that the exclusive jurisdiction over these Indian wards should vest in the Washington Government, with no divided authority whatever. It belongs there. But the practices of that office must give way to the honorable practices of a guardian. So long as intriguing lawyers can graduate themselves from the pauper class into the gentlemen-of-wealth class overnight at the expense of these wealthy Indian wards, so long as petty grafters have standing in the Indian Bureau, no matter what the pretext, no matter how "high and defendable" in theory the process may be, just so long the Indian Office will rest under a cloud.

Unless President Coolidge gives this matter that direct attention it calls for and brings about a complete and thorough reform in the whole Indian Service, the alternative is clear and unescapable: The Congress should, without further delay, make competent every Indian in Oklahoma, give each of them full citizenship, and abandon the hypocrisy of guardianship altogether and forever. The very worst that can be said of such a policy is that it would at least put upon the courts the responsibility for approving the robbery of these wards which is going on either with the knowledge and approval of the Federal guardian or in spite of very feeble efforts on the part of that guardian to prevent it.

Certain it is that the Congress can not in good faith longer urge the retention of these Indians and their estates under the guardianship of the Federal Government. Not in view of the recent congressional investigation.

If the Indians are to be robbed, it is far better that they be robbed openly. Let this great Government at least keep its own skirts as clean as possible. At least let the Indian have the same chance in the open field that the deer and buffalo had, and at least expose him to all hunters alike!

INDUSTRIAL ALCOHOL AND PROHIBITION

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, the twofold purpose of the Volstead Act to prohibit the use of intoxicating beverages, while promoting the industrial use of alcohol, is the purpose also of H. R. 6645, introduced by me and now pending in the Senate. Through the working of insidious and unfair propaganda an entirely erroneous impression of the purpose and effect of my bill has been caused in the minds of many, and many legitimate users of industrial alcohol have been caused needless alarm because of its pendency. In many cases opposition to the bill has been aroused thereby, when, if its purpose and effect had been properly understood, I am sure I would have had full cooperation in promoting its passage.

The economic development of the United States is closely affiliated with prohibition and with industrial use of alcohol. The Nation must be sober if the Nation would prosper, and prosperity to-day rests upon the use of certain basic raw materials, among which alcohol occupies a conspicuous place. The prosperity of this Nation is so closely associated with its sober working efficiency that the two can not be separated. Any system of control of industrial alcohol which does not safeguard it from illegal beverage use will have a more depressing influence upon alcohol-using industries than the most rigid system of governmental supervision. Each gallon of diverted alcohol that enters the hands of bootleggers eliminates much potential trade, which alcohol-using manufacturers might rely upon. Held in its place, alcohol is like a dammed stream whose water turns the wheels of industry. Allowed to leak from the dam that same stream would turn the neighborhood into a disease-breeding marsh while the mill wheels of manufacture stood idle.

This relation between prohibition enforcement and the use of industrial alcohol is set forth by a writer in the Chemical Age for January, 1925, as follows:

THE CHEMIST AND PROHIBITION

This is the age of chemistry. It also happens to be the age of prohibition. The relation between the two is more real and deeper than the casual observer might believe. Each is a potent factor in our national development. Each requires the other in some degree, but while prohibition might function effectively even in a nation where chemistry was rudimentary, no nation can enjoy to the full the prosperity accompanying the marvelous developments made possible through modern chemistry unless that nation has banned intoxicating beverages. This is not fanaticism. It is a very sober statement of a very elementary truth. Probably no other single product enters so variously and so importantly into our modern civilization as alcohol. The chemical genius of the world has created wealth, speed, comfort, beauty, and happiness from alcohol and coal-tar products. Of these two principal factors in modern civilization, probably alcohol is the greatest. Its importance is briefly recognized in the national prohibition act which joins the promotion of the industrial use of alcohol with the prevention of its beverage use.

ADEQUATE INDUSTRIAL SUPPLY OF ALCOHOL

It is important that the legitimate alcohol-using industries of this Nation should have adequate supplies of this essential raw material. They are entitled to it under the law; the prosperity of the Nation demands it; in war time the very existence of the Republic may depend upon the efficiency of some of these industries. It is even more important, however, that the liquor outlaws of the Nation should be prevented from obtaining their illicit supplies of alcohol. There is not necessarily any more conflict between these two principles than between the problem of keeping a fire in the kitchen stove and keeping that same fire away from the kitchen table.

No organization or governmental agency desires to interfere with the industrial use of alcohol. No one believes that the great industries now using this raw material are leagued with bootleggers to divert their alcohol to improper uses. All the legislation passed or proposed on this subject has sought to make it easier for honest business and harder for outlaws to supply themselves with alcohol.

INDUSTRIAL EFFICIENCY AND PROHIBITION

Important as industrial alcohol may be as a factor in our prosperity, there is another factor even more important, and that is the human factor. National sobriety is a primary essential. It is one of the conditions of national efficiency. It is directly related to national purchasing power. All the products of the alcohol-using industries would be of little value without consumers. When prohibition closed the swinging doors of 177,790 saloons, it opened the way to larger consumption of all the products of legitimate business. Our most reliable economic experts have pointed out the relation between our prosperity and prohibition. They agree with Roger Babson who has said that this prosperity is "largely the result of prohibition." It created the market; it made possible mass production with its lowered costs; it increased our earning capacity because sober workers are generally more efficient. Prohibition has increased our consuming power. It has furnished much of the demand for the new products of chemical ingenuity. We ceased to spend several billions of dollars annually for intoxicants. Instead, we now pour that sum into legitimate business or deposit it as savings on which all business depends.

The significance of the human factor in prosperity is expressed very clearly by Prof. Thomas N. Carver, of Harvard, who writes in his "The greatest social experiment of modern times":

"Temporarily considered, the waste of such fundamental resources as man power and food may have been unimportant in time of peace. In the long run, however, the cumulative effective of such wastes may prove quite as disastrous as in war time.

"It is safe to say that, other things equal, the nation that makes the greatest economy of its human resources—that is, that wastes the smallest proportion of its man power or that economizes and directs its man power most economically—will outgrow in numbers, prosperity, and general strength the nation that does the opposite. So long as all the rival nations are wasting resources and man power in drink, there may be no differential advantage in favor of any one or against any of the others, but when one nation, such as the United States, makes a definite advance in this form of economy, unless it indulges in some folly that will neutralize the advantage thus gained, there is no reason to doubt that it will gain on all others year by year, decade by decade, and century by century and eventually dominate the civilization of the world. They who refuse to take this great step forward in the economy of human resources, whether they understand it or not, are definitely choosing to occupy a secondary position in the civilized world."

Of course, man is more than a mere consumer of factory products. He is far more than one of the natural resources to be inventoried. He is a series of chemical reactions plus an indefinitely but absolutely priceless quality. Prohibition's principal purpose is to preserve this quality in men. It is a moral movement. It sought to save men, not business primarily. But the men saved from the saloon became the producers and the consumers in the business world. Modern industry is as moral as modern theology. There is no more room in it for the occasional drinker than for the occasional pilferer.

Modern chemistry has its creative opportunities to-day because this is an age of speed and of mass production. In the times which were more slowly moving men might have been able to use alcoholic drinks as a stimulant. Whisky and the one-hoss shay were not mutually destructive partners. Beer and the oxcart may have had a natural affinity. The oxcart mind may have found a certain acceleration in alcohol. The age of the auto, airplane, and high-powered machinery finds no stimulation in liquor but rather a depressing and retarding effect. Beverage intoxicants introduce a perilous friction, mentally and nervously.

Mass production in industry requires a closer relation between workers than was dreamed in the handcraft days. Alert minds, swiftly responsive muscles, steady nerves are essential. A few workers with beer-dulled minds may throw a shoproom out of industrial step. Costly industrial accidents have decreased greatly since prohibition eliminated blue Mondays and the noonday glass of beer.

Chemistry is an exact science. Nothing so blurs the mind to the fine shadings and delicate distinctions as alcohol. Intoxicating liquor introduces "toxins" into the human body and brain. It is the relentless foe of everything that chemistry and its kindred sciences demand.

ALCOHOL-USING INDUSTRIES AND PROHIBITION

The alcohol-using industries of the country have not been seriously hampered by the operation of the prohibition law. The unprecedented development of such industries refutes any such idea. No other class of products have shown so rapid a development in the past five years. The low selling price of such goods indicates that production costs have not been increased, freedom of competition has not been stifled, nor have the quantities of permitted alcohol been so restricted as to prevent cheap mass production. Many of these industries have been among the greatest direct beneficiaries of the social changes accompanying prohibition.

Realty experts credit prohibition with having stimulated the boom in home building from which the paint and varnish makers directly profit. Banishment of the saloon established higher standards of living in these homes to the gain of makers of phonograph records, toilet articles, artificial silks, and scores of other semiluxuries unpurchasable by the saloon patron's family. Even the polish makers find a larger demand for their product from sober men than from drunkards. The continued prosperity of America is directly related to the problem of keeping alcohol in legitimate industry and out of the toper's glass. Unrestricted beverage alcohol would hamper general trade development more than the most rigid regulations.

Alcohol users are under no greater restraints to-day than they were before prohibition. The system which controls the distribution of specially denatured alcohol is practically the same as it was in the wet era. Completely denatured alcohol, however, is to-day obtainable without any red tape. In 1906 when this alcohol was made tax free, very rigid regulations were put in force. To-day there are practically no regulations affecting this raw material.

The increase in the use of denatured alcohol from 17,811,078 proof gallons in 1914, or 93,762,422 proof gallons in the war year 1917, to 121,576,196 proof gallons in the fiscal year 1924 is somewhat conclusive evidence that nothing has occurred to stunt the growth of this infant industry.

INCIDENTS OF REGULATION

There are some annoyances in alcohol regulation, as many users have experienced. Many have not adjusted themselves to the new situation in which alcohol is placed to-day. Knowing their own integrity, they resent submission to rules which would be quite needless if all men were equally honorable. Unfortunately, it is difficult to make laws with a proviso which exempts honorable men and yet constrains the lawless. Possibly in some cases an antagonism to such control has added needless passion and magnified petty grievances unduly. If one is predisposed to see in every regulation a covert attack, then clashes between permittees and the Government officials are inevitable. When industry recognizes that its direct gains from prohibition are quite disproportionate to such inconveniences as accompany it, then closer cooperation will be possible between those who use and those who control industrial alcohol.

Besides his attitude as a scientist or as a manufacturer, the chemist has another attitude, viz, that of citizen. Scientific laws and economic laws are inviolable. Statute laws have a different category. One yields a forced and mechanical obedience to the first two groups; to the third one must bring a voluntary allegiance. As members of a highly organized society, we must agree that when laws are adopted by legal and orderly methods we will obey them. No individual can arrogate to himself the right to disobey a law because he disapproves that law unless he concedes the same right to every other member of the group. Not even a considerable minority has the right to impose a veto on a law because it disapproves. We abandon democracy and substitute anarchy when we do this.

LIBERTY THROUGH LAW

The greatest peril faced by the world to-day is lawlessness. This is true, not alone of America but of all nations that were under stress in the World War. It is probably more true of America than of any other nation because life here is lived at a higher tension than elsewhere. Probably every citizen in the Nation could suggest offhand some laws that are distasteful to him. Few autoists really find that speed and parking rules or traffic regulations always please them, but they recognize that these restrictions are necessary if we are to have a motorized nation. Few people carol happily as they make out the checks for their honest income taxes, but we all know taxation is not an unmixed evil and that our gain is a thousand times greater in terms of protection of life and property than the cost we personally pay.

No one approves all laws, but the good citizen obeys the law even when it may work a personal inconvenience or a personal loss because upon the observance of law depends the stability of organized society. When such laws are rapidly decreasing and will eventually reduce to the lowest practical minimum a great social evil, while they simul-

taneously promote the moral, physical, and economic well-being of a great nation, then such laws have a force even more binding than other legal enactments. When the magnificent results of prohibition are considered, its annoyances and imperfections seem petty. They are only spots on the sun or like the negligible residue which chemists ignore.

DRUNKENNESS HAS INCREASED THROUGHOUT THE UNITED STATES SINCE THE PASSAGE OF THE VOLSTEAD ACT—JEFFERSON'S ANTIDOTE

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker, there have been recently in this House a great many statments made about the decrease of drunkenness since the adoption of the Volstead Act. I therefore desire to make a few observations on this subject, based on statistics which have been collected by myself, by Captain Stayton, of the Association Against the Prohibition Amendment, by the Baltimore Sun and the Baltimore Evening Sun, and other entirely conservative sources.

The marked change in the attitude of the newspapers and the evident intention on the part of the press to let the country at last know the truth concerning the conditions prevailing under prohibition promise to bring a speedy change in the law.

Much that is the truth has not been broadly published, while much that is untrue has been widely circulated.

Perhaps after all the standard by which the success of the prohibition laws should be judged is, "Have they increased or decreased drunkenness?"

In spite of all nonsensical statistics to the contrary, the official statistics show that in that territory specially selected by the Anti-Saloon League as being the one in which it proposed to make its "showing," there were 178,000 arrests for intoxication in the last year before prohibition and there were 330,000 of such arrests in 1923.

The nations of the world have settled upon three principal methods for regulating liquor traffic.

The first method is that of the licensed and more or less regulated saloon. The second method is what may be called beer plus regulation. This is the method which makes easy the path to the nonintoxicating beer but puts many obstacles in the way of the purchase of strong drink.

The third method is that of absolute prohibition.

In the United States we have tried all three of these methods in the last 15 years and the results are eloquent.

From 1910 to 1917 we had the licensed saloon and the arrests for drunkenness increased steadily, so far as mere numbers were concerned, but at a rate somewhat less than the increase in population. So there was a slow but sure trend toward sobriety. For example, in the Anti-Saloon League's chosen territory, the 1910 arrests for drunkenness were 286,000, while those for 1917 were 328,000. These are the league's figures.

Then, at the end of 1917, we adopted the method of 2¾ per cent beer, plus regulation and the partial suppression of hard liquor; and, on the league's own showing, the arrests for this cause fell, in the next two years, nearly 50 per cent, or from 328,000 to 178,000.

That was the status when the league took charge of our morals—178,000 drunkenness arrests per year in the selected "show" territory.

In 1923 the number had nearly doubled—had reached 330,000. Indications are that when the 1924 figures are available the rise will have reached the 400,000 mark.

When, under their changed policy, the newspapers shall give these facts to the public, prompt action may be expected to follow.

Nor do the huge increases concern merely arrests for drunkenness. Take the matter of distilleries, stills, fermenters, and other such appliances used ind distillation.

The figures of the enforcement unit itself forces them to the admission that the seizures, which in 1921 were not quite 86,000, jumped to 111,000 the following year, and reached the enormous total of 159,000 in the fiscal year 1924.

Some of the Anti-Saloon League's own figures as to distilleries are enough to damn the whole method. For example, in their yearbook for 1925 (p. 13) it is stated that in 1914 there were in the United States 434 distilleries, employing about 15 men each, or a total of 6,295 wage earners.

But it is admitted on the same page that by 1919 (under the method of beer and regulation and before prohibition) the number of establishments had dwindled to 34 and the number of wage earners to less than 1,400.

Now, let us return to the annual records of the Prohibition Commissioner, and we find that instead of there being only 34 distilleries in the United States, he seized 10,392 in the year 1924, and he seized 15,853 illicit stills that year.

When prohibition came in there were 34 distilleries in the United States. Since then the Federal officers admit the seizure of 35,315, and probably they do not seize more than 1 in 10.

If we include stills, the total seizures under prohibition have already reached over 92,000, and this means only those seized by the Federal Government, while many others have doubtless been seized by the States.

Coming to the number of people employed it appears that when prohibition became effective there were only 1,380 wage earners in the distilleries. If we assume that the average number of persons per still and distillery is 5, then the number employed around the stills actually seized by the Federal Government in 1924 was 125,000, so that the industry had been multiplied by 100, and again that does not include State activities.

It probably is fair to say that in and around the illicit still and distilleries of the United States to-day a million and a quarter people are employed as against less than 1,400 employed before prohibition became the law of the land.

It is worth while to note the change in character of the criminals of to-day as compared with those of preprohibition days.

One of the governors commenting on the escape of criminals from a local penitentiary in February of this year referred to the fact that the criminal of to-day is a "younger," more alert, and more able man than he of former years. Reference to the figures in the city of New York confirm this, showing that the average age of prisoners convicted in 1919 was 28 years, while those convicted last year averaged only 21 years.

It follows that, roughly, one-half of those convicted in 1924 were 21 years of age or under. Let us say that they range from 17 to 21. Now, these youths were when the prohibition law went into effect from 12 years of age to 16. They are not the product of the old saloon nor of old conditions. They are the product of prohibition.

I have gone over all of these statistics carefully with Capt. W. H. Stayton, the national vice president of the Association Against the Prohibition Amendment, which is doing such excellent work in organizing the independent citizen against the evils of Volsteadism, and he agrees with me that all of the above statistics and statements are conservative and correct.

The same result is also arrived at by the investigation of the Evening Sun, of Baltimore, which, on March 12, 1925, stated:

Monthly arrests for drunkenness per 100,000 of population

	1916	1920	1921	1922	1923
Atlanta	124	156	184	244	269
Columbus	68	28	38	44	69
Montreal	----	72	66	40	35
Baltimore	50	18	33	51	65

THE MORE LAWS, THE MORE DRUNKENNESS

The Anti-Saloon League recently gathered together figures regarding drunkenness in various parts of the country. For our purposes it suffices here to use those figures as they apply to Baltimore, of the Maryland Free State, to Columbus, in Ohio, the headquarters of the Anti-Saloon League, and to Atlanta, the home bailiwick of Congressman WILLIAM D. UPSHAW, of Georgia. These cities, of course, all have different populations, but in order to make a proper basis of comparison we have here worked out the monthly averages of arrests for drunkenness per 100,000 of population. The population of Montreal is approximately 800,000; of Baltimore, 800,000; of Columbus, 261,000; and of Atlanta, 223,000.

Reduced to diagrammatic form, these figures show a remarkable fact. Montreal, with sane laws, has the least drunkenness. Baltimore, which is unfortunately subject to the Volstead Act, but which lies in the free State and therefore has not degraded itself by passing a State Volstead Act, comes next. Columbus, in Ohio, which is the headquarters of the Anti-Saloon League and therefore has the most villainous prohibition act outside of the South, comes next, with even more drunkenness, and finally, leading all the rest, comes Congressman WILLIAM D. UPSHAW'S own Atlanta, in Congressman WILLIAM D. UPSHAW'S own Georgia.

The thing is so striking that it can hardly be a mere accident. Indeed, after thoughtful study of the diagram, we are on the verge of formulating another immutable law. This law, as far as present information enables us to state it, may be set down as follows:

"The amount of drunkenness in any given community is in direct ratio to the number of stupid Volstead laws in that community."

In connection with the above I again call to the attention of the House a statement made by Thomas Jefferson, as it appears in the Washington Post of February 20, 1925:

JEFFERSON'S ANTIDOTE

In 1818 Thomas Jefferson wrote to a French friend:

"I rejoice, as a moralist, at the prospect of a reduction of the duties on wine by our national legislature. * * * It—the duty—is a prohibition of its use to the middling class of our citizens, and a condemnation of them to the poison of whisky, which is desolating their houses. No nation is drunken where wine is cheap; and none sober where the dearness of wine substitutes ardent spirits as the common beverage. It is, in truth, the only antidote to the bane of whisky."

It would be interesting to know what the Sage of Monticello would say if he could return to find himself arraigned against the Constitution and the law, an apologist for crime and a bedfellow of bootleggers.

It is gratifying to those who revere Jefferson and Washington and the other great founders of the Nation to recall the above sane statement. The American people agree with Jefferson and in time will prove it.

"Jefferson's antidote" is what we are fighting for, who deplore the present situation in the United States which the Volstead Act has brought.

RELIEF OF AGRICULTURE

Mr. GREENWOOD. Mr. Speaker, the condition of agriculture in this country has been so depressed that all Members of this House claim to desire legislation to give relief, and yet with only a few days of this Congress left, the first legislation offered at this session is this Federal aid to cooperative marketing proposal. I have sought in vain to find some farmer or farmers' organization that recommends this proposed bill and have yet to find one.

We have this strange situation, that the administration has become so frantic to propose something that it comes out with this bill that will appoint another Federal bureau that will advise, regulate, register, and audit the books of cooperative farm bureaus that are now operating to help the farmer. These organizations do not need or want Federal interference. They do not desire the prying into by outsiders, who by this method would destroy the work already accomplished. A Federal bureau controlled by those who are not sympathetic can now forever kill the progress already made. We have more Federal bureaus now than we know what to do with.

During the campaign the President said he would appoint an agricultural commission, and after making such appointments and they have investigated, this bill is the result, containing nothing tangible and proposing nothing more than additional Federal jobs for advisers and regulators, and so the agricultural commission pulls down a few thousand dollars in pay, gives us some advice, and flickers out.

The administration can not help the farmer because they are tied up to other interests that are considered more important. Their political creed places manufacturing as the basic industry and shapes the tariff schedules accordingly. This program will not be altered by the New England bloc of statesmen who are now in control.

The farming class will continue to be milked by high prices on all the necessities of the farm by having to buy on a protected market and selling their products on the open market of the world. The administration refused to place farming in the protected class by fixing the prices at home and giving a Federal corporation the power to buy and export the surplus products. I supported the McNary-Haugen bill because I believed that the farmer should have a price commensurate with the price of the manufacturer. This provided some degree of equality, but those who are strong for a prohibitive protection would not sanction this legislation that would give a similar special privilege to the farmers. It lost because protectionists were not for it.

There is no proposal to modify the tariff rates soon, and the present rates are destroying agriculture, taking the farmer's hard-earned dollar and transplanting it into the pocket of the manufacturer, and this policy has prevailed more or less for half a century, and as a fixed policy will not be changed by the party now in power.

Under this policy the drift of population will continue from the farm to the city, which enlarges the problems of morals and crime; the housing problem of the city increases, and the vacant houses on the farms grow in numbers. There is no alleviation except a radical reversal of present industrial policies now controlled by a false political doctrine. This the party in power is not likely to make. The farmer need not expect anything like equal prosperity until the same treatment is accorded the man on the farm that is now made to those who sell on a restricted, protected, controlled home market, where competition is eliminated by governmental protective tariffs. This tariff robs the farmer in favor of the combinations of manufacturing, who are allowed to exploit the consumer through the aid of the taxing power of the Government. This bill which proposes to regulate, register, and audit the books of cooperative marketing groups and hand them a little advice, which the Agricultural Department as now organized can give, will furnish but a few more Federal jobs and give no relief, and I do not propose to help destroy the progress already made by the farmers themselves and at the same time waste some more of the taxpayers' money.

However, I am supporting the Dickinson substitute, which will appropriate enough funds to allow the Agricultural Department to furnish information on crop conditions and markets, which will assist the cooperative marketing associations throughout the country to market farm products more intelligently.

WHAT SHALL BE DONE WITH OUR NATIONAL FORESTS?

Mr. THOMAS of Oklahoma. Mr. Speaker, an issue is rising in the country and in Congress over the proper use of our national forests. This issue was raised in the consideration of the agricultural appropriation bill, again in the consideration of the game refuge bill, and the current number of a magazine entitled "The Outlook" contained an article entitled "Has our Forest Service 'gone daffy'?"

The editor of the magazine, Mr. Ernest Hamlin Abbott, sent me a copy of the magazine article and asked me to send him any comment or information concerning the issue raised and relative to the record of the Forest Service.

In order to set forth the issue and its development to date, I submit for the RECORD, first, the letter received from Mr. Abbott:

[From the Outlook Co.]

NEW YORK, *February 10, 1925.*

Hon. ELMER THOMAS,

House of Representatives, Washington, D. C.

DEAR MR. THOMAS: Is forestry a matter of timber or of recreation? Is the money appropriated by Congress for the Forest Service intended for the proper cultivation and disposal of the timber crop, or is it intended chiefly for turning the national forests into parks?

The Outlook does not often intrude itself on your busy life; but I believe you will find it worth your while as a legislator to look at Mr. W. C. Gregg's article in the copy of the Outlook for February 11, which is sent you under another cover.

For the present we are withholding editorial comment on the subject, and for the formation of our opinion would value any comment or information you would like to send us concerning this aspect of the record of the Forest Service.

Very sincerely yours,

ERNEST HAMLIN ABBOTT,
Editor in Chief.

The Outlook magazine article is as follows:

[From The Outlook for February 11, 1925]

(By William C. Gregg. There are few in the country who have made such a close study of the problems of our national forests as William C. Gregg. He believes in forests; he believes in recreation grounds. His article is a call to the American people to recognize the fact that the whole purpose of our Forest Service has undergone a drastic change. Mr. and Mrs. Taxpayer should read it and ask themselves, "Is our money going where we want it to go?")

HAS OUR FOREST SERVICE "GONE DAFFY"?—MILLIONS FOR RECREATION, BUT HOW MUCH FOR REFORESTATION?

"Shall we use the national forests for recreation?" Everyone just naturally says, "Yes."

"But shall we subordinate forest protection, replanting, and insect destruction to recreation?" The answer is, "No."

Then, it seems to me, the Forest Service will have to be called back from its enthusiasm for entertaining visitors to the original but more somber work of forestry.

Its concern about whether there are too many or too few deer in the Kaibab Forest should not eclipse its interest in the chestnut blight in the southern Appalachian Mountains, which might still be stopped before it destroys the remaining $50,000,000 worth of that timber. It is, however, doing next to nothing.

The last annual report of the National Forest Service shows expenditures for one year of $17,652,087. These were divided roughly as follows:

Building of roads	$9,351,142
Land purchases	458,149
Construction of improvements	1,177,937
Fire protection	1,930,361
Protection against insects and tree diseases	79,202
Nurseries and tree planting	196,268
General administration	4,459,028
Total	17,652,087

You and I, gentle reader, put up this $17,000,000, as we thought, for the preservation of our forests. We may be permitted to notice that about one-half of 1 per cent was spent for protection against insects and tree diseases and a little over 1 per cent on nurseries and tree planting. Fifty-three per cent went for roads. The report says that the Forest Service entertained over 10,000,000 visitors during the year. They were evidently treated as guests in most cases, because the statement of financial receipts for the same year does not show any income from them.

Obviously, the urge of reforestation and fighting tree diseases is too small to cause the building of roads and the "construction of improvements," but, as the report says, "recreation has become a major use of national forests," we can understand that "major" expenditures are for roads for recreation.

FIGHTING FOREST FIRES

The forester quaintly refers to the pressures and developments during the last 19 years, saying (p. 4), "The service has been forced, like Alice in Wonderland, to run at topmost speed to keep abreast of itself," then continues, "The enormously greater public and industrial use of the national forests has necessarily increased their fire hazard."

We understand that there was nothing in the original acts creating our forest reserves which contemplated recreational use. If so, who is responsible for the "Alice in Wonderland" developments?

The whole area under the keeping of the Forest Service is 157,000,000 acres, scattered among many States, East, West, North, and South.

Fires were caused 300 years ago principally by lightning, unless we add the doubtful suggestion that two dead trees rubbing together in a wind sometimes started a blaze.

Now we add the cigarettes and camp fires of hunters and tourists.

"Alice in Wonderland" wanders in the report to a discussion of cigarette statistics (p. 12):

> "More than six and a half billion cigarettes entered the channels of trade during July, 1924, or nearly 750,000,000 more than in the same month in 1923. The growing use of cigarettes has created one of the most serious problems of forest protection."

It is physically impossible for the Forest Service to organize thoroughly such a vast area so that all fires caused by lightning, by hunters, or by the millions of smokers who are its guests each summer can be quenched.

That the Forest Service does not seriously attempt to is shown by the fact that it allows its rangers to take annual vacations during the summer, when the fires are most frequent.

True, it shows a large expenditure for "fire prevention and detection," $1,250,000, and another sum, $679,000, for "fire suppression," which together represent about 11 per cent of its entire expenditures. But many of the men who patrol the forests are married men with families. They are provided with homes, garages, autos, and roads; they have gardens, raise chickens and children, and as I say are, many of them, permitted to take vacations and go touring in the summer time. "Fire prevention" and "fire suppression" are both accomplished after a fashion and incidentally. And I make no charge beyond the fact that the chief forester can not keep track of the fire-fighting efficiency of his bureau "when recreation has become a major use of national forests."

The best man for protecting an area is a single man, occupying a cabin in the midst of his district. He should be employed in preference to a married man, and vacations should be given when the fire risk is least, not in the dry months in the summer, when the campers swarm through the forests.

The report for 1924 seems to show a lessened interest in and lessened expenditures for tree planting and prevention of tree diseases when compared with the 1923 report.

The annual reports of the Forest Service do not give expenditures in any orderly manner. A student who tries to learn from them is baffled.

For instance, the 1923 report has an item of expense, "Estimating the amount and fixing the minimum value of timber for sale—$62,500." In the 1924 report there is no mention of a similar expenditure. Are we to infer that it quit spending money for that purpose? I find no mention of the total number of employees, nor how employed, which might have been squeezed into a report covering 40 printed pages.

The 1923 report filled 56 pages. The grand list of service expenditures contains only 12 items, the whole occupying half a page. The first item, for instance, reads, "Protection and administration of the national forests, $5,133,382." That's a fairly hefty item, but I have looked in vain for a detailed statement of how it was divided.

The Chief Forester evidently thinks you and I are not interested in figures. His idea of keeping abreast of himself is to give us (on p. 6) a half-page talk on President Harding's general policy toward Alaska, but he only quotes three lines. Perhaps most of us would rather draw our own conclusions about President Harding's opinions.

On page 4 is a remarkable paragraph; it is hard to tell whether it was written by Trotski or Alice, but I think it has the trade-mark of wonderland innocence:

> "The extension service of the Department of Agriculture has developed through its county agricultural agents and local project leaders an educational machine which spreads like a vast network over the entire country. It comes in intimate contact with a large percentage of the woodland owners, and because of the character of the organization makes possible the widespread influence of a comparatively few leaders."

Please read that paragraph over again and notice that the service works through "agricultural agents and project leaders." A "project" is an expenditure of public money, proposed or being carried out. A "leader," I should say, might be a local beneficiary.

Some of us who imagine we have felt the force of the Forest Service propaganda can see how this "machine" can be used for any purpose—like urging Congressmen to vote for its appropriations, for instance. It is the most powerful bureau in the United States Government.

TREE PLANTING

The 1924 report shows 7,872 acres planted to trees in 1923.

This is less than one-hundredth of 1 per cent of the total forest area.

The service reports an annual burned acreage about 40 times as much as the planted acreage. At this rate of progress backward, where will it land itself?

The forester's report does not seem to recommend much increase in this very small annual replanting. He speaks of an experimental nursery already established; and, if I read the report correctly, it will not plant annually more than 100 acres. Contrast this "reforestation" activity—which we understood was to be the great work—with the expenditure of $9,000,000 for roads in the forests. What are the roads for if not to reach areas to be reforested after being cut over or burned over? Tut, tut! friend citizen, the roads are for recreation; the forests are for recreation!

TREE CUTTING

The 1924 report says the Forest Service sold in Oregon about 1,500,000,000 feet of timber—presumably on the stump—95 per cent of this huge amount was disposed of in eight sales only. What were the details of the transactions? Who measured for the Government? Who was in charge of that division? Did the Chief Forester go into Oregon during 1923 and know himself what was going on?

We shall be told that timber becomes ripe and should be cut or it deteriorates. We will grant that it sometimes "ripens" quickly when somebody wants to cut it. Otherwise, I shall have to take the position that, generally speaking, virgin timber averages about the same as to timber value, although it remains uncut for centuries.

The Government seems to have got a little over $2.50 per 1,000 feet. This price for Oregon timber seems very low. We understand it was legally advertised. But we remember that not so long ago vast fortunes were made by legally stealing Pacific coast timberland through the use of dummy settlers as homesteaders, the title to the land passing soon and legally to the lumber barons, who paid their dummies a trifling amount for their services. It is probable that high lumber financiers are still on the Pacific coast, and are not above entering into a friendly discussion about a certain tract of timber with the local forester. Does the forester who advises the sale stay around during the further steps in the process of separating Uncle Sam from the timber he is supposed to be guarding? Does he attend to the advertising and the measuring? This forester reports to some chief. How many hundreds of miles is this chief from this tree cutting? Does he personally check up these cuts? It looks like a big undertaking, and should require many competent as well as honest representatives of the Government; but, above all, as an old lumberman, I am wondering just how much lumber was actually cut, regardless of what was paid for.

I am unable to find in the report enough to satisfy me that the Chief Forester has a real grip on this phase of his guardianship. We must not forget that deals like these eight Oregon sales of Government timber, aggregating nearly 1,500,000,000 feet of lumber, might be advertised till doomsday, but if the eight interested buyers agree on a division of territory Uncle Sam becomes a victim.

In North Carolina in the same year they disposed of 14,500,000 feet of (presumably hardwood) timber at about $2.25 a thousand feet. This price is also very low; this timber was either valuable or not valuable. If valuable, it should not have been sold at such a price; if not valuable, why was it cut?

From the report it is evident that Alice advocates the passage of the new $40,000,000 McNary bill, hoping that road work will be

doubled, the number of visitors trebled, and if reforestation is lost sight of it will be merely because she can't quite keep up with herself.

Don't misunderstand me. I agree to some selling of timber, if the sales are in the interest of the Government, as well as in the interest of the men who are planning to make money out of them.

I also agree to a moderate amount of recreation at Government expense. But let it be frankly understood. If the Forest Service has shifted its work, let's shift its name. It should be called Recreation Department (with incidental forest protection).

I am not in favor of a new appropriation of $40,000,000 to be obtained from Congress ostensibly for forest protection but largely, in reality, for recreation.

On February 24, 1925, I sent Mr. Abbott, editor in chief of the Outlook, my reply to his communication of February 10, which reply was as follows:

FEBRUARY 24, 1925.

Mr. ERNEST HAMLIN ABBOTT,
Editor in Chief, The Outlook,
381 Fourth Avenue, New York, N. Y.

MY DEAR MR. ABBOTT: Replying to your favor of February 10 asking for any comment or information relative to the article printed in your February number of The Outlook and relative to the record of the Forest Service beg to give you my views as follows:

I do not concur in the conclusions reached by the author, Mr. William C. Gregg, and, on the other hand, do approve of the work now being done by the Forest Service. In order to explain my position, perhaps I should go somewhat into detail.

The beginning of Government forest work dates back to 1876, when there was appointed by the Department of Agriculture a special agent to study general forest conditions in the United States. The following paragraph sets forth the history of the service:

> "In 1881 a Division of Forestry was created in the department, but for a long time it received an annual appropriation of less than $30,000, and could be little more than a bureau of information and advice. From this small beginning, as its field of work expanded, the division grew (1901) into the Bureau of Forestry, and finally (1905) into the Forest Service, with an appropriation for the fiscal year 1922 of nearly $7,000,000, including $300,000 for fire fighting and $400,000 for cooperative fire protection.
>
> "To-day the forest work of the Government is mainly centered in the Forest Service, which, in addition to administering and protecting the national forests, studies a great number of general forest problems and diffuses information regarding forestry."

A half century of time has seen the 1876 idea develop and expand until to-day we have some 150 national forests containing a total of some 157,502,793 acres of land, and located in some 30 States and Territories. However, our forests are located mostly in the Western States of Washington, Oregon, Montana, Idaho, Wyoming, California, Nevada, Utah, Colorado, Arizona, and New Mexico.

The Department of Agriculture makes the following statements in setting forth the scope and policy of the Forest Service:

> "The Forest Service administers the national forests; aids and advises in timber growing on privately owned land; studies forest conditions, methods of growing timber, and methods of forest utilization; investigates the mechanical and physical properties of woods and the processes employed in the manufacture of forest products; and gathers information concerning the needs of the various wood-using industries and the relation of forests to the public welfare generally." (Congressional Directory, 68th Cong., 2d sess., p. 358.)
>
> "The policy under which the national forests are administered by the Department of Agriculture through the Forest Service is to make them of the most use to the most people, but especially to the man of small means and the local farmer and settler. They were meant, first of all, to enable the people to build homes and to maintain them. This policy was laid down by the Secretary of Agriculture in a letter to the Forester, dated February 1, 1905, in which he said:
>
> "'In the administration of the forest reserves it must be clearly borne in mind that all land is to be devoted to its most productive use for the permanent good of the whole people, and not for the temporary benefit of individuals or companies. All the resources of the forest reserves are for use, and this must be brought about in a thoroughly prompt and businesslike manner, under such restrictions only as will insure the permanence of these resources. * * * You will see to it that the water, wood, and forage of the reserves are conserved and wisely used for the benefit of the home builder first of all, upon whom depends the best permanent use of lands and resources alike. The continued prosperity of the agricultural, lumbering, mining, and livestock interests is directly dependent upon a permanent and accessible supply of water, wood, and forage, as well as upon the present and future use of these resources under businesslike regulations enforced with promptness, effectiveness, and common sense. In the management of each reserve local questions will be decided upon local grounds; the dominant industry will be considered first, but with as little restriction to minor industries as may be possible; sudden changes in industrial conditions will be avoided by gradual adjustment after due notice; and where conflicting interests must be reconciled, the question will always be decided from the standpoint of the greatest good to the greatest number in the long run.'" (Government Forest Work, issued April, 1922, p. 9.)
>
> "The outstanding event of the year in national forestry was the enactment of the Clarke-McNary law on June 7, 1924, which takes its place with the Weeks Act of 1911, and the earlier legislation authorizing the creation of forest reserves from the public domain as a milestone of progress. For many years the efforts of the Federal Government toward the goal of forest conservation dealt largely with the timberlands in the public domain and the subsequent extension of Federal ownership to the areas where it was urgently needed in the Eastern States. To establish the national-forest enterprise as a practical and permanent public undertaking was the great accomplishment in forestry of the first two decades of this century. As a Federal activity it had to precede an attack upon the still larger task of bringing about the growing of timber on the nearly 400,000,000 acres of land not owned by the public but from which probably 80 per cent of our forest products must come in the long run. On the extension of forest practice over these lands the country must rely largely for balancing its current consumption of timber by replacement through new growth. The Clarke-McNary Act, while confirming and expanding the policy of national-forest ownership, strikes directly at the lack or inadequacy of forest production on private land, 80 per cent of the soil in the United States which should be employed for this purpose. The new law has thus built an important enlargement into our national-forestry structure." (Annual report of Forester to Secretary of Agriculture, October 13, 1924, p. 1.)

Mr. Gregg takes exception to the work of the Forest Service in connection with its activities relating to recreation. It must be remembered that these forests were created on rough, hilly, mountainous land, and on land not suitable in the main for agricultural purposes. Our national road-building program has caused roads to be constructed to these forest boundaries. Appropriations made by Congress have been expended in constructing highways and trails within the reserves.

The development of motor cars have made these forests accessible to our people. Roads and automobiles have enabled the public to find a new use for their rough mountain lands, and where shade and water are available there is to be found in season the American family enjoying an outing. The Forest Service has not conspired to bring this about. It came in spite of the service, and now the service is doing just what it should—managing the forests in the interests of the whole people, and in doing so is giving due consideration to their adaptability and usefulness.

The Department of Agriculture has the following to say regarding the uses of the forests for recreational purposes:

> "To the camper, sportsman, and seeker after health, rest, and recreation the national forests offer unrivaled opportunities for outdoor life and enjoyment. The popularity of these great mountain playgrounds is evidenced by the fact that several million people visit them each year. Roads and trails, marked by signs, make the forests reasonably accessible. There are countless secluded spots along the banks of streams and lakes where the camper may pitch his tent. Camping is free and generally requires no permit. The camper may choose his own camp ground and help himself to dead wood for fuel and to forage for his camp stock."

There is a widespread public demand that our forests be opened to the public and made available for recreational purposes. To be more specific, permit me to call your attention to a concrete case. The issue raised in Mr. Gregg's article, and suggested by yourself, was presented to the Forest Service in 1923 in connection with the management of one of the western forests, and in order to be concrete I refer to some of the correspondence between myself and the Forest Service during that year. On April 7, 1923, I sent the Forest Service the following letter:

APRIL 7, 1923.

FOREST SERVICE,
United States Department of Agriculture,
Washington, D. C.

GENTLEMEN:

(Attention Mr. F. W. Reed.)

* * * * * * *

The * * * forest is located in the * * * Mountains, and this range of mountains, although small, is the only mountains of any consequence located within a very wide range of territory. These

mountains are very rugged and contain considerable timber suitable for shade, and a number of springs and clear streams of water. The elevation of the range is from 1,200 to 3,500 feet above sea level. This range of mountains breaks through a rather monotonous prairie country. Within what I might term an accessible automobile radius there are at least 2,000,000 people who might, and many actually do, patronize this section. The surrounding territory is prairie, containing very little timber, practically no clear streams of water, and very few springs. During recent years the roads have been so improved and motor traffic has so increased that this territory is now being visited annually by many thousands of people. I think it not an exaggeration to state that during the past 12 months the * * * Mountains were visited by at least 200,000 persons, all of this having been accomplished with very little advertising and practically no facilities for attracting or entertaining tourist campers. I have personally been located in that area for over 20 years and am familiar with the development of that section of the country. Because of its particular location, its distance from other mountains, and the attractions within and adjacent thereto, with proper development and some advertising, this reservation could be developed into one of the main recreation grounds of the country.

At present, there is a sentiment developing in this section of the State to the effect that it is the policy of the Government in charge of this reservation to keep it for the propagation and preservation of various forms of wild animal life, and that it is to be used less and less as a recreation ground for the public; and it is in opposition to this growing sentiment that this letter is directed. It is the hope and wish of those who live in that section of the State, and especially near and adjacent to the reservation, that the Government may make this area available for the use and enjoyment of the general public. No one, so far as I know, desires to exterminate the wild life now found within the reservation, and all are pleased with the efforts of the Government in protecting and propagating certain forms of wild animal life now found therein. The policy heretofore established of making the reservation a refuge for game and wild life is entirely satisfactory; and a further declared policy of permitting no hunting of any kind or character, no shooting, and the absolute exclusion of firearms from the reservation would not be objectionable. The policy of not giving any one person or set of persons the right to select, occupy, and preempt a camp site, and use the same to the exclusion of others, is satisfactory. It is self-evident that if the former policy should be pursued, a few persons could select the choice sites, improve and occupy same to the injury and exclusion of the public generally.

During recent years, great progress has been made in the opening and construction of roads and bridges into and through the forest, and the policy of road improvement heretofore begun and now being pushed can not but meet the approval of everyone interested in the reservation.

Based upon the foregoing statement of conditions and fact, and on behalf of the public universally, so far as my information goes, I desire to submit the following suggestions, same to be considered in the form of a petition:

I suggest that your department consider the * * * national forest and game preserve from every standpoint, and, after such consideration, adopt and publish a policy to be followed in its future development.

It is patent that if the reservation is to be retained as a place for the propagation and preservation of wild life, exclusively, extensive plans for its development would be out of harmony with its future uses; but, on the other hand, if the reservation is to be kept open for the public use, and the public invited to visit this area, it is also patent that some improvements should be provided to accommodate those patronizing the reservation. In line with the present usage, and in harmony with the wishes of the people of that section, I suggest that the reservation be rededicated to two major uses—

First. The retention and protection of the wild life now found within the reservation, which wild life I would have cover all forms of timber now found within the reserve. However, I think all will agree that as a place for the successful growing of timber, other than small evergreens, the reservation will prove a failure.

Second. I suggest further that the Government announce a policy of development within the reserve, making said reserve habitable and attractive for campers and tourists, and that the public generally be invited to visit the reservation and enjoy and use the facilities available and provided.

Should you agree with the suggestions just made, then we are hopeful that plans may be formulated immediately, looking toward the accomplishment of the end sought to be attained.

* * * * * * *

Respectfully submitted.

ELMER THOMAS.

To the above communication I received a reply, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE DISTRICT NO. 7,
Washington, D. C., April 16, 1923.

Hon. ELMER THOMAS,
House of Representatives.

DEAR MR. THOMAS: In response to your letter of April 7:

* * * * * * *

The * * * national forest is, of course, by act of Congress and presidential Executive order primarily a national game preserve, and naturally the work of protecting and fostering the increase of the wild life within its boundaries is the primary function of the Forest Service. In carrying on this line of work, however, the Forest Service has always kept, and still does keep, clearly in mind the importance and the necessity of making the * * * national forest easily accessible to the public in order not only that the work in game protection and propagation may be seen and appreciated but also in order that the other recreational features of the forest, its scenery, its clear mountain water, its forest shade, etc., may be used and enjoyed to the utmost.

Ever since the advent of the automobile and with it the constantly increasing number of visitors to the forest the work on road development and improvement has been pushed with all of the energy and rapidity that the available financial resources would permit. Progress in road construction has now reached a point where we look forward with confidence to the completion of the main road system by 1926, and this includes hard surfacing wherever the natural road material is such as to make this treatment necessary. Our road-construction policy, together with the progress being made in carrying it out, is convincing proof that the policy of the Forest Service is not one of exclusion. This road system has one value and only one value, namely, that as it approaches completion it makes it steadily easier for the public to come into the forest.

The Forest Service has always recognized that many of the visitors will wish to do more than simply drive through the forest or stop over for only an hour or two, and with this in view has for a number of years maintained a public camping ground on Cache Creek, just above the buffalo headquarters, where anyone is welcome to drive in, set up his tent, and stay as long as he likes, and where he can find ample shade, wood for his fire, clear, cool water to drink, and a swimming pool to bathe in; in addition, plans have been worked out with the Boy Scout council of * * * under which the forest supervisor will cooperate with that organization in providing a Boy Scout camp near Lost Lake during the coming summer.

As the road system of the forest improves, and as its scenic and other attractions are even more widely known than they are now, it goes without saying the number of annual visitors will increase and that constantly more of them will desire camping facilities which they can stay in and enjoy two or three days or even longer. Ultimately we will need for the accommodation of the public more than one camping ground near the buffalo headquarters, although up to date that camp ground has accommodated as many people as wish to stay in the forest over night; nevertheless, the time when more space will be needed is undoubtedly much closer at hand than any of us fully realizes. Additional public camping grounds, easily accessible to the four main roads leading into and through the forest where shade, fuel, and good water are available, must be selected and developed. In the selection of these additional camp grounds, and in working out the plans for their development and maintenance, the Forest Service will be glad, indeed, for the advice and cooperation of such organizations as the * * * chamber of commerce and the others you have suggested. Their cooperation can go even further than this: It will take money to develop these camp grounds, to provide them with an adequate supply of pure water and with the necessary sanitation; it will take money also to maintain them and keep the improvements in repair. As you know, funds available to the Forest Service for such work are extremely limited.

I should be very glad, indeed, to confer with you further at any time which best suits your convenience as to the lines along which it is best to attempt to develop this cooperation in order that we may have additional public camp grounds for use as the need for them arises.

Very sincerely yours,

F. W. REED, *District Forester.*

The Forest Service acceded to the demands made that this particular reserve be opened to the public for recreational purposes, and the area is now being managed along the lines suggested. The thousands who patronize this area are delighted and satisfied.

More recently this same issue was raised in Congress. On December 11, 1924, when the House of Representatives was considering the agricultural appropriation bill, Mr. RAGON, of Arkansas, offered an amendment proposing to increase the item—

> "For the construction of sanitary facilities and for fire-preventive measures on public camp grounds within the national forests when necessary for the protection of the public health or the prevention of forest fires, $25,000"—

from $25,000 to $50,000.

In behalf of his amendment Mr. RAGON spoke in part as follows:

"Mr. Chairman, this is a matter in which I think every Representative here should be vitally interested. The improved road conditions of the national forests at this time have given rise to another condition which provides one of the great perils of forestry in this country. I wish I could recall the exact figures that the Forestry Bureau gives us as the number of visitors that visited our national forests 6 or 8 or 10 years ago and the number that visit them to-day. Suffice it to say that in the year 1922 there were over 6,000,000 people who visited the national forests of the United States; and in 1924, the present year, I am advised by the forestry officials that over 10,000,000 people have gone through the 147 national forests in this country. That brings the condition about which I desire to speak. There are over 1,500 camping spots. This appropriation seeks to construct these camping spots so as to reduce the fire hazard, as well as to build up the recreational features of them.

"We have this great influx of annual visitors brought about through the improved highways that go through these forests, and we have not any place to take care of them. These tourists, hikers, campers, naturalists—a great many of them—go in there without any primary knowledge of good forestry, and as a result of their ignorance our forests are left to their mercy. These recreational features are worth a great deal to the forestry of this country. As the good roads have attracted millions of people to the national forests, the establishment of these recreational camps will naturally educate great numbers of tourists and health seekers in proper forest practice.

"It is interesting to know that of the millions of dollars that have been given to the national parks, so far as I am advised an unremunerative enterprise to the Government, we have for the purpose of establishing recreational camp grounds in our national forests expended the puny sum in the last two years of $25,000. The figures, as Mr. Greeley, chief forester, gives them, to put one of these camps in a proper condition with proper facilities and the proper requirements to make it the kind of camp ground we ought to have in these national forests, is based upon an estimate of 960 camps—I believe it was in the year 1922 from which they took the figures—and in the estimate of these 960 camp grounds there were over 1,300,000 people who availed themselves of those camp grounds. The forestry people based an estimate of the requirements properly to handle these 1,360,000 people, that 2 cents per person could be expended in preparing these camps with proper facilities with reference to the starting of fires and sanitary conditions around the camps, and that as a result of this 2 cents of expenditure upon the people who went into these camp grounds in 1922 it would amount to $122,000. In other words, in these 960 camp grounds upon which the Forestry Bureau base their statistics, it requires $122,000 in order to properly care for them. Now, it is perhaps a sad commentary upon our Government that these recreational camp grounds in the national forests of this country have been built up and sustained by civic organizations to a greater extent in the communities that surround our national forests. The Wichita Forest, in Oklahoma, which is one of the most attractive forests, has many recreational features built up and established by the industrious and enterprising people surrounding the forest. The same is true, if I am correctly advised, as to the Colorado recreational camp grounds. I say to you that the Government can not afford not to keep step with the enterprising civic organizations of the community that surround these national forests and for good reasons, so far as the Government is concerned." (Page 467, CONGRESSIONAL RECORD, second session, Sixty-eighth Congress.)

In opposing Mr. Ragon's amendment Mr. CRAMTON of Michigan argued as follows:

"The particular amendment is only for $20,000. I hope no one is misled by that innocent amount. The program of the gentleman from Arkansas [Mr. RAGON] seems to me to be based upon an erroneous conception of the relative fields of the national parks and the national forests. When he first presented this amendment to the House last Tuesday he said:

"'Notwithstanding the Government spent millions of dollars last year and will continue to spend for the proper maintenance of our national parks, which have only an educational value with an incidental recreational value, yet we spent the small sum of $15,000 for development of the recreational features of our national forests, which not only carry with them an educational, recreational, and a health value but also carry a monetary value to our Government.'

"It needs to be emphasized that the national forest system is primarily for the preservation of the forests and the forestry experiments, and not to provide recreation. Any recreation provided in our national forests is absolutely incidental and we should not engage in a different program from that. There are many places where towns have contributed money to maintain what is practically a municipal park in a national forest. It is very proper that they should contribute money under those conditions, but when it comes to considering them—the great park system in this country—not only for education but for recreation, that is a different proposition. Of the thousands and thousands that now go into our national parks the great annual increase is from those who go in automobiles. They camp; they patronize the camps in those parks. It is a matter of recreation and health to them. That is not incidental, it is one of the main purposes of national parks.

"I hope that whatever national parks we have in this country will be maintained as one park system, will be kept in one bureau, and not scattered in half a dozen competing bureaus.

"I am not going to argue the particular amendment offered by the gentleman from Arknasas in so far as it is incidental to the main idea of forestry, but I do dissent from the idea that these forests as the field of recreation do a greater and more valuable work than the national parks. He is putting the cart before the horse. I hope, therefore, the amendment will not pass."

In passing I might suggest that owing to the fact that the Forest Service had not requested more than $25,000, the House rejected the Ragon amendment. In harmony with the recreational practices of the Forest Service, I also might suggest that there is now pending before Congress H. R. 9514, proposing to authorize appropriations for the purposes, among other things, of developing public camping and recreational grounds on forest reserve lands.

I do not want to be understood as advocating that all our national forests be promoted as public recreational grounds. Each forest should be managed by the Government having constantly in mind the best interests of the reserve and the public generally. Timberlands should be devoted primarily to the growing of timber. Reforestation should be a major activity on all forest reserve lands. Ripe timber on forest lands should be disposed of in a businesslike manner. Grazing lands should be available for grazing purposes. Lands suitable for the propagation and preservation of our native wild life should be devoted to that most commendable activity. Game refuges and retreats should be established on adaptable areas and from such areas hunters should be excluded. Forest lands should be open to mining prospectors under proper rules and regulations. Water-power development on forest lands should be encouraged under the provisions of law. Such portions of our forests as are adapted to recreational purposes should be made available for public use.

Believing in the work now being done and wishing to see this work promoted and expanded, I will support the policy of the Forest Service as outlined and set forth in the forester's latest report and as outlined above.

Yours most cordially,

ELMER THOMAS.

HOUSE JOINT RESOLUTION 351 AND SENATE JOINT RESOLUTION 184

Mr. O'CONNOR of Louisiana. Mr. Speaker, House Joint Resolution 351, introduced by me, and Senate Joint Resolution 184, introduced by Senator RANSDELL, are identical in purpose and in language.

The chairman of the Committee on Industrial Arts and Expositions, in accordance with the parliamentary custom, practice, and rule of the House at the appropriate time, moved to substitute the Senate Joint Resolution which was on the Speaker's desk for the House Joint Resolution which had been favorably reported by the House Committee on Industrial Arts and Expositions and which had been transferred from the Union Calendar to the Consent Calendar by me in order that the resolutions might be considered under unanimous consent and thereby facilitate and expedite passage.

On behalf of the people of New Orleans I desire to thank Mr. REED of New York, chairman of the Committee on Industrial Arts and Expositions, for his attention to our needs and hopes and the great interest he has taken in the International Trade Exposition to begin in New Orleans on September 15, 1925, and which has received such a tremendous impetus from the passage of the resolution authorizing the President of the United States to invite the States of the Union and foreign countries to participate therein. Mr. REED is unquestionably a great friend of any movement that will tend to stimulate our trade and broaden our commercial relations through friendly intercourse among the States and a finer and better acquaintance with the countries of Central and South America as well as with those that lie beyond the two great oceans. The people of New Orleans, through me as their spokesman, desire to thank the Members of Congress for the passage of this resolution, which will undeniably be an encouraging stimulus to the people of the Mississippi Valley who feel a benefi-

cent result will flow from this permanent exposition in the southern metropolis. Both the outgoing and incoming mayor of New Orleans have written and wired me, urging the importance of what, with their splendid vision, they know will be an important factor in the history of the great valley. Both of these gentlemen, the Hon. Andrew J. McShane and the Hon. Martin Behrman, have always stood for the best interests of the beautiful and romantic city of New Orleans, the great State of Louisiana, and the Nation of which they are a part.

Senator RANSDELL and I will see the President to thank him in advance for what we know will be a deep interest in the successful outcome of this great enterprise. All the signs of the time indicate that it will be a magnificent success. All of the cities of the valley and their commercial organizations are manifesting a wonderful interest and promising their enthusiastic support.

The exposition will be held in the New Orleans quartermaster intermediate depot No. 2, an immense structure admirably suited for the exhibition of fabricated and raw products of the United States and similar products of foreign countries.

The exposition will undoubtedly encourage and facilitate the growth of commerce and trade in such products. We expect exhibitors and visitors from all over the world, but particularly from the States of the Union and those of Central and South America and Canada. Buyers and sellers will be brought together and the promotion of trade and commerce will be secured.

Through the resolution the President of the United States is respectfully requested to give official recognition to the international trade exhibition by furnishing to Hamilton K. Avery, the vice president and general manager thereof, such credentials as he deems proper to enable such international trade exhibition, with the sanction of the United States Government, to present to the peoples of the United States and of foreign countries the advantages of such exhibition as a means of fostering and promoting trade and commerce.

Senator RANSDELL and I are proud that it was through our efforts that appropriate legislation was passed by the Congress, authorizing the War Department to lease to the International Trade Exhibition Co. the New Orleans quartermaster intermediate depot No. 2 for the purpose of this exposition. We are both proud of having a resolution passed by Congress authorizing the President to invite by proclamation or in such manner as he may deem proper the States of the Union and all foreign countries to participate in the proposed permanent exhibition to be held at New Orleans, beginning September 15, 1925.

In closing permit me to say that the international trade exhibition is a nonprofit organization formed for the purpose of promoting the general welfare. Admittance to this great exhibition will be free to all. Every comfort and every convenience will be afforded to visitors and exhibitors and we are hopeful that it will prove to be one of the greatest marts of the world. If success depends upon the zeal and enthusiasm of those promoting and standing behind this great movement, then we may well say, even at this time, that triumph will reward their efforts.

MISSOURI RESOLUTIONS REGARDING AGRICULTURAL LEGISLATION

Mr. RUBEY. Mr. Speaker, agricultural legislation is doomed so far as the Sixty-eighth Congress is concerned. I saw the gavel fall and the first session come to a close, nothing done for the farmer, and now within a few days the second session will end with the same result.

Very recently each Missouri Congressman has received a copy of resolutions passed by the General Assembly of the State of Missouri relating to the character of legislation that should be speedily enacted into law. In cooperation with my colleagues, and at their request, I am inserting herewith copy of the resolution. The letter which I received, accompanied by the resolutions, is as follows:

HOUSE OF REPRESENTATIVES, STATE OF MISSOURI,
FIFTY-THIRD GENERAL ASSEMBLY,
City of Jefferson, February 27, 1925.

Hon. THOMAS L. RUBEY,
Washington, D. C.

DEAR SIR: Inclosed please find copy of joint resolution which has been adopted by both branches of the Missouri Legislature.

Respectfully submitted,

W. M. TURBETT, *Chief Clerk.*

Mr. Speaker, I am instructed by the senate to inform the house of representatives that the senate has taken up and respectfully concurs in the following resolution:

House joint resolution

Whereas under existing conditions the farmers of Missouri and of the other great agricultural States, as a union, are compelled, on the one hand, to compete against the peasant and peon farmers of the world in the production of such surplus commodities in general use by the public as wheat, pork, beef, cotton, and like products of the farm, while on the other hand they are compelled to absorb the burdens of a protective tariff and the most generous wage scale that has been obtained in the history of this country; and

Whereas these unequal conditions have already forced many thousands of farmers of this and other States into bankruptcy and are more and more menacing the solvency of our country banks, to say nothing of their effect upon the country merchant and the manufacturer of merchandise in our larger cities; and

Whereas during the recent presidential campaign the National Republican platform, obviously having these conditions in mind, pledged itself to "equality of agriculture," while the National Democratic platform demanded the creation of an "export corporation" for the purpose of relieving to a degree this abnormal condition; and

Whereas one of two things must certainly happen—either industry and labor must consent to reduce the value of their dollar to the value of the farmer's dollar, or they must be willing that the farmer increase the value of his dollar to the value of their dollar, relatively, and a continued refusal of the representatives of industry and labor in Congress to undertake to do this, thereby permitting a great injustice to be done to the 40,000,000 people or more who reside upon the farms of the Nation; and

Whereas the present conditions aforesaid are fast undermining the business stability of the whole country; and

Whereas permanent prosperity in the country has at all times been based upon the prosperity of agriculture: Therefore be it

Resolved by the House of the Fifty-third General Assembly of the State of Missouri (the Senate thereof concurring herein), Respectfully memorialize the Congress of the United States and ask said Congress that, before the adjournment of the present session thereof, it create an export corporation or pass such legislation pertaining thereto that will do for the farmer that which in his present unorganized condition he is not able to do for himself, and which will make the protective tariff as effective upon said products as it is upon the industrial articles of commerce, and by this resolution, we especially urge the Missouri Members in both the House and Senate to do everything in their power to bring about, as far as possible, the conditions asked for in this memorial; and be it further

Resolved, That the chief clerk of the house is hereby instructed to mail to the Secretary of the United States Senate, and to the Chief Clerk of the House of Representatives of the United States, and also to each Member of the House and Senate aforesaid, a copy of these resolutions, in which the concurrence of the Senate is respectfully requested.

Mr. Speaker, in connection with the foregoing resolutions I desire to say that the Members of the Missouri delegation, regardless of politics, except those residing in the large cities, went on record at the last session of Congress as favorable to this legislation. They voted solidly for the passage of the McNary-Haugen bill, which bill provided for the establishment of an export corporation.

At this session of Congress a similar bill was introduced, was referred to the Committee on Agriculture, has been considered and favorably reported to the House of Representatives, and it is now on the calendar. When this bill was reported the chairman of our committee was instructed to go before the steering committee and the Rules Committee of the House and take every step possible to bring about its immediate consideration. This our chairman has done, but up to the present time without success.

This Congress will come to an end within a few days. I regret exceedingly that the chances are slight that this legislation will come up for consideration. In fact, it looks like no agricultural legislation at all will be enacted by this Congress. This I know will be a great disappointment to the farmers of America who have earnestly hoped that the Congress would give them remedial legislation.

Agriculture is in a deplorable condition and the only kind of legislation that will bring it permanent relief and place it upon an equality with other industries is the enactment of an export corporation bill.

Members of Congress representing the great agricultural districts of Missouri are a unit for this kind of legislation. Those of us who shall be Members of the incoming Congress will be found continuing our fight for agricultural legislation which will bring immediate relief to agriculture. The export corpora-

tion bill will be reintroduced in the next Congress and we shall do everything in our power to secure its enactment into law.

HOSPITALS FOR WORLD WAR VETERANS

Mr. WEAVER. Mr. Speaker, I regret that there should be any opposition, even though slight, to this legislation. I feel a very great interest in it. Its purpose is to provide better hospital treatment for the World War veterans. In my district, at Oteen, N. C., is situated a hospital for tuberculous patients. There are now more than 1,000 soldiers in this hospital. My information is that the Oteen Hospital has given better results than any other hospital for tuberculosis in the Nation.

Situated near Asheville, N. C., in one of the most bracing and healthful climates in the world, I am advised by the Veterans' Bureau that the results have been fine.

But, gentlemen of the House, this hospital is not adequately equipped. It was originally constructed as a military hospital, and was taken over from the military authorities. The buildings are largely of a temporary nature and mostly of wooden construction. They were not originally built for long service and continued use, and they have now been used much longer than was originally intended.

Early in this session I introduced a bill for the purpose of making this a permanent hospital by the construction of fireproof buildings for the housing of patients and personnel. The bill under consideration provides a lump-sum appropriation of $10,000,000, to be expended by the Veterans' Bureau where needed. I am advised that from this fund will be set aside sufficient money, approximating $2,000,000, for the purpose of converting Oteen into an up-to-date tuberculosis hospital.

I agree with the statement expressed upon the floor to-day that the dissipation by Mr. Forbes, a former Director of the Veterans' Bureau, of the moneys heretofore provided for hospitals was indefensible. Certainly these funds were sacred for the World War veterans, soldiers who carried the flag and who are now physical wrecks. Even the most greedy hand should have refused to touch unscrupulously such funds as these. But, regardless of this, our duty is clear to provide for our stricken men. All men of all parties are in favor of taking care of the wounded and sick. The conditions and necessities require an extension of our hospital facilities. It is our duty to provide these, whatever may have happened in the past, and I sincerely hope this bill will not only have the two-thirds' majority required for its passage, but that the vote of this House may be unanimous. It is a duty that rests upon us as Members of this House to provide these needed facilities for the men who hazarded their lives for their country.

THE MUSCLE SHOALS PROBLEM

Mr. GARBER. Mr. Speaker, although continuously before Congress for the last four years, no solution of the Muscle Shoals problem has yet been reached. The delay is worth far more than the cost. After the first impression and rush for solution has come sober reflection and judicial reconsideration. What the Panama Canal is to our defense in permitting a unition of our naval forces and facilitating our commerce, so Muscle Shoals will be in furnishing us nitrates for our defense in time of war and, to a limited extent, fertilizer for soil building and increased production. It is as closely related to our defense as the canal.

At present we are wholly dependent upon Chilean nitrates for our defense. Since 1867 we had paid our producers of nitrates the enormous sum of $821,183,624.12, and in addition we have paid export duties amounting to $163,647,780.63. It has been a case of the mouse freeing the lion. That a big, powerful Nation like ours should be so wholly dependent upon another is almost unbelievable. To say the very least, it is gross negligence. Should Chile not be favorable to our defense in case of war, how easily she could render us helpless by simply quietly passing out the word to cease the production of nitrates. Of such universal importance is it to the Government in time of war, the question very naturally arises whether or not, in order to develop a capacity and thus be able to manufacture a quantity sufficient for our defense, the ownership and control of Muscle Shoals should not be retained in the Government and operate it as it does the Panama Canal.

Private enterprise would not have built the canal, neither would it construct Muscle Shoals. All the offers have been on the basis of our paying the cost of construction. We have already expended $165,000,000—too much to throw away. The operation of the Panama Canal by the Government has been a conspicuous success. The postal system with all its defects is another example. It carries a letter from Maine to California for 2 cents, whereas a telephone company, privately operated, charges 5 cents for the shortest local call. Being so vitally necessary to our defense, there is a growing feeling that it should not be intrusted to private hands. The development of hydroelectric power is another big factor in the Shoals problem. We stand upon the threshold of a period of electric development unapproached by all the progress of the past, when the transmission of electric power will be as successful as the transmission of the voice; when we will save 98 per cent of waste now taking place in our electric bulbs; when we shall see each other "face to face" over the phone, and the movies by radio.

While the business sense and judgment of the American people are against government ownership and operation as a general business proposition, yet the importance of Muscle Shoals to our defense is causing many to favorably consider such in this case regardless of the objection and our recent sad experiences in the ownership and control of the railroads.

The publicly owned electric power plants have universally cheapened the cost and returned a profit. Privately owned and operated companies have been compelled to reduce their rates 50 per cent or more when faced with public competition.

The consumers at Kitchener, Ontario, were paying 11 cents a kilowatt hour until public ownership and operation came in causing a reduction finally to 1.7 cents per hour. Canada, through her publicly operated company on the Canadian side, furnishes the same light for the bridge across Niagara, which the privately owned and operated company on the American side does, but at one-sixth the cost.

Our conservation of the national resources for all the people would seem to require, at least, a retention of the ownership and control of Muscle Shoals for at least a sufficient length of time for us by actual experiment to determine the best course for us to pursue. To start out upon a conservation policy with private ownership of a war necessity would set a precedent for its defeat. With such a mammoth problem and with such an uncertain course we should "make haste slowly."

The pending resolution authorizing the President to appoint a commission to further investigate the question should be enacted. Let the problem be probed from every angle. Let all the information possible be obtained. Let its report to the next Congress be carefully considered in order that we may bring to the solution of this question the very best judgment of which we are capable. The farmers of the country should not be deceived by the extravagant claims made for a cheaper fertilizer produced by this plant, the capacity of which is generally conceded to be limited to 200,000 tons a year. Our annual consumption of nitrates for fertilizer purposes is between seven and eight million tons a year. The Muscle Shoals fertilizer contribution therefore would be but a drop in the bucket, and this capacity of only 200,000 tons a year could only be attained after the expenditure of an additional $50,000,000.

So far as cheap nitrates for fertilizing purposes is concerned, the plant would be local in its benefits. It would be so limited in its quantity of production and in its transportation, the high freight rates, as to probably not reach out farther than two or three hundred miles in its benefits to the farmer. In no event could it compete with the natural existing nitrate plants of the Oklahoma farmer; sweet clover, cow peas, soy beans, and the many other legumes native to the soil and climate fixates and furnishes nitrogen for soil building at a much less cost than Muscle Shoals could ever hope to furnish it. This, however, should not prevent such an experiment being made. If cheap fertilizer can be manufactured and distributed profitably for a distance of between two and three hundred miles to the farmer, it will demonstrate the practicability of the utilization of other water-power sites for similar purposes, and by the increased number and favorable location we may be able to make up in quantity and in proximity to consumption that which we lack at Muscle Shoals.

Second only in importance to the conservation of our water power for our defense is the storage in time of peace of necessary war-defense supplies which we do not now produce. The scientific and systematic elimination of waste by reclamation and salvage will do much in this direction. It is a new field; one of conservation and economy. We must inaugurate and establish a policy of production which will finally include all our needs for preparedness and adequate defense, so that we will in time in fact become what we ought now to be—an absolutely self-sustaining Nation in time of peace and war. Ours is the responsibility to safely transmit that which we have inherited. The civil institutions of this Republic have only been evolved out of the experience of the centuries and the wars of the past. We owe it not only to future generations but to the world to see that our institutions of civil liberty shall be preserved and this great Republic continued so that

its benign benefactions may continue to bless the inhabitants of the earth.

To be prepared is not war. It is the cheapest insurance against war. As one of the most valuable contributions of recent years to the thought herein suggested, I herein incorporate a thesis by Col. Howard Oursler, a recent attendant at our War College, an able student of the questions and an executive of recognized ability in the subjects presented:

THE ARMY WAR COLLEGE,
Washington Barracks, D. C., February 6, 1925.

Memorandum for the director, G–4 course, the Army War College.
Subject: The application of elimination, substitution, and conservation as applied to supply requirements.

I. PAPERS ACCOMPANYING

None.

II. THE STUDY PRESENTED

Some general ideas pertaining to the importance of conservation and the necessity in peace as well as war.

III. FACTS BEARING UPON THE STUDY

1. General: We know, from recent experience, that a future war may be won or lost through the element of supply and that this supply must be augmented in every possible way. From a national viewpoint, salvage and reclamation as a conservation measure is economically advisable in time of peace. In time of war, especially if it be a major effort, it becomes, in addition, a strategic necessity.

No great war will be successfully waged for any considerable time without the adoption, early in the conflict, of a strictly enforced system of conservation and by approved methods of salvage and reclamation.

These terms have frequently been used indiscriminately, and while they are closely associated and should go hand in hand, they are subjects requiring separate methods and, therefore, separate treatments.

2. Definition: Salvage is to save or recover. Reclamation is to restore or return to usefulness. A steel helmet is salvaged from the front lines, but its reclamation does not take place until some time later when it is repaired and returned to use and placed in stock, somewhere in the rear.

Salvage is a collection, transportation, and storage problem. Reclamation is a repair, storage, and distribution problem.

3. Experience: Any effective operating system of salvage must originate with small units, civilian in the home and business, military in the small administration unit. The extent to which a unit is stabilized will indicate the degree of probable efficiency.

If maximum results are to be attained there must be prompt contact between salvage and reclamation. Delay in collecting and further delay in process of repair spell the difference between success and failure of effort.

When the head of the family is prosperous, the roast is consumed at a single feast, but in time of duress it appears again and again in many guises.

Conservation is not new and its application, while not generally consistent, is occasionally thrust upon us, too frequently by necessity.

Generally speaking, our country is wasteful and does not take full advantage of all opportunities for conservation, and this is probably due to an overestimation of our national resources.

4. Enemy effort: Other countries have developed conservation to a much greater extent than our own. Germany in the last war is a splendid example of an intensive system, which for her greatly extended the time that she was able to carry on a war, when, almost entirely surrounded, the available sinews of war were confined within the national boundaries.

5. Our limited effort: There was during the last war a civilian and a governmental effort toward the conserving of certain commodities, products, and supplies, but a maximum effort was not reached, due to the termination of hostilities.

Some few forms of conservation by means of salvage and reclamation have still survived the war, but many of the lessons which were being taught during the war have been forgotten or they have been entirely neglected.

Most of our citizens do not know, and many who did know have forgotten, that, great as our country is, it is not self-sustaining, but on the contrary we must depend upon others for raw materials with which to manufacture many of our very necessary requirements.

The tragedy of the situation lies in the fact that adequate plans of assuring reasonable material supply have not been made and a satisfactory substitute solution is not offered, notwithstanding the fact that production of supply must depend upon this very thing.

Salvage and reclamation is gradually being confined to the larger manufacturing and operating organizations, who are finding such a policy necessary for economic reasons, and this is largely due to the increased price of raw materials. The greater the stability of an industry the more efficient becomes their methods of conservation. When industry lacks stability there is always an absence of saving.

6. Military application: Many of the requirements of an army may be secured by a process of elimination and substitution in the manufacture of nonessential material, but this must be reinforced by salvage and reclamation, and the same is true, as supply affects the civil population, which must be provided for, as this factor enters into the limitations, as affecting military supply.

Conservation methods materially reduce the total necessities of requirements, procurement, and distribution, and this is especially true where salvage and reclamation takes place back of the lines in the theater of operations.

There is a psychological factor which enters into the subject, and it should be developed in every possible way in order to secure maximum results efficiently. The wool shirt, which always plays out at the elbow, and the trousers which give away at the knee must be reclaimed so as to be symmetrical in make-up when reissued. The wearer need not know that the supply is reclaimed issue, and the garment being symmetrical looks equal to the new.

The visible supply of certain raw materials, to meet major military necessities, is quite inadequate; the problem must some day be met. Part of this supply may be met by substitution. If the foe in a future war should control the wool supply, we must substitute. We produce annually only 3 pounds per capita; the soldier requires 30.

In such a situation a uniform must be wool on the outside, cotton inside, with a nonconducting material in the center, or we shall have to adopt some other similar method. In any event salvage and reclamation must be added to any adopted plan.

In future warfare the necessity of effective conservation must extend not alone to the unnecessary use of war requirements but there must be a well-developed and efficient method of reclamation in the zone of the interior as well as in the theater of operations, and efforts must be particularly centered upon certain raw materials which, we have come to know, are of strategic necessity.

7. Some basic data. The supply of tin, its necessity, and the results to be obtained by conservation, salvage, and reclamation is perhaps one of the best examples of future possibilities. We use more tin than all the remainder of the world, yet we produce only a fraction of 1 per cent of our requirements. The market value of tin in normal times is $900 per ton. It reached a value of $2,153 per ton during the World War.

Tin is a war necessity, and the United States was allocated a supply of 80,000 tons in 1918. Part of this supply could have been reused, and it was to a very limited extent, by reclamation, but England, which controls 60 per cent of the world's supply, was one of our allies, and a reciprocal arrangement was easily arranged. Certain future condition would alter such a situation.

A few items of annual tin conservation in the United States would include: 1,000 tons to be eliminated from use in the silk industry, 3,000 tons by elimination through substitution in the manufacture of Babbitt's metal, 1,000 tons by adjustments of manufacture in the tinfoil industry, 40 tons eliminated by substitution in the making of children's toys, 4,680 tons by partial substitution in the manufacture of tin cans. Seven tons might be saved by substitution in the use of tin foil alone, used for the purpose of wrapping typewriter ribbons.

These items indicate that by elimination, substitution processes we could reduce our requirements by at least 10,000 tons annually.

There are numerous items where tin reclamation may be effected; one of these will suffice to illustrate:

Eight billion tin containers are annually used in the United States, and estimating their average as a pint container, weighing 2 ounces, the total weight is 500,000 tons—490,000 tons of steel plate and 10,000 tons of tin. It is possible to reclaim 5,000 tons of this tin if there is a rigid enforcement of salvage.

Camp Lewis in 1918 salvaged at the rate of 550 tons of tin cans per year with a 40,000 personnel, and 5 tons of tin could have been salvaged annually from this amount. The city of New York, where density of population would approximate similar results, annually dumps into the lower bay, less what is actually salvaged, 82,500 tons of tin cans, of which 1,650 tons is tin, 50 per cent of which could have been salvaged.

A study of other items indicates that it would be possible, through a well-organized plan of substitution, elimination, and reclamation, to reduce our tin requirements by at least 20,000 tons annually.

It has been estimated that in a consideration of our requirements of strategic metals we will demand 70,000 tons of tin annually, and that we must have this amount on hand and available at the opening of any major military operation.

It would seem to be a wise precaution to have our people made thoroughly familiar with the situation that confronts us in connection with our dependence upon outside sources for our supply of raw materials, and a study of these conditions by certain branches of the Government has emphasized this situation.

8. Possible solution: Seven years after the Great War we are still without a solution of this problem, and some day our citizenship will want to know why some function of our Government has not taken the necessary steps to provide for the national safety.

The situation affecting tin is not exceptional. Manganese, mercury, and tungsten are more vital, and vanadium, platinum, and nickel are equally essential with tin.

Tariffs are enforced upon certain of these raw materials, but it is presumed that it is for the protection of this country's industries rather than as a revenue measure.

If this assumption is true, the solution of this very vital national problem of supply would seem to lie in a tariff in kind. Such a tariff should be low enough that it would not vitally affect labor and industry and not so high as to affect a rapid depletion of our limited low-grade supply or to cause an oversupply, unless it was spread over a long term of years.

The cost of such a preparedness program would result in a fractional increase of material and supplies, but it would not be felt by the country at large, due to its general application.

The intrinsic and strategic value of such a supply at the opening of a necessary military operation would represent a handsome dividend for the period of such storage and would be a preparedness plan the solution of which should have immediate and careful consideration.

IV. CONCLUSIONS

1. That there must be an effective, intensive plan of conservation, salvage, and reclamation in a war period.

2. That the plan should be in operation, at least partially, during peace times.

3. That military effort encourages civilian interest and is productive by securing higher morale in the Nation.

V. RECOMMENDATIONS

1. That the War Department encourages every possible conservation of materials and supplies.

2. That civilian agencies be encouraged to adopt such conservation measures as may be within their authority.

3. That the Congress be informed and given all the necessary data which will demonstrate the importance of this question.

VI. CONCURRENCES

None required.

HOWARD B. OURSLER,
Lieutenant Colonel, Quartermaster, Officers' Reserve Corps.

EXPLANATION OF FAILURE TO VOTE

Mr. UPSHAW. Mr. Speaker, I was not in the House and did not vote on the second roll call on the agricultural bill. I was called out on a mission of mercy. I wish I might have voted on the final passage of that bill, but I want the RECORD clear.

The SPEAKER. Without objection the RECORD will be corrected.

Mr. JOHNSON of Washington. But, Mr. Speaker, he does not mean to correct the RECORD. He did not vote and he can not be recorded as having voted.

The SPEAKER. Oh, the Chair misunderstood. The gentleman desires the statement to go into the RECORD?

Mr. UPSHAW. That is all. I simply do not wish the RECORD to say that I voted when I did not.

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

ADJOURNMENT

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

The motion was agreed to; and accordingly (at 6 o'clock and 29 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Tuesday, March 3, 1925, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

917. Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting a statement of the documents and publications received by the department during the fiscal year ending June 30, 1924, also list of publications issued during the same period, was taken from the Speaker's table and referred to the Committee on Printing.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSON of Washington: Committee on Immigration and Naturalization. S. 4382. An act to supplement the naturalization laws; with amendments (Rept. No. 1634). Referred to the Committee of the Whole House on the state of the Union.

Mr. McFADDEN: Select Committee on Preparation and Destruction of Government Bonds. A report under H. Res. 231 from the Select Committee to Investigate the Preparation and the Destruction of Government Bonds; with amendment (Rept. No. 1635). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BOYLAN: Committee on Military Affairs. S. 2941. An act for the relief of Philip T. Coffey; without amendment (Rept. No. 1632). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

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

By Mr. McFADDEN: A bill (H. R. 12453) to amend the Federal reserve act, as amended; to the Committee on Banking and Currency.

By Mr. McDUFFIE (by request): A bill (H. R. 12454) to authorize Edward B. Overton to construct a bridge from Mobile County, Ala., to Baldwin County, Ala., through the waters of Mobile Bay, Ala.; to the Committee on Interstate and Foreign Commerce.

Also (by request), a bill (H. R. 12455) to authorize Leo Eldridge to construct a bridge from Mobile County, Ala., to Baldwin County, Ala., through the waters of Mobile Bay, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 12456) to quiet the title and possession to certain lands in Baldwin County, Ala.; to the Committee on the Public Lands.

By Mr. BURDICK: A bill (H. R. 12457) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

By Mr. BRAND of Ohio: A bill (H. R. 12458) providing for the erection of a Federal building in the city of Urbana, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. JEFFERS: A bill (H. R. 12459) for the erection of a post office at Sylacauga, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12460) for the purchase of a site for and the erection of a post office at Heflin, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12461) for the purchase of a site for and the erection of a post office at Piedmont, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12462) for the purchase of a site for and the erection of a post office at Jacksonville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12463) for the purchase of a site for and the erection of a post office at Columbiana, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12464) for the purchase of a site for and the erection of a post office at Montevallo, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12465) for the purchase of a site for and the erection of a post office at Clanton, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. LANKFORD: Joint resolution (H. J. Res. 383) proposing an amendment to the Constitution of the United States relieving from taxation those engaged in selling articles of food directly from producer to consumer, and for other purposes; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 384) proposing an amendment to the Constitution of the United States to relieve farmers and home owners of certain taxes, and for other purposes; to the Committee on the Judiciary.

By Mr. BURTON: Resolution (H. Res. 461) granting the use of the Hall of the House of Representatives to the Interparliamentary Union; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Missouri, favoring legislation that will create an export corporation; to the Committee on Agriculture.

Also (by request), memorial of the Legislature of the State of Idaho, urging the Congress of the United States to enact such legislation as will extend to the farmer the same basic opportunity as is enjoyed by industry and commerce; to the Committee on Ways and Means.

By Mr. ABERNETHY: Memorial of the Legislature of the State of North Carolina, urging the Congress of the United States to make a national park out of the battle ground of Moores Creek in North Carolina; to the Committee on the Public Lands.

By Mr. DYER: Memorial of the Legislature of the State of Missouri, urging the Congress of the United States to create an export corporation or pass such legislation as will be of benefit to the farmer; to the Committee on Agriculture.

By Mr. GRAHAM: Memorial of the Legislature of the Commonwealth of Pennsylvania, that the Federal Government should withdraw from the field of State taxation, leaving the taxes on the transfer of property by inheritance to the State government; to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Memorial of the Legislature of the State of Wisconsin urging that Congress pass at this session House bill 11541 providing for the establishment of transportation lines on the Great Lakes; to the Committee on Interstate and Foreign Commerce.

By Mr. KERR: Memorial of the Legislature of the State of North Carolina, urging the Congress of the United States to make a national park out of the battle ground of Moores Creek, in North Carolina; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COOK: A bill (H. R. 12466) granting an increase of pension to John W. Graybill; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 12467) granting a pension to Emily Stone; to the Committee on Invalid Pensions.

By Mr. MORIN: A bill (H. R. 12468) for the relief of the Machinery & Metals Corporation, of Philadelphia, Pa.; to the Committee on War Claims.

By Mr. RAGON: A bill (H. R. 12469) granting a pension to Carl W. Rollow; to the Committee on Pensions.

By Mr. TAGUE: A bill (H. R. 12470) for the relief of Theodore C. Ray; to the Committee on Claims.

PETITIONS, ETC.

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

3942. By Mr. CHINDBLOM: Petition of John A. Odh and other residents of Winnetka, Ill., in opposition to the compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3943. By Mr. DYER: Petition of civilian employees of the St. Louis (Mo.) district of the United States Engineer Department, Corps of Engineers, United States Army, urging the passage of House bills 6896 and 8202; to the Committee on the Civil Service.

3944. Also, petition of St. Louis Clearing House Association, St. Louis, Mo., urging the modification of the transcontinental Air Mail Service between Chicago and Omaha and provide adequate service for St. Louis, Kansas City, and St. Joseph; to the Committee on the Post Office and Post Roads.

3945. By Mr. GARBER: Petition of the fourteenth annual convention National Retail Dry Goods Association, February 9–13, 1925, relative to revision of postal rates; to the Committee on the Post Office and Post Roads.

3946. By Mr. MacLAFFERTY: Petition of sundry citizens of Oakland, Calif., protesting against the compulsory Sunday observance bill (S. 3218) and all other similar legislation; to the Committee on the District of Columbia.

3947. By Mr. PHILLIPS: Petition of sundry citizens of New Castle, Pa., protesting against the compulsory Sunday observance bill (S. 3218) and other similar legislation; to the Committee on the District of Columbia.

3948. Also, petition of sundry citizens of Beaver County, Pa., urging the passage of the Sterling bill creating a department of education; to the Committee on Education.

3949. By Mr. RAKER: Petitions of Henry Schultz, of Knob, Calif., indorsing the Bursum pension bill (S. 3314), and W. K. Davis, of Crescent City, Calif., indorsing and urging support of the Bursum pension bill (S. 3314); to the Committee on Invalid Pensions.

3950. Also, petitions of Eliza Elliott, William Elliott, George H. Loucks, and F. B. Lackey, of Happy Camp, Calif., all indorsing and urging passage of the Indian war pension bills; to the Committee on Pensions.

3951. Also, petition signed by E. A. Robison and 30 other citizens of Shasta County, Calif., in support of Brigadier General Mitchell, of the United States Army Air Service; letter from A. F. Souza, jr., of Redding, Calif., relative to General Mitchell and urging a unified Air Service; letter from John B. McColl, of Redding, Calif., in support of General Mitchell and a unified Air Service; to the Select Committee on Aircraft.

SENATE

TUESDAY, *March 3, 1925*

(Legislative day of Thursday, February 26, 1925)

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

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 2085. An act to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River; and

S. 4361. An act establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the patriotic action taken by the people of Mecklenburg County of North Carolina, in May, 1775, in declaring their independence of the English Crown.

The message also announced that the House had concurred in Senate Concurrent Resolution 37, relative to the enrollment of Senate bill 3913.

The message returned to the Senate, in compliance with its request, the following entitled bills:

S. 4057. An act providing for the irrigation of certain lands in the State of Nebraska; and

S. 4151. An act to provide aided and directed settlement on Government land in irrigation projects.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate the following joint resolution of the Legislature of the State of California, which was ordered to lie on the table:

CALIFORNIA LEGISLATURE,
FORTY-SIXTH SESSION,
Assembly Chamber, Sacramento, February 2, 1925.

To the honorable the President of the Senate of the United States, Speaker of the House of Representatives, and to each Senator and Member of Congress:

In compliance with the provisions of assembly joint resolution No. 3, adopted by the Legislature of the State of California at the forty-sixth session, I am sending you a true copy thereof, in title and words as follows:

CHAPTER 23

Assembly joint resolution No. 3 (by Mr. H. E. Dillinger, of the sixteenth district) relative to memorializing Congress to adopt a bill introduced by Hon. JOHN E. RAKER to provide compensation in lieu of taxes for the several States with respect to certain lands of the United States within the borders of said States, and for other purposes

Whereas Hon. JOHN E. RAKER, Member of Congress of the United States, representing the second district of California therein, has introduced a bill in the House of Representatives, being H. R. 8844, which provides "That the United States Government hereby assumes, subject to the conditions of this act or any subsequent act of Congress, the payment to the several States of sums of money equivalent to the amounts which such States would receive from the taxation of said lands of the United States within their respective borders if such lands were owned by individuals"; and

Whereas under act of the Congress of the United States approved March 3, 1891, large areas of territory with the timber and other resources thereon and therein were "set apart, reserved, and withdrawn from entry" in the States of California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona, and New Mexico, and in a lesser degree in several of the other States of the Union; and

Whereas the United States Government has withdrawn, set apart, and reserved within permanent national forests 18,891,161 acres of land within the State of California, approximating one-fifth of the total land area of the State, said lands being set apart, withdrawn from entry, and reserved for the purpose of conserving the resources thereof, and particularly the standing timber thereon, for the benefit of future generations of mankind; and

Whereas the lands of the United States above referred to, comprising in several of the counties to upward of one-half of the area within the borders of the counties, and although exempt from annual taxation are being put to commercial and industrial uses for the benefit of all of the people of the United States, which fact places these lands on the same basis as to use as privately owned lands used for the same purpose, and said lands of the United States are in competition with said privately owned lands, and the setting aside, reserving, and withdrawing from entry of these large areas of territory in the sparsely