1765. Also, petition of members of Local No. 17882, Postal Employees, Minneapolis, Minn., urging the same relative increase for laboring employees in the Post Office Department that was accorded clerical employees, in view of their similar living costs; to the Committee on the Post Office and Post Roads.

1766. By Mr. O'CONNELL of New York: Petition of W. Palen Conway, vice president Guaranty Trust Co. of New York, favoring the passage of House bill 7479, the migratory bird refuge and marsh land conservation bill; to the Committee on Agriculture.

1767. Also, petition of Prentice N. Gray, of New York City, favoring the passage of House bill 7479, the migratory bird refuge and marsh land conservation bill; to the Committee on Agriculture.

1768. Also, petition of the American Legion National Legislative Committee, favoring the passage of the Johnson bill (H. R. 10240), the Green bill (H. R. 10277), and the Fitzgerald bill (H. R. 4548), and requesting the Speaker of the House, the Republican steering committee, and the Rules Committee to give an opportunity to vote on these bills; to the Committee on World War Veterans' Legislation.

SENATE

WEDNESDAY, *April 14, 1926*

(Legislative day of Monday, April 5, 1926)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Fletcher	McKellar	Shipstead
Bayard	Frazier	McKinley	Simmons
Bingham	George	McLean	Smith
Blease	Gerry	McMaster	Smoot
Borah	Gillett	McNary	Stanfield
Bratton	Goff	Mayfield	Steck
Broussard	Gooding	Metcalf	Stephens
Bruce	Greene	Moses	Swanson
Cameron	Hale	Neely	Trammell
Capper	Harreld	Nye	Tyson
Caraway	Harris	Oddie	Wadsworth
Copeland	Harrison	Overman	Walsh
Couzens	Heflin	Phipps	Watson
Curtis	Howell	Pine	Weller
Deneen	Johnson	Pittman	Wheeler
Dill	Jones, N. Mex.	Reed, Mo.	Williams
Edge	Jones, Wash.	Reed, Pa.	Willis
Fernald	Kendrick	Robinson, Ark.	
Ferris	King	Sackett	
Fess	Lenroot	Sheppard	

Mr. PHIPPS. I wish to announce that my colleague [Mr. MEANS] is detained from the Senate by illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-seven Senators having answered to their names, a quorum is present.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on April 13, 1926, the President had approved and signed the following acts:

S. 1250. An act to amend an act entitled "An act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, as amended by the act approved March 3, 1883;

S. 1462. An act permitting Leo Sheep Co., of Rawlins, Wyo., to convey certain lands to the United States and to select other lands in lieu thereof, in Carbon County, Wyo., for the improvement of the Medicine Bow National Forest;

S. 1746. An act to authorize the Secretary of Commerce to transfer the Barnegat Light Station to the State of New Jersey; and

S. 1809. An act to extend the time for the construction of a bridge across the Wabash River at the city of Vincennes, Knox County, Ind.

TRANSPORTATION OF MONTANA ELK TO MASSACHUSETTS (S. DOC. NO. 97)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, in response to Senate Resolution 184 (by Mr. WALSH, agreed to March 31, 1926), relative to the recent shipment of live elk from the National Bison Range in Montana to the State of Massachusetts, which, with the accompanying paper, was ordered to lie on the table and to be printed.

NATIONAL PARKS IN SOUTHERN APPALACHIAN MOUNTAINS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior submitting, pursuant to law, recommendations relative to the establishment of national parks in the southern Appalachian Mountains, together with a report of the Southern Appalachian National Park Commission, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

STATE TAX OF KANSAS

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter in regard to the State tax of the State of Kansas. A statement was inserted in the RECORD some time since on this subject, which did the State an injustice.

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

The letter is as follows:

APRIL 1, 1926.

Hon. BEN S. PAULEN,
Governor, State of Kansas.

DEAR GOVERNOR PAULEN: Yesterday you called my attention to an address by Congressman W. R. WOOD, of Indiana, which appeared in the CONGRESSIONAL RECORD December 18, 1925.

In this address Congressman WOOD makes use of the financial statistics of States, as compiled by the United States Census Bureau, and compares the expenditures of 1924 with those of 1917.

The classification of expenditures as made by the bureau shows Kansas with a per capita cost of $3.65 in 1917 and $22.17 in 1924, only one State in the Union having a higher per capita expenditure in 1924.

In order that you may have the facts, I wish to advise that the Federal figures include the soldiers' compensation in amount of $28,978,466.15, paid by Kansas in 1924 to her World War veterans. This fund came from the sale of bonds of the State, which are being paid off at the rate of $1,000,000 a year.

The total expenditure for State government in Kansas in 1924 was $12,339,639.08, exclusive of the soldiers' bonus, which was a per capita expenditure of $6.80, based on the 1925 census.

The total expenditure in 1917 was $6,440,510.47, a per capita cost of $3.65. It would be manifestly unfair and misleading to say that the cost of State government in Kansas in 1924 was $41,318,105.23, as $28,978,466.15 of that amount was a payment to the soldier boys, and could not be properly included.

May I give you the correct expenditures for the years 1917 and 1924, classified as follows:

	1917	1924
Executive department	$136,676.33	$222,583.25
Judicial department	213,383.11	337,996.02
State agencies and legislative expense	1,602,092.18	2,947,055.82
Educational institutions	2,526,776.59	5,595,134.81
Charitable institutions	1,013,674.00	1,553,526.59
Penal institutions	784,436.02	1,432,691.80
Patriotic institutions	162,872.24	250,650.79
Total	6,440,510.47	12,339,639.08
Soldiers' compensation		28,978,466.15

Of the $12,339,639.08 expended in 1924, $6,506,031.91 came from direct or property taxes and the remainder from fees and indirect sources, such as corporation and inheritance taxes, etc.

Congressman WOOD is not to be criticized, as he used the Federal figures, except that in commenting he referred to the expenditures as being "routine" and aside from any special expenditures. The Kansas soldiers' bonus was "special" and not a "routine" item.

Leaving out the soldiers' bonus item, some 35 other States in the Union had a higher per capita expenditure than Kansas in 1924.

You may feel at liberty to utilize the facts given in this letter in any way that you see fit.

Yours very truly,

N. A. TURNER,
State Budget Director.

DEVELOPMENTS IN MISSISSIPPI

Mr. STEPHENS. A few days ago there appeared an article in the Baltimore Sun written by a man by the name of L. R. Cleveland. This article reflected very much upon the people of my State and the State itself in regard to conditions there. It was a scurrilous and slanderous publication and was such a misstatement of facts that an answer has been written by Mr. L. J. Folse, of the Mississippi State Board of Development. It has been given to the public. I have here a rather brief article, which contains Mr. Folse's reply, which was published on April 12, 1926, in the Commercial Appeal, of Memphis, Tenn., which I ask may be inserted in the RECORD at this point.

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

The article is as follows:

MISSISSIPPI FIGHTS BACK AT HER CRITICS—LAYS CARDS ON TABLE IN ANSWERING BALTIMORE SUN—CITES SCHOOL RECORD—ADVANCE OF EDUCATION FIVEFOLD IN 10 YEARS—THE DISAPPEARANCE OF "ONE-HORSE" SCHOOL, ETC., IS HER ARGUMENT

The phenomenal advance of the State of Mississippi in education, its position among other States of the Nation regarding those requisites for happiness and contentment, told in figures to make sure of their facts, have been hurled in the face of an article appearing in a recent issue of the Baltimore Sun, written by L. R. Cleveland, a man said to be unknown to the "Magnolia State."

These figures were compiled by L. J. Folse, general manager of the Mississippi State Board of Development, and prepared in such a way as to register a striking argument against certain propaganda that Mississippi has unjustly suffered.

THE EVIDENCE

In his reply Mr. Folse sets forth a condensed summary of what is doing in this State and its future possibilities, as follows:

On December 20, 1817, Mississippi became the twentieth State of the Union. Nature endowed Mississippi with many advantages. Up to 20 years ago the State was backward in economic development. Since that time, as a result of scientific agricultural development and general industrial expansion, Mississippi has made great progress.

Between 1880 and 1920 the population of Mississippi increased 60 per cent, but in the same period its per capita wealth increased 298 per cent; the assessed valuation of all property in the State increased 551 per cent; bank deposits increased 6,379 per cent; and the value of manufactured products increased 2,275 per cent; and the amount invested annually for public schools increased 1,030 per cent.

No State in the Union has given greater attention in recent years to education than Mississippi. In 1900 Mississippi invested in public education $1,385,000; in 1910 $2,726,000; in 1922 $9,390,000.

The per capita expenditure for school for every child 5 to 7 years of age, increased from $2.34 in 1900 to $15.84 in 1922.

To-day Mississippi has 1,000 strong central consolidated or rural high schools, which have taken the place of more than 3,000 small one and two teacher schools. Three hundred and thirty of these schools have a 10-acre plot of land which belongs to the school, on which a home has been built for the teachers and furnished them, rent free. Thus the teacher and his family become a part of the community for 12 months in the year.

Fifty-one of our counties have built magnificent agricultural high schools, with boarding accommodations, varying for from 50 to 250 students. The cost for board and incidental expenses is about $10 per month.

In 1910 we had only two consolidated schools, with an enrollment of 205 students and property worth $8,000; in 1925 we have nearly 1,000 consolidated high schools, with property valued at $10,747,000 and 144,498 children enrolled. The growth in this field of education in Mississippi is not surpassed anywhere.

Approximately $300,000 is being spent annually on the building of good rural schools, with industrial departments, for the negro girls and boys of the State. The plan of education worked out for the colored population of Coahoma County is said by experts to be the best of its kind in the world.

Not content with this high achievement in educational work a complete survey of the entire educational system of the State was completed by a commission of competent educators from various sections of the country.

EDUCATIONAL RECORD

According to the recent survey there are more high school graduates in Mississippi entering college every year than in any other State in proportion to our population. We have six colleges on the "A" list, with several others nearly up to standard, not to mention the junior colleges located at convenient places in the State.

We spend annually for the maintenance of our public schools approximately $14,000,000.

Illiteracy for native white was only 3.6 per cent; for negro population, 29.3 per cent; for whole population, 16 to 20, 12 per cent.

The mortgage debt on Mississippi farms in 1920 was $30,046,000, or 30.3 per cent of the value covered, against 31.7 per cent in 1910. The average interest paid in 1920 was 6.5 per cent. The average value of a farm in 1920 was $4,539, while the average debt per farm was $1,375.

The birth rate of Mississippi was 24 per thousand for 1923, or, respectively, 24.5 per cent for the white population and 23.5 per cent for the colored.

For the United States the birth rate in 1923 was 23.8 per cent. The average number of children born to a mother in the United States in 1923 was 3.3 per cent; for the mothers of Mississippi it was 3.7 per cent.

The illegitimate birth rate for the entire registration area was 1.4 per cent for the white population; it was only 0.9 per cent for the white population of Mississippi.

The proportion of white to the total population in 1910 was 46 per cent; it was 48 per cent in 1920.

In health achievement Mississippi has an enviable record. Its death rate for whites is lower than that of any Southern State, and, as will be noted from the foregoing statements, its record is not surpassed in other important departments.

Mississippi is particularly proud in its achievement of malaria eradication and control. It has reduced malaria infection by 55 per cent and, according to the Federal department of health, it is the only Southern State qualified to speak authoritatively with respect to the condition of malaria. In five years it has reduced malaria infection by 55 per cent for the State as a whole, and it has eliminated it entirely in certain counties and its present program contemplates the total eradication of this disease in the State.

Mississippi is rapidly establishing in each county an "All times health unit." It has, or will have by January, 1927, 20 counties with this service. No greater contribution can be made to the welfare of the people of the rural districts than by extending this phase of our health work.

The land area of Mississippi is 46,362 square miles, the population per square mile in 1920 was 38.6, the total population for the State for that year being 1,790,618. The rural population for 1920 was 1,589,497, or 86.6 per cent of the total population.

GREAT FARMING STATE

From 1910 to 1920 the value of farm property, etc., increased as follows:

	Per cent
Value of all farm property	126.3
Value of all farm buildings	84.7
Value of all farm improvements	135.9
Value of all livestock	79.4
Value of all farm crops	139.2

Mississippi is third in strawberry production per acre.

Mississippi sold 9,344 pounds of butterfat in 1909 and 1,864,594 pounds in 1919, the greatest increase of any State.

Mississippi leads the entire Mississippi Valley with a 34 per cent increase in corn production for the same period.

From 1910 to 1920 Mississippi led all of the States with a 96 per cent increase in hay production for the same period.

The first carload of butter shipped from the South was shipped from Mississippi. Mississippi has made greater progress in dairying than any State in the Union. On March 10 the Borden Condensed Milk Co. opened its $750,000 condensery at Starkville, Miss. This is the only plant of its kind in the South and is, in fact, a great recognition of the present and future possibilities of this industry in Mississippi.

Mississippi's creamery output in 1923 (Government report) was greater than the combined output of Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, and Louisiana. This was made possible by the unsurpassed pasture values, of which the Government station at McNeill, Miss., says in a bulletin: "It can no longer be doubted that pastures in Mississippi can be established which will equal or excel in carrying capacity any pastures in the United States, and this at a very low cost of establishment." After reciting specific performances, it goes on to say, "Pastures of such high-carrying capacity over such long periods are not known elsewhere in the United States."

The Mississippi Power Co., operating in northeast and in south Mississippi, the Mississippi Power & Light Co., operating in central and northwest Mississippi, are now serving practically every town and city in the State, and the investment of these two companies will reach $50,000,000 in a short time.

The State highway system in Mississippi comprises over 4,800 miles, over 2,500 miles of which are practically completed; while most of our roads are of gravel construction, we have many hundred miles of paved and brick highways. Paved highway is being built along the entire coast line of Mississippi, extending from the Alabama to the Louisiana line, one-half of which is completed. We have spent in 1926 for bridges alone over $6,000,000, and we look for Federal approval for the construction of a bridge over the Mississippi River at Natchez and Vicksburg.

The finest private residence, I believe, to be found in the entire South is being built by Mr. Hugh L. White at Columbia, Miss., and it will cost over $300,000.

In the 90 or more cities and towns in Mississippi of over 1,000 population I do not believe there is to be found in any State a higher expression of culture than is demonstrated in the private homes, churches, and public buildings.

Thousands of investors, unlike misinformed people like Mr. Cleveland, have discovered that Mississippi offers unsurpassed opportunities, and the development of our Gulf coast alone within the past two years has increased the taxable wealth of that section over $60,000,000, and the coast line of Mississippi is without doubt unsurpassed in natural beauty.

Due to the fine work of the Mississippi Legislature of 1924 and 1926, we feel the public policy of the State of Mississippi is as favorable to the investor as that of any other State, and we shall gladly give information as to specific laws or answer inquiries regarding the public policy of the State.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House disagreed to the amendment of the Senate to the bill (H. R. 8918) granting the consent of Congress for the construction of a bridge across the Mississippi River at or near Louisiana, Mo.; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DENISON, Mr. BURTNESS, and Mr. PARKS were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill and resolutions of the following titles, in which it requested the concurrence of the Senate:

H. R. 3858. An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a foreign commerce service of the United States, and for other purposes;

H. J. Res. 204. Joint resolution authorizing certain military organizations to visit France, England, and Belgium; and

H. Con. Res. 9. Concurrent resolution for the printing of 1,500 additional copies of the hearings held before the President's Aircraft Board on matters relating to aircraft, including the report of the said board.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker of the House had affixed his signature to the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

H. R. 96. An act authorizing an appropration of not more than $3,000 from the tribal funds of the Indians of the Quinaielt Reservation, Wash., for the construction of a system of water supply at Taholah on said reservation;

H. R. 187. An act making a grant of land for school purposes, Fort Shaw division, Sun River project, Montana;

H. R. 264. An act to amend an act to provide for the appointment of a commission to standardize screw threads;

H. R. 1944. An act for the relief of Charles Wall;

H. R. 2703. An act granting six months' pay to Anton Kunz, father of Joseph Anthony Kunz, deceased, machinist's mate, first class, United States Navy, in active service;

H. R. 3431. An act for the relief of Frederick S. Easter;

H. R. 3932. An act to amend section 71 of the Judicial Code as amended;

H. R. 4835. An act to remove the charge of desertion from the records of the War Department standing against William J. Dunlap;

H. R. 6355. An act providing for the acquirement by the United States of privately owned lands in San Miguel, Mora, Taos, and Colfax Counties, N. Mex., within the Mora grant, and adjoining one or more national forests, by exchanging therefor lands or timber within the exterior boundaries of any national forest situated within the State of New Mexico or the State of Arizona;

H. R. 6573. An act to to extend the time for the completion of the Alaska Anthracite Railroad Co., and for other purposes;

H. R. 7752. An act to authorize the leasing for mining purposes of land reserved for Indian agency and school purposes;

H. R. 8646. An act providing for a grant of land to the county of San Juan, in the State of Washington, for recreational and public-park purposes;

H. R. 9314. An act to provide for the enlargement of the present customs warehouse at San Juan, P. R.;

H. R. 9957. An act authorizing a survey for the control of excess flood waters of the Mississippi River below Point Breeze in Louisiana and on the Atchafalaya outlet by the construction and maintenance of controlled and regulated spillway or spillways, and for other purposes;

H. J. Res. 171. Joint resolution authorizing the Secretary of the Interior to approve the application of the State of Idaho to certain lands under an act entitled "An act to authorize the State of Idaho to exchange certain lands heretofore granted for public-school purposes for other Government lands," approved September 22, 1922;

H. J. Res. 191. Joint resolution authorizing the Federal Reserve Bank of Richmond to contract for and erect in the city of Baltimore, Md., a building for its Baltimore branch; and

H. J. Res. 213. Joint resolution for participation of the United States in the Third World's Poultry Congress, to be held at Ottawa, Canada, in 1927.

PETITION

Mr. WARREN presented a petition of sundry citizens of Moose, Wyo., praying the repeal or substantial modification of the prohibition enforcement law, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. COPELAND, from the Committee on the District of Columbia, to which was referred the bill (S. 3148) to regulate the manufacture, renovation, and sale of mattresses in the District of Columbia, reported it without amendment and submitted a report (No. 591) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 3807) granting relief to the Metropolitan police, and to the officers and members of the fire department of the District of Columbia, reported it with amendments and submitted a report (No. 592) thereon.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (S. 2273) conferring jurisdiction upon the Federal District Court of the Western Division of the Western District of Tennessee to hear and determine claims arising from the sinking of the vessel known as the *Norman*, reported it without amendment and submitted a report (No. 593) thereon.

He also, from the same committee, to which was referred the bill (S. 2674) for the relief of Kate T. Riley, reported it with an amendment and submitted a report (No. 595) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 2938) for the relief of the stockholders of the First National Bank of Newton, Mass., reported it with an amendment and submitted a report (No. 594) thereon.

He also, from the same committee, to which was referred the bill (S. 107) for the relief of the Commercial Assurance Co. (Ltd.), reported it with amendments and submitted a report (No. 596) thereon.

Mr. EDGE, from the Committee on Foreign Relations, to which was referred the bill (H. R. 10200) for the acquisition of buildings and grounds in foreign countries for the use of the Government of the United States of America, reported it with amendments and submitted a report (No. 597) thereon.

Mr. JOHNSON, from the Committee on Immigration, to which was referred the bill (H. R. 6238) to amend the immigration act of 1924, reported it with an amendment.

Mr. BORAH, from the Committee on Foreign Relations, to which were referred the following joint resolutions, reported them each without amendment:

H. J. Res. 149. Joint resolution to provide for membership of the United States in the Central Bureau of the International Map of the World; and

H. J. Res. 150. Joint resolution to provide for the participation of the United States in a congress to be held in the city of Panama, June, 1926, in commemoration of the centennial of the Pan American Congress which was held in the city of Panama in 1826.

BILLS INTRODUCED

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

By Mr. CURTIS:

A bill (S. 3973) for the relief of Frank Andress (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3974) granting an increase of pension to Elizabeth B. Williamson (with accompanying papers); to the Committee on Pensions.

By Mr. BAYARD:

A bill (S. 3975) for the relief of the owners of the barge *McIlvaine No. 1;* to the Committee on Claims.

By Mr. GOFF:

A bill (S. 3976) for the relief of William P. McKinley; to the Committee on Military Affairs.

By Mr. JONES of New Mexico:

A bill (S. 3977) to amend an act entitled "An act for the relief of settlers on railroad lands," approved June 22, 1874; to the Committee on Public Lands and Surveys.

By Mr. CAMERON:

A bill (S. 3978) to authorize credit upon the construction charges of certain water-right applicants and purchasers on the Yuma and Yuma Mesa auxiliary reclamation projects, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. ROBINSON of Indiana:

A bill (S. 3979) granting a pension to Nancy Kirby (with accompanying papers); to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3980) for the relief of the Sachs Mercantile Co. (Inc.); to the Committee on Naval Affairs.

By Mr. HARRELD:

A bill (S. 3981) to confirm the title to certain lands in the State of Oklahoma to the Sac and Fox Nation or Tribe of Indians; to the Committee on Indian Affairs.

By Mr. LENROOT:

A bill (S. 3982) granting a pension to Henry F. Clement; to the Committee on Pensions.

By Mr. BAYARD:

A bill (S. 3984) granting a pension to Sarah J. Breslin; to the Committee on Pensions.

DIVISION OF SAFETY IN THE DEPARTMENT OF LABOR

Mr. SHORTRIDGE introduced a bill (S. 3983) to create in the Bureau of Labor Statistics, of the Department of Labor, a division of safety, which was read twice by its title.

Mr. SHORTRIDGE. Mr. President, permit me to state briefly the purpose of this bill. There is no such thing as an adequate system of industrial accident reporting in the United States. The best obtainable estimate is that the death toll of industrial accidents is not under 23,000 per year and that nonfatal injuries total 2,500,000. The days of labor lost as a result of these injuries has been said to be 227,169,970 per annum and the wage loss $1,022,264,866. Under the workmen's compensation laws of various States there is paid annually in compensation something like $250,000,000, or about one-fifth of the actual wage loss.

It is hoped by this bill to put an agency of the Government in a position to collect and organize the actual facts in such a way as to greatly reduce these casualties. The full cooperation of the States and all other accident-reporting organizations will be sought and, it is believed, secured, to the end that attention may be called, not in general terms but by specific reference, to the places and causes of these accidents.

Some 20 years ago the iron and steel industry voluntarily agreed to report all accidents and all pertinent facts regarding accidents to the Bureau of Labor Statistics, which in turn compiled these records in such a form as to locate by departments, and in some instances even by occupations, the dangerous spots in the industry. The management of the industry in turn, guided by these figures, have so intelligently directed their safety work within the industry as to have reduced their frequency rate from 80.8 in 1907, when this work was begun, to 30.8 in 1924, per thousand full-time workers in those plants. If anything approximating these results can be secured in other industries, it would seem that it is high time we were providing for the extension of the methods.

In a word, Mr. President, the purpose of this bill is to reduce the haphazard to life and limb of men, women, and children engaged in industry. From a humanitarian and an economic-commercial point of view the bureau to be set up will do much good to employer and employee.

I move that the bill be referred to the Committee on Education and Labor.

The motion was agreed to.

CHANGE OF REFERENCE

On motion of Mr. SWANSON, the Committee on Foreign Relations was discharged from the further consideration of the joint resolution (S. J. Res. 77) authorizing certain military organizations to visit France, England, and Belgium, and it was referred to the Committee on Military Affairs.

AMENDMENT TO RIVERS AND HARBORS BILL

Mr. HALE submitted an amendment intended to be proposed by him to the bill (H. R. 11176) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

ALIENS WHO SERVED IN ARMY OR NAVY

Mr. WADSWORTH submitted an amendment intended to be proposed by him to the bill (H. R. 9761) to supplement the naturalization laws by extending certain privileges to aliens who served honorably in the military or naval forces of the United States during the World War, which was ordered to lie on the table and to be printed.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by title and referred as indicated below:

H. R. 8858. An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a foreign commerce service of the United States, and for other purposes; to the Committee on Commerce.

H. J. Res. 204. Joint resolution authorizing certain military organizations to visit France, England, and Belgium; to the Committee on Military Affairs.

REGULATION OF AIRCRAFT IN COMMERCE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes.

Mr. JONES of Washington. I move that the Senate disagree to the amendment of the House, ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. JONES of Washington, Mr. FERNALD, Mr. BINGHAM, Mr. FLETCHER, and Mr. RANSDELL conferees on the part of the Senate.

NATIONAL CONFERENCE ON OUTDOOR RECREATION

Mr. MOSES. Mr. President, I hold in my hand the manuscript of the proceedings of the National Conference on Outdoor Recreation, compiled by Hanford MacNider, Assistant Secretary of War, and I ask unanimous consent that his letter may be printed in the RECORD and the manuscript referred to the Committee on Printing.

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

The letter of the Assistant Secretary of War is as follows:

NATIONAL CONFERENCE ON OUTDOOR RECREATION,
Washington, D. C., April 1, 1926.

The Hon. GEORGE H. MOSES,
Chairman Committee on Printing, United States Senate.

MY DEAR SENATOR MOSES: Through your courtesy the proceedings of the meetings of the National Conference on Outdoor Recreation, held under the auspices of the President in Washington, have been printed as Senate Documents No. 151 and No. 229.

Last January, at the invitation of the President's committee, a meeting of the National Conference on Outdoor Recreation was held, and it would be most helpful if the proceedings of this meeting could likewise be published as a public document, for in fact these proceedings are in the nature of a report to the President's Committtee on Outdoor Recreation.

Very sincerely yours,

HANFORD MACNIDER,
The Assistant Secretary of War,
Executive Secretary President's Committee on Outdoor Recreation.

HEARINGS BEFORE THE PRESIDENT'S AIRCRAFT BOARD

The VICE PRESIDENT laid before the Senate the concurrent resolution (H. Con. Res. 9), which was read as follows:

Concurrent resolution

Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on Interstate and Foreign Commerce of the House of Representatives be, and is hereby, empowered to procure the printing of 1,500 additional copies of the hearings held before the President's Aircraft Board on matters relating to aircraft, including the report of the President's Aircraft Board.

Mr. FESS. For the Senator from Pennsylvania [Mr. PEPPER] I ask that the concurrent resolution may be agreed to.

The concurrent resolution was considered by unanimous consent and agreed to.

MISSISSIPPI RIVER BRIDGE NEAR LOUISIANA, MO.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to the amendment of the Senate to the bill (H. R. 8918) granting the consent of Congress for the construction of a bridge across the Mississippi River at or near Louisiana, Mo., and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BINGHAM. I move that the Senate insist upon its amendment, accede to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. JONES of Washington, Mr. COUZENS, Mr. BINGHAM, Mr. FLETCHER, and Mr. SHEPPARD conferees on the part of the Senate.

AIRSHIP "LOS ANGELES"

Mr. COPELAND. Mr. President, there has been a very disquieting report in some of the papers about the condition of the gas bags on the airship *Los Angeles*. I send to the desk a resolution, which I introduce simply to make inquiry from the Secretary of the Navy regarding the matter. My purpose in doing this is that fears may be allayed. I assume, of course, that the airship is perfectly safe, but one of the articles to which I have referred would tend to create the opposite impression. I ask to have the article inserted in the RECORD and the resolution read.

The VICE PRESIDENT. The clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 200), as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, requested to inform the Senate whether, in the opinion of the aeronautical experts of the Navy Department, the gas bags of the Navy dirigible *Los Angeles* are safe.

Mr. COPELAND. I know there can be but one answer to the question, because our Navy would not permit any airship to be used which was not safe, but the article which I have asked to have printed in the RECORD and others which I have read indicate serious criticism. I think it is only right that the Senate should take appropriate action in order that the country may be relieved of any anxiety regarding the matter. I therefore ask unanimous consent for the immediate consideration of the resolution.

Mr. HALE. Mr. President, would the Senator object to a reference of the resolution to the Committee on Naval Affairs? I am sure the committee will want to get the facts in the matter.

Mr. COPELAND. It is entirely satisfactory to me to have the resolution referred to the Committee on Naval Affairs, assuming, of course, that the committee will get the information at once. I want to say to the Senator from Maine that I have no thought of criticism of the Navy in the matter. I have taken this action simply because serious criticisms had been made, and I think it is only right that the Navy should have an opportunity to answer such criticisms. I have no doubt satisfactory answer can be made. I am very happy to have the resolution referred to the Committee on Naval Affairs.

The VICE PRESIDENT. The resolution will be referred to the Committee on Naval Affairs.

Mr. COPELAND. I ask that one of the articles to which I have referred may be printed in the RECORD at this point.

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

The article is as follows:

[From the Washington Daily News, Monday, April 12, 1926]

"LOS ANGELES" GAS BAGS SAFE?—HUGE DIRIGIBLE'S LONG-DELAYED FLIGHT POSTPONED AGAIN PENDING TESTS

By John Wallace

Delayed flying plans, gas bags that have had to undergo strenuous patching and repairing to hold helium, the opinion of a leading aeronautical authority that leaky bags invite disaster similar to the *Shenandoah's*, and a muttered undercurrent of misgivings among some of the crew led yesterday to the fear that the Navy dirigible *Los Angeles* is not safe for flight.

Weather permitting, the *Los Angeles* is to be taken from the hangar at Lakehurst, N. J., late this afternoon and moored to the mast in the flying field.

The mammoth dirigible was to have taken the air Saturday for her first flight in nine months. That was the date set by the Navy Department.

Capt. George W. Steele, jr., commandant at Lakehurst, postponed it. It is doubtful if any flight will be made before the end of this week.

Mechanics and gas-bag experts, working feverishly 16 hours a day, spent the week end overhauling the ship. If she is tied up to the mast to-day she will swing there several days more, according to Captain Steele, while the various controls are adjusted and tested to minimize risk of mishap.

OFFICIALS MOVE CAUTIOUSLY

With the recollection of the *Shenandoah* tragedy still burning in their memories, the authorities at Lakehurst are moving cautiously.

Presumably, also, the bureau chiefs at Washington have learned certain lessons from perusal of the testimony taken at the *Shenandoah* inquiry.

The gas bags of the *Los Angeles* will retain their full equipment of valves, permitting the free escape of helium if the ship should be carried above pressure height. Capt. Anton Heinen, German dirigible expert, testified at the *Shenandoah* inquiry that the cutting down of the number of valves on the *Shenandoah* in order to save helium was directly responsible for the disaster that cost 14 lives.

Those responsible for the modification of the *Shenandoah's* valve system indignantly denied this and loudly denounced Heinen; but, nevertheless, they have let the valve system of the *Los Angeles* severely alone.

ONLY LOCAL FLIGHTS PLANNED

Among them is Lieut. Roland G. Mayer, who was chiefly concerned in making the change on the *Shenandoah*. Two months ago Mayer was made construction officer of the *Los Angeles*, succeeding Lieut. William Nelson, who was transferred to the Philadelphia station. Since then Mayer has been in direct charge of all the work of making the dirigible shipshape.

Another lesson, apparently, is that it isn't altogether wise for partly trained officers and crew to take an airship on a long flight.

Accordingly Captain Steele made known only local flights, with a return to the mast at Lakehurst field each sundown, will be attempted for at least two months.

"The idea," he said, "is to thoroughly train every officer and member of the crew before any long flights are made."

IS SHIP SAFE? IS QUERY

Yet with all this caution the question of the worth of the *Los Angeles'* gas bags will not down, and it leads inevitably to another query: Is the giant airship safe for flight?

The doubt arises from the rather general belief that the bags have not been handled in the last nine months with the care and skill their delicate texture requires. The doubt is raised by some of the members of the crew who have participated in and closely observed the overhauling and repairing that has been going on.

One who talked to Doctor Eckener, who built the *Los Angeles* and brought her here two years ago with a German crew from Friedrichshaven, quoted the expert as telling the officers at Lakehurst:

"These bags should last the life of the ship. They were made to do so. But you must handle them as you would a sheer silk gown, not as you would a flannel petticoat."

"You can stick your fist through the bags," one of the men who has been handling them declared earnestly the other day.

"They won't stay inflated longer than four hours," another asserted.

Through the courtesy of Captain Steele the reporter was enabled to go through the interior of the *Los Angeles*.

He found the outer surfaces of the gas bags literally sprinkled with patches some 6 to 8 inches in diameter. It was impossible to count them, because the bags were not inflated and hung in folds.

The largest of these bags when inflated are 90 feet in diameter and 45 feet long. There are 13 bags in the *Los Angeles*, with a gas capacity of 2,600,000 cubic feet, 450,000 cubic feet greater than was that of the *Shenandoah*. The outer covering is of a specially prepared cotton cloth. The inside of this is smeared with a sort of glue, the secret formula for which is known only to the German makers, and the whole interior is lined with gold beater's skin, which comes from the intestines of animals and which is impervious to air when in good condition.

BAGS STILL SAID TO LEAK

From the best accounts obtainable, the gas bags on the *Los Angeles* are not impervious to air, the goldbeater's skin having rotted in many spots.

For weeks the men at Lakehurst have been replacing the rotted parts with new strips of skin and putting patches on the outside of the bags. Yet, it is said, they still leak.

The facts as unearthed by the Daily News were laid before an American aeronautical engineer of national reputation. He stipulated that his name be not used, because he did not desire to engage in any controversy with the Navy Department, but this is what he said:

"I myself would not fly in an airship with leaky bags.

"By unending vigilance and attention on the part of the crew the chances are that any ordinary break that occurred in the bags could be repaired in flight.

ENGINEER POINTS OUT PERIL

"But there is always the possibility that a large break might occur. There would be greater likelihood of this if the ship were caught in a storm, carried above pressure height, and the escape valves were not able to take care of all the gas expansion. If one bag broke, the one next to it would be apt to break also."

What happened to the *Los Angeles's* gas bags?

Paraphrasing Doctor Eckener's neat figure of speech, the bags have evidently not always been handled as much like "sheer silk gowns" as like "flannel petticoats." Goldbeater's skin can be properly worked with only in a warm, moist atmosphere. In the German factories this work is done in rooms where the right temperature and humidity are scientifically and exactly maintained. Doctor Eckener and the German crew gave the Lakehurst men instruction in these things while they were here.

How much of it was heeded can at best be only a matter for conjecture.

Captain Steele stated that the repair work has been going on in a room the temperature and humidity of which have been properly adjusted.

"That is necessary, is it not?" he was asked.

"It is not necessary," he rejoined, just a trifle sharply. "But it is advisable."

Captain Steele's statement of the care used in working on the bags applied to the time they have been in Lakehurst. They were taken from the ship some eight months ago.

From a man who was in constant touch with what went on at Lakehurst at that time, the Daily News has learned that the bags were transported to the Philadelphia station.

JAMES MADISON MEMORIAL

Mr. COPELAND. Mr. President, I hold in my hand an article by Arthur Deerin Call, entitled "Needed, a worthy memorial to James Madison," which appeared in the magazine Peace for April, 1926. I ask that it may be printed in the RECORD.

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

NEEDED A WORTHY MEMORIAL TO JAMES MADISON

By Arthur Deerin Call

A monument points like a fixed finger to the ideals of its builder. The world rears monuments to its great and to its loved ones, in spirit honoring them and itself. America has many monuments, but among them all there stands no adequate memorial to "the greatest constructive statesman our country has produced"—James Madison.

It was Gaillard Hunt, editor of the writings of Madison and author of the best life of him—none too well written—who, in an address in Orange, Va., August 14, 1919, said: "James Madison was the greatest constructive statesman our country has produced." Upon this the one hundred and seventy-fifth anniversary of his birth, it is peculiarly fitting, therefore, to consider and to weigh the major services of this man.

OUR INTEREST IN THE SUPERLATIVE

The "greatest constructive statesman"! We, especially we Americans, it is said, have a weakness for the superlative. It gratifies us to be told that Demosthenes was the "greatest orator" of all time; that Solomon was the "wisest man" that ever lived; that the Washington Monument is the "tallest structure" of its kind in the world; that we are "the greatest nation" in all the earth; that the three "greatest statesmen" of the nineteenth century were Lincoln, Bismarck, and Cavour. Whatever the psychology, it pleases us to tag something in terms of the superlative. Sometimes our superlatives are justified and appropriately applied. Gaillard Hunt's superlative is of that kind.

STATESMAN DEFINED

A statesman is one who successfully links experience to the immediate needs and at the same time unto the enduring benefit of the State. Such was the man who led the raw recruits of 13 bickering States to victory in 1782 over the trained redcoats of Britain; who presided over the Federal Convention of 1787, and who served as President through the first eight years of our United States of America. Such was John Adams, the Patrick Henry of New England, bearer of the brunt of battle for independence, "Colossus of the debate," who later, in the midst of intrigue in his own Cabinet and faced with a great opposition in the negotiations with France, placed his fate in the hands of history and stood forth against his party, a great American. Such was Alexander Hamilton, who, as the first Secretary of the Treasury, "smote the rock of national resources and an abundant stream of revenue came forth," who "touched the dead corpse of the public credit and it sprung upon its feet." Such was Thomas Jefferson, author of the Declaration of Independence, of the ordinance of 1787, diplomat, learned in the arts and sciences, master of men, political genius, friend of the "man of no importance." All these were men who linked experience to the immediate needs and unto the future benefit of this country. They were statesmen.

But "the greatest constructive statesman our country has produced" was James Madison, because he, probably more than any other man, linked experience to the needs of the new Government and determined modes of growth and achievement of our United States, modes apparently permanent as they have been useful. Thanks largely to him our Constitution is to-day the oldest continuous constitution of the oldest continuous Government in the world.

LESSER FOUNDATIONS OF MADISON'S REPUTATION

Hunt's characterization of the "little man of Montpelier" is true, not because of Madison's services as the fourth President of these United States, from March 4, 1809, to March 4, 1817, the choice of Jefferson, who "loved him as a son," and who had retained him as Secretary of State through eight years; not because he was our war President through the war commonly known as the War of 1812; not because he was a modest man, free of all vainglory—a fact; not because of those last 19 years of private life, surviving his friend Jefferson by a decade; not because of the final pictures of him, meditative yet useful, amid his books and friends, farming, raising Merino sheep and other animals, condemning nullification and secession as in no sense akin to his Virginia resolutions, as, indeed, "twin heresies" which "ought to be buried in the same grave;" serving as rector of the University of Virginia.

After his death, June 28, 1836, there was found among his papers one entitled "Advice to my country." This document reads as follows:

"As this advice, if it ever see the light, will not do so till I am no more, it may be considered as issuing from the tomb, where truth alone can be respected and the happiness of man alone consulted. It will be entitled, therefore, to whatever weight can be derived from good intentions and from the experience of one who has served his country in various stations through a period of 40 years; who espoused in his youth, and adhered through his life, to the cause of its liberty; and who has borne a part in most of the great transactions which will constitute epochs of its destiny.

"The advice nearest to my heart and deepest in my convictions is, that the Union of the States be cherished and perpetuated. Let the open enemy to it be regarded as a Pandora with her box opened, and the disguised one as the serpent creeping with his deadly wiles into Paradise."

Fine as is this utterance, it is not sufficient to stamp its author as "the greatest constructive statesman our country has produced."

James Madison was born March 16, 1751. One of his ancestors patented nearly 5,000 acres of Virginia, afterwards incorporated in the county of Orange. James, being the eldest of seven children—four boys and three girls—inherited this estate, afterwards called "Montpellier." Notwithstanding he was born in Port Conway, some 50 miles away, Montpellier was his home throughout his 85 years. He graduated from Princeton at 18, in 1769, doing his junior and senior work in one year. He then took one year post-graduate work in Hebrew and the study of theology, under Witherspoon, returning to his home to serve as teacher of his brothers and sisters. His studies in theology led him to revolt at the religious intolerance rampant in Virginia and elsewhere at that time. Among his writings of that period is a letter to William Bradford, jr., of Philadelphia, in which the young man did, for him, an unusual thing; he let himself go. He wrote:

"But away with politics! * * * That diabolical, hell-conceived principle of persecution rages among some; and, to their eternal infamy, the clergy can furnish their quota of imps for such purposes. There are at this time, in the adjacent country, not less than five or six well-meaning men in close jail for publishing their religious sentiments, which in the main are very orthodox. I have neither patience to hear, talk, or think of anything relative to this matter; for I have squabbled and scolded, abused and ridiculed, so long about it to little purpose that I am without common patience."

Madison's first public service of importance was his championship of the principle of religious freedom, and of the prohibition for America of an established church—principles still standing in the Virginia Bill of Rights.

SUMMARY OF HIS LIFE

Continue the summary of James Madison's life. He became a member of the committee of safety in 1774—youngest member of the committee; a delegate to the Virginia constitutional convention of 1776, which he called his "first entrance into public life"; and then a member of the First Virginia Assembly under his State's new constitution, of the same year. Failing of election to the next assembly because he refused to canvass for the office, he was made a member of the governor's council. He was elected a delegate to the Continental Congress for 1780–1783. He was again a member of the Virginia Assembly in 1784, and again of the Continental Congress in February, 1787. He was a member of the Annapolis convention of 1786, of the Federal convention of 1787, and of the first House of Representatives, 1789–1797. He was the author of the Virginia resolutions of 1798, and still again a member of the Virginia Assembly in 1799–1800. He was Secretary of State under Jefferson from 1801 to 1809. He was elected President by the Democratic Party in 1808 and again in 1812. Save for his services as a delegate to the Virginia constitutional convention of 1829, March 4, 1817, marked the end of his 40 years of public life. But these facts in themselves, impressive as they are, do not warrant the claim that he is "the greatest constructive statesman our country has produced."

JUDGED BY HIS CONTEMPORARIES

Contemporaries recognized his greatness. When a joint resolution was reported by the Library Committee to the Congress to purchase the copyright of Madison's manuscript work, Senator Asher Robbins, speaking before the Senate, February 18, 1837, said:

"I consider this work of Mr. Madison, now proposed to be given to the world under the patronage of this Government, as the most valuable one to mankind that has appeared since the day when Bacon gave to the world 'Novum Organum.'"

The Senator closed with this:

"If, then, this appropriation was merely to express a nation's gratitude to a national benefactor, it would be the least it would become her to make. But besides that we are to consider that it is to purchase for this country and for mankind a treasure of instruction whose value no man can measure, no figures can express."

One of Mr. Madison's biographers, Sydney Howard Gay, says:

"If we may trust the reports of his contemporaries, though he wanted some of the graces of oratory, he was not wanting in the power of winning and convincing. His arguments were often, if not always, prepared with care. If there was no play of fancy, there was not forgetfulness of facts. If there was lack of imagination, there was none of historical illustration when the subject admitted it. If manner was forgotten, method was not. His aim was to prove and to hold fast; to make the wrong clear and to put the right in its place; to appeal to reason, not to passion nor to prejudice; to try his cause by the light of clear logic, hard facts, and sound learning; to convince his hearers of the truth as he believed in it, not to take their judgment captive by surprise with harmonious modulation and grace of movement."

Following Mr. Madison's death there was mourning throughout the country. Public meetings were held. September 27, 1836, there was such a meeting in the Odeon at Boston. The program of the exercises was as follows:

"ORDER OF PERFORMANCES IN THE ODEON, TUESDAY, SEPTEMBER 27, 1836, OCCASIONED BY THE DECEASE OF JAMES MADISON, FORMERLY PRESIDENT OF THE UNITED STATES

"I. Voluntary on the organ: By G. J. Webb.
"II. Prayer by Reverend Doctor Lowell.
"III. Ode: By the choir of the Boston Academy of Music.

"(Poetry by Park Benjamin, music by G. J. Webb)

"How shall we mourn the glorious dead?
What trophy rear above his grave,
For whom a nation's tears are shed—
A nation's funeral banners wave!

"Let eloquence his deed proclaim,
From sea-beat strand to mountain goal;
Let hist'ry write his peaceful name
High on her truth-illumined scroll.

"Let poetry and art through earth
The page inspire, the canvas warm—
In glowing words record his worth,
In living marble mold his form.

"A fame so bright will never fade,
A name so dear will deathless be;
For on our country's shrine he laid
The charter of her liberty.

"Praise be to God! His love bestowed
The chief, the patriot, and the sage;
Praise God! to him our fathers owed
This fair and goodly heritage.

"The sacred gift, Time shall not mar,
But wisdom guard what valor won—
While beams serene her gulding star
And glory points to Madison!

"Eulogy by the Hon. John Quincy Adams.
"V. Hymn, O God, our help in ages past.
"VI. Benediction."

The address upon this occasion by John Quincy Adams, who himself had been President of these United States from 1825 to 1829, is a masterpiece of historical analysis and forensic power. Among other things, Mr. Adams remarked:

"Among the numerous blessings which it was the rare good fortune of Mr. Jefferson's life to enjoy was that of the uninterrupted, disinterested, and efficient friendship of Madison. But it was the friendship of a mind not inferior in capacity and tempered with a calmer sensibility and a cooler judgment than his own."

In conclusion he said:

"The Lord is in the still small voice that succeeds the whirlwind, the earthquake, and the fire. The voice that stills the raging of the waves and the tumults of the people—that spoke the words of peace, of harmony, of union. And for that voice may you and your children's children, 'to the last syllable of recorded time,' fix your eyes upon the memory and listen with your ears to the life of James Madison."

But nothing in all this would warrant us in calling James Madison "the greatest constructive statesman our country has produced."

THE LARGER EVIDENCES

The justification of this characterization of James Madison lies in the fact that he, probably more than any other man, let it be repeated, linked world experience to the needs of a national government, and determined modes of growth and achievement of our United States apparently permanent as they have been beneficent. He, more than any other man, brought about the call of the Federal Convention of 1787; he, more than any other man, was responsible for its success; and he, more than any other man, brought about its acceptance by the people of the States.

CALL OF THE FEDERAL CONVENTION

The period following the American Revolution was called by William Henry Trescot of that time, and later by John Fiske, "the critical period of American history." James Madison lived in that period, and sensed, perhaps as no other man, how critical it was. The war period from 1776 to 1782 was a period of combat. But war is a binding force. War unites a people. The recent World War united our America in one common aim. Following this war, however, we have been faced with certain outward-flying forces tending to disintegrate our unity of national purpose. This was particularly the case following the treaty of Paris, in 1783. Pessimism permeated the States, burdened with their debts because of the war. The Government was without credit. There were tariff barriers between States, Connecticut, for instance, taxing imports from Massachusetts higher than imports from Great Britain.

Some were carrying on war with the Indians—indeed, some warring with each other. Half-baked reformers then, as always, flooded the country with their weird panaceas. Organized bands were burning buildings in Carolina and carrying on a rebellion in Massachusetts. Property rights, law and order, union and self-government, liberty itself, seemed to be skidding to oblivion. Madison saw it all and determined to do everything in his power to stem the destructive onrush.

The chaotic condition of the commerce between the States was illustrated, for example, by what was known as the "Potomac question." Maryland's charter gave her jurisdiction over this river to the Virginia shore; but Virginia claimed the privilege of free navigation of the Potomac. Smuggling was a common practice. The evasion of State laws disturbed Madison, not so much because of the frauds themselves as because of the general weakness of the Confederacy, of which these were but symptoms.

Madison complained to Jefferson, then in the Continental Congress, suggesting that he confer with the delegates from Maryland about the matter. Jefferson complied with this suggestion. Madison then moved in the Virginia Legislature for the appointment of commissioners to meet with commissioners from Maryland. This meeting of commissioners took place in Alexandria in the spring of 1785. The meeting was of great interest to Mr. Washington, who had recently become president of the Potomac Co., the purpose of which was to make the upper Potomac navigable and to open up a good road to the Ohio River—all with the thought of encouraging emigration westward. It soon developed that the Potomac was of interest not only to Maryland and Virginia, but to Pennsylvania, and Delaware—indeed, to all of the States.

Because of the deplorable conditions of trade in Virginia, Madison was able to make use of the needs of the State in the interest of a conference of delegates from all the States. He prevailed upon the Virginia legislature to pass a resolution, the result of which was the call of a conference of commissioners of all the States to meet in Annapolis on the second Monday of September, 1786. On September 11 of that year commissioners from the five States of Virginia, Delaware, Pennsylvania, New Jersey, and New York showed up.

The result of the conference of these commissioners was an address, written by Alexander Hamilton and signed by John Dickinson, urging a conference of delegates from all the States to meet in Philadelphia on the second Monday of May, 1787, "to devise such further provisions as shall appear to be necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union."

Upon the initiative of James Madison, Virginia was the first to choose delegates to such a convention, the delegates being George Wythe, age 61; Edmund Randolph, age 34; George Mason, age 61; James McClurg, age 40; John Blair, age 55; James Madison, age 36; and George Washington, age 55. Had it not been for Madison, Washington would probably have never attended the convention.

SUCCESS OF THE CONVENTION

To James Madison is largely due the success of the Federal Convention of 1787. The convention had been called for the second Monday of May, 1787. Not until 11 days later, the 25th, did a quorum of the delegates make a session possible. On the third day of the conference, May 29, Mr. Edmund Randolph, of Virginia, submitted a plan for the organization of the Government. This plan was the only plan discussed throughout the convention. Our Constitution grew directly out of it. The man who first outlined the plan was James Madison, who in a letter to Edmund Randolph, under date of April 8, 1787, set forth his ideas of what the new Government should be.

Mr. Madison's place in the convention is familiar to everyone who has given any attention to that great event. Only two men addressed the conference oftener than Mr. Madison—Gouverneur Morris and James Wilson. It became more and more clear as the convention proceeded "that the first man of the assemblage was James Madison." William Pierce, a delegate from Georgia, kept some notes of his impressions of the convention. In one of these notes he wrote:

"Mr. Madison is a character who has long been in public life; but, what is very remarkable, every person seems to acknowledge his greatness. He blends together the profound politician with the scholar. In the management of every great question he evidently took the lead in the convention, and though he can not be called an orator, he is a most agreeable, eloquent, and convincing speaker. From a spirit of industry and application which he possesses in a most eminent degree he always comes forward the best-informed man of any point in debate. The affairs of the United States he perhaps has the most correct knowledge of of any man in the Union. He has been twice a Member of Congress and was always thought one of the ablest Members that ever sat in that council. Mr. Madison is about 37 years of age, a gentleman of great modesty, with a remarkably sweet temper. He is easy and unreserved among his acquaintances and has a most agreeable style of conversation."

This man Madison, later to be characterized by John Fiske as a political philosopher "worthy to rank with Montesquieu and Locke," was literally the center of the conference, for he chose a seat directly in front of George Washington, the presiding officer, with the other members on his right and left. He chose this place because, having had experience as reporter of the Continental Congress, he had set for himself the task of reporter of the convention. He was not absent a single day, nor more than a fraction of an hour in any day. He did not lose a "single speech, unless a very short one." In the midst of this remarkable labor he found time to write to Jefferson, "I have taken lengthy notes of everything that has yet passed, and mean to go on with the drudgery if no indisposition obliges me to discontinue it." It was given to Mr. Jefferson to read Madison's notes years after. Under date of August 10, 1815, he wrote to John Adams:

"Do you know that there exists in manuscript the ablest work of this kind ever yet executed of the debates of the Constitutional Convention of Philadelphia in 1787? The whole of everything said and done there was taken down by Mr. Madison with a labor and exactness beyond comprehension."

On reading the remarks of Madison throughout those laborious days, one learns to appreciate not only the faithful attention to detail but the large statesmanship of the man. "The people were, in fact, the fountain of all power, and by resort to them all difficulties were gotten over," he argued. It is in that spirit that he defended the plan of submitting the Constitution, the result of their handiwork, not to the legislature for ratification but to conventions of delegates specially elected by the people.

But, still more important, when confronted with the question whether or not the new Government should have power to coerce a recalcitrant State with force of arms, Mr. Madison said no. Such a plan was provided for in the Virginia resolution; but when the matter came up in the fourth session, May 30, Mr. Mason, according to Madison, "observed that the present confederation was not only deficient in not providing for coercion and punishment against delinquent States, but argued very cogently that punishment could not, in the nature of things, be executed on the States collectively, and, therefore, that such a government was necessary as could directly operate on individuals, and would punish those only whose guilt required it." Whereupon, the following day, Thursday, May 31, Mr. Madison observed:

"* * * that the more he reflected on the use of force the more he doubted the practicability, the justice, and the efficacy of it when applied to people collectively and not individually. * * * A union of the States containing such an ingredient seemed to provide for its own destruction. The use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound. He hoped that such a system would be framed as might render this recourse unnecessary, and moved that the clause be postponed."

The motion was, as he says, "agreed to nem. con.," and the subject, although subsequently brought before the conference in the session of June 15 by the New Jersey plan, was never again seriously considered.

There can be no doubt of Mr. Madison's influence upon the success of the Federal convention. One must agree with Bowers that "no one in either branch of Congress or at the head of any of the departments had approached his services in the framing of the Constitution."

RATIFICATIONS OF THE CONSTITUTION

Neither can there be any doubt of Mr. Madison's influence in getting the new Constitution acceptable to the States. He returned to the Congress in New York in November, 1787, led in overcoming opposition there to the Constitution, interested himself in the revenue bill, and introduced resolutions to establish three executive departments of the Government—a Department of Foreign Affairs, a Treasury Department, and a War Department.

In the first session of the first Congress, June 8, 1789, Mr. Madison moved the consideration of certain amendments to the Constitution. By these amendments he hoped to disarm the opposition to the Constitution, particularly in Rhode Island and North Carolina, not to mention his own State of Virginia. After consideration in committee and adoption by the Senate and House, 12 amendments were forwarded by the President to the States. Of these 12 amendments all but the first two were adopted by the States and declared in force December 15, 1791. They satisfied the general demand for a "Bill of Rights" and helped immeasurably toward making the new Constitution palatable to the States.

There remain two other reasons for crediting Mr. Madison with the ratifications of the Constitution. Of the 80 papers making up the Federalist, John Jay wrote 5; Alexander Hamilton, 51; and James Madison, 29. There is not time here to add more than to say that Mr. Madison's papers are in no sense inferior to those of his collaborators. He enjoyed the work. He would have written more had he not been called back to his State to aid there in the ratification of the Constitution. This leads to the other fact, that the ratification of the Constitution by Virginia, tenth thus to ratify, definitely settled the question of the acceptance of the Constitution by the Union. This achievement, too, was due primarily to the statesmanship of James Madison.

James Madison's title as "the greatest constructive statesman our country has produced" can therefore be briefly summarized. The cause of religious freedom in Virginia, afterwards extended in other States, was very appreciably advanced by James Madison. The call of the Federal Convention of 1787 can be definitely traced to the act of the Virginia Assembly in 1784, affecting trade on the Potomac River, an act introduced by James Madison; to the meeting of the commissioners in Alexandria and Mount Vernon in 1785, upon the initiative of James Madison; to the invitation to the Thirteen States for a meeting of delegates at Annapolis in 1786, promoted by James Madison; to the call for a convention of delegates to meet in Philadelphia in 1787; and to the approval of such a convention by the Congress, both because of the influence of James Madison. The success of that Federal Convention depended largely upon the plan, serving as a basis for the discussions of the convention, originally drafted by James Madison; upon the theory of the noncoercion of States, stood for by James Madison; upon the first 10 amendments, known as the Bill of Rights, drawn and successfully pleaded for by James Madison; upon the 29 papers in the Federalist written by James Madison; upon the ratification of the Constitution by the State of Virginia because of the victory over such men as Patrick Henry, powerful George Mason, James Monroe, Benjamin Harrison, and other Virginia giants of that day, by James Madison.

In his work Jefferson and Hamilton, Claude G. Bowers says of Madison: "There was not a man in America who was his peer in the knowledge of constitutional law or history." After Madison's first great speech in the Virginia Convention, June 6, 1788, John Marshall, who had listened to him, said in after years: "If convincing is eloquence, he was the most eloquent man I ever heard." Fisher Ames, jealous opponent of Madison, confessed him to be "our first man." In his book James Madison's Notes and a Society of Nations, Dr. James Brown Scott, after reminding us that "the Constitution of the more perfect Union has succeeded," suggests that if different States and kingdoms should be inclined to substitute the regulated interdependence of States for their unregulated independence "they need only turn for light and leading to the little man of Montpelier, who has preserved for all time an exact account of what took place in the conference of States in Philadelphia in the summer of 1787."

"Although the 'drudgery' of the undertaking 'almost killed him,' it is fortunately a fact that, 'by an authentic exhibition of the objects, the opinions, and the reasonings from which the new system of government was to receive its peculiar structure and organization,' we are now aware, as Mr. Madison then was, 'of the value of such a contribution to the fund of materials for the history of the Constitution, on which would be staked the happiness of a young people, great even in its infancy, and possibly the cause of liberty throughout the world.'"

IN CONCLUSION

In other words, James Madison is entitled to our special consideration, not because of any number of ordinary services to this Government, not because of the judgment of his contemporaries, but because he initiated the Federal convention of 1787, saved the convention, and, more than any other man, got our Constitution accepted at last by all of the States. No one has ever questioned James Madison's title as "Father of the Constitution."

We Americans, always interested in the principles of justice, in the rights of the individual man, in the abolition of arbitrary power, in the firm establishment of a government of laws and not of men, in the promotion of man's liberty along the bright highway between anarchy and tyranny, principles embodied in the Constitution, would honor both justice and ourselves, it would seem, were we to go about the business of rearing somewhere, somehow, a matured artistic conception of a worthy memorial to James Madison.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1550. An act to appropriate certain tribal funds for the benefit of the Indians of the Fort Peck and Blackfeet Reservations;

S. 3186. An act to promote the production of sulphur upon the public domain within the State of Louisiana;

H. R. 5210. An act extending the provisions of an act for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona; and

H. R. 7255. An act to regulate the sale of Kosher meat in the District of Columbia.

INDEBTEDNESS OF ITALY TO THE UNITED STATES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America.

Mr. COPELAND. Mr. President, I ask permission to have printed in the RECORD at this point a letter by Frederick H. Allen, of New York, on the Italian debt settlement, which appeared in the New York World of this morning.

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

The letter is as follows:

[From the New York World, April 14, 1926]

THE ITALIAN DEBT SETTLEMENT

To the EDITOR OF THE WORLD:

The excellent editorials appearing of late in the World, and the speeches made in the United States Senate, make it plain that the opposition to the Italian debt settlement is made up of two elements: (1) the "bitter enders" and "the last red cent" men, seeking, or pretending to seek, that which it is impossible to get; and (2) those swayed by their sentiments against Mussolini because of his dictatorship and the methods of government that have been established and enforced in Italy, which do not accord with their ideas of democracy.

We pride ourselves on being a practical people, and one of our cardinal political policies is not to interfere in the internal political arrangements of foreign states; yet, in opposing the Italian debt settlement we violate both of these concepts.

The settlement of the Italian debt has been put by the present administration on an entirely business basis. The Italian commission laid all its cards on the table, and, regarded from this point of view, the settlement with Italy, as shown by Mr. Mellon, obliges Italy to pay in proportion to her capacity an ever higher percentage of her budget expenditures than has been exacted from either the British or Belgians. In the case of England, the settlement amounts to 4.6 per cent of the total British budget; the Belgian settlement to 3.5 per cent; and the Italian settlement to America alone, 5.17 per cent, and to America and Great Britain 11.47 per cent. Whether the comparison be made with either the total foreign trade of these countries or their national income, the proposed proportionate payments to us by Italy are much greater than in the case of either England or Belgium. Certainly to oppose the settlement is to be not practical, for no one can imagine that another commission would be able to offer more than the one presided over by Signor Volpi. Thus, as a practical matter, Italy would surely feel she had done her best to reach a desirable and honorable settlement with us, and that, if it should be rejected, she would be under no obligation to make further effort. The result for our taxpayers would be that they would be getting nothing instead of something from Italy.

Some Senators say they consider the liberal settlements proposed would add to the prestige and power of Mussolini, and for that reason they would thus attempt to influence the internal policies of Italy by using the debt as a club. As a matter of fact, should our Senate defeat the settlement it would add greatly to Mussolini's strength, for Italy would then have nothing to pay and the popularity of Mussolini would be added to, just as did Mr. Wilson's interference in the Fiume matter at the Peace Conference add to the popularity of Sonnino and Orlando, for Mussolini, with his remarkable proved ability to dramatize events and appeal to the emotions of his people, would probably arouse an even greater enthusiasm than was shown those Italian representatives on their return home from the Peace Conference in 1919 and increase the bitter feeling against us that was then stirred up in that country. It is unfortunate that senatorial dignity and that courtesy due to a friendly people could be so far forgotten by our national representatives as was the case of Senator MCKELLAR when he so vehemently and unthinkingly stigmatized Mussolini as a "bandit."

Another strained argument against the settlement is this, that it would increase the power of Mussolini and so help him in what are called his imperialistic tendencies, whereas the settlement would, on the contrary, have just the opposite effect, for the reason that he, having assented to pay to us the sum of $2,042,000,000, would be all the more bound to keep the peace in order to make the payments which thereunder Italy would be in honor compelled to make.

The statement of Senator JOSEPH ROBINSON, showing that in the proposed settlement the debt incurred by Italy to us prior to the armistice was really canceled, owing to the deferred payments and the low interest rates provided for; and the suggestion that he then made, that this debt be canceled and not be considered by us; that then by establishing a higher rate of interest on the balance, the postarmistice debt, we would in the end be as well or even better off financially, and in addition be credited for a wise and generous action, would seem to be a solution much to be preferred to the one adopted.

Democratic Senators opposing the settlement should ponder those words of Jefferson: "We certainly can not deny to other nations that principle whereon our Government is founded; that every nation has a right to govern itself under what form it pleases and to change these forms at its own will."

Napoleon said: "Statesmanship is only common sense applied to matters of great importance."

In the case of the Italian debt settlement, to allow prejudice to defeat the settlement would be both not practical and conspicuously lacking in common sense.

FREDERICK H. ALLEN.

NEW YORK, *April 10.*

Mr. FESS. Mr. President, I do not intend to detain the Senate at any great length in the discussion of the problems of the Italian debt settlement. There are a few observations which I would like to make in view of the fact that some of us were Members of Congress at the time the loan was made and recall very distinctly the debates which took place at that time. One of the most thrilling incidents in the life of our time was when President Wilson came to the Capitol and addressed the Congress on the impending war under date of April 2, 1917. Among many of the statements that thrilled those who heard him, I read the following:

American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of, but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way. * * * Only the vindication of right, of human right, of which we are only a single champion, will suffice.

In the discussion of the problems which would be involved he further stated:

There is one choice we can not make, we are incapable of making: We will not choose the path of submission and suffer the most sacred rights of our Nation and our people to be ignored or violated.

He further said:

It will involve the utmost practicable cooperation in council and action with the governments now at war with Germany, and, as incident to that, the extension to those governments of the most liberal financial credits, in order that our resources may so far as possible be added to theirs.

He also further stated:

It will involve also, of course, the granting of adequate credits to the Government, sustained, I hope, so far as they can equitably be sustained by the present generation, by well-conceived taxation.

The President further stated:

We are now about to accept the gauge of battle with this natural foe to liberty and shall, if necessary, spend the whole force of the Nation to check and nullify its pretensions and its power.

Mr. President, soon after this address was made Congress passed a joint resolution recognizing the existence of a state of war between this Nation and Germany, and then, in due course of time, legislation came before us to extend loans to our associates in the war. In the discussion when the loans were being considered there were many sharp criticisms, because there was no provision as to the terms and time of the repayment of the loans. In fact, some Members of the House of Representatives and the Senate sharply scrutizined all the provisions of the measures and at the same time caustically criticized the lack of such terms. I recall different Members answering those criticisms. The then dististinguished leader of the majority in the House of Representatives from North Carolina explained the character of the loans. He also assured the country that the loans would be repaid. Mr. Kitchin then said:

The Secretary of the Treasury said, however, that he thought some of these governments would be able to meet their obligation in some four or five years after the loan was actually made and especially after peace. But we thought best—

He is speaking now of the purpose of the committee—

under all the circumstances and facts presented to us to leave the date of maturity to the discretion of the President and the Secretary of the Treasury. The date of maturity is going to be the same as the date of maturity in the United States bonds that we issue.

That was the statement of the chairman of the Ways and Means Committee answering the criticism that the terms of repayment and the time of maturity of the loans were not fixed. Mr. Kitchin further said:

As I have said several times, I think, so far as I am concerned, I will not be bothered about that [the terms]. I believe we will be protected. The interest of the Allies to whom we loan the money and our interests will be protected by the President and by the Secretary of the Treasury.

Then the minority leader on the Ways and Means Committee, who at that time happened to be Mr. Fordney, of Michigan, made the statement that the obligations would be protected, and he also stated:

> Their only purpose is to aid them—the Allies—in the best way possible to fight our battle across the sea without calling upon our men to go there. I do not believe that one single dollar of the money to be loaned to them as provided for by this bill will ever be used for the purpose suggested by the gentleman; if so, I would like to see some provision of law that would prevent it, because if they were to borrow this money from us and then retire outstanding bonds what they would have to do when in need of money would be to come again and sell their own bonds at a higher rate of interest than they are getting this money from us for, a thing not at all likely to be done by them.

I desire to quote these statements for two reasons: One is to dispel any possible idea that this was a mere gift; rather it was a loan and it was understood that in time the loans would be repaid. Mr. MADDEN, who now is the chairman of the Appropriations Committee of the House of Representatives, then gave assurance that that would be done, but at the same time he stated that it was so important that the loans should be made that, even though not a dollar of the money was ever repaid, our duty, nevertheless, would be to advance to our allies these loans.

One of the speeches that I recall very distinctly was made by Mr. RAINEY, now a Member of the House of Representatives, as he then was, in which he said:

> We are making this loan in order to further our interests primarily in this World War, and from that moment when the Congress of the United States declared that a state of war existed between this country and Germany every blow struck at Germany by any of her enemies was struck also in our interest, because we have entered this war for the declared purpose of bringing it to a speedy conclusion, not for the purpose of territorial aggrandizement, not for the purpose of claiming for ourselves at the close of the war extravagant war indemnities.

I recall most distinctly the utterance of the chairman of the Appropriations Committee of the House of Representatives at that time, Mr. John J. Fitzgerald, of New York, who said, while he was sure the loans would be repaid, it was so important that they should be made that, even though he knew they never would be repaid, they should be made anyway.

I have before me also the utterances of distinguished Members of the Senate, including the distinguished senior Senator from North Carolina [Mr. SIMMONS], whose remarks have been quoted in this debate heretofore.

Mr. President, I have quoted the utterances of Members of Congress made at the time the loans were made in order that we might refresh our memory as to the fact that they were made as loans and not as gifts. There was no suggestion of that sort. I also have in mind in quoting the men who actively participated in the debate on the legislation to call attention to the fact that they realized the necessity of making the loans, despite the fact, as expressed at the time that there might be some difficulty in their collection.

I also have in mind the criticisms that were offered by some members of the minority side, then the Republicans, against the administration, which at that time was Democratic, because it did not specify a stipulation in the loans as to particular time of maturity and the terms of repayment. I did not share in that criticism at the time, believing as I did that the loans would be repaid, because I felt that no country could maintain its honor and credit by any step looking to a repudiation of its obligations.

However, some time elapsed—a period which some people think has been unnecessarily long—before steps were taken to adjust the loans. There is no question before us as to whether there should be any cancellation. That is a closed question so far as we are concerned. I do not think anyone believes that there is any basis for agitation to cancel the loans, either on the ground that they were extended as gifts, which they were not, or on the ground that the debtor nations are not in a position to pay. In other words, I believe it is better for the debtor, as well as for the creditor, that these loans should be regarded as sacred obligations, and I am quite certain that there is not a large number of people in the United States who take any other view than that.

The question with us is, Upon what basis shall the adjustment be made? Shall we take the position that every dollar, not only of principal but all the interest, shall be paid whether or not the debtor nation is capable of making such repayment? Mr. President, I do not believe any Senator would be, in my judgment, so short-sighted and so regardless of the welfare of our own country as to insist upon pushing a debtor nation beyond its ability to pay, and thus make possible a collapse and a total cancellation by forfeiture of the debt. Neither do I believe there is any Senator whose prejudices are so deeply grounded against any country that he would want to push that country beyond its ability to pay.

I assert that every consideration of sound economics, both for the debtor and creditor country, should lead us to adopt the policy of payment according to ability to pay rather than payment according to specific terms. In other words, I am convinced that the action of the administration in refusing to attempt to specify exact terms of repayment in 1919, when the money was loaned, because it could not be foretold what the conditions after war would be, was a wise policy and not properly subject to the severe criticism that was leveled against it at the time. On the other hand, I hold that the lapse of time has proven the wisdom of keeping open the terms of collection, and the ability of the nation to pay seems to me to be the sound principle upon which to proceed.

That is the position we have taken, as I understand, with Great Britain and every other country with which a settlement thus far has been made or proposed. In the case of Great Britain we canceled not $1 of principle, but her note is $4,600,000,000; and when it came to fixing the rate of interest there was a question as to whether we should concede anything to Great Britain below the ruling rate allowed on the Liberty bonds, 4¼ per cent, for whatever reason—whether because of her industrial and financial condition, due to the war, or whether because in the anticipated future the rate of interest might rule less than it is ruling to-day. The rate of interest this Government is paying now is 4¼ per cent. We are going to give 62 years in which Britain is to pay the debt. The question was: Should we charge 4¼ per cent for the 62 years, the basis upon which we are paying interest now, or should we make a concession on interest? The decision, both by the commission and by the approval of Congress, was that we would make a concession, and instead of 4¼ per cent interest the rate that has been fixed is 3 per cent for the first 10 years and 3½ per cent for the next 52 years. If we take that on an average, there is a concession of interest from 4¼ to about 3$\frac{13}{31}$ per cent, which would be a reduction of annual rate of a little less than three-fourths of 1 per cent, and, rendered in actual percentage, that would be settling on the basis of about 83 per cent of the interest. Mark you, it is not a cancellation of a dollar of the principal. That is to be paid 100 per cent; but it is a concession of about 17 per cent on the interest, ranging below what interest ranges to-day.

That being the basis that has been adopted with all the countries except Italy, as to which we are making a very remarkable concession on interest, it at once becomes a question of keen debate and dispute. In the case of Italy not one dollar of the principal is canceled. In fact, the original principal was $1,648,000,000, but the principal upon which we are settling is $2,042,000,000. In other words, the interest on $1,648,000,000 at 4¼ per cent up to a certain time—December 15, 1922—is added to the principal when we come to settle the principal, remembering that every dollar of it is to be paid, not a dollar to be canceled. Then the question of concession of interest comes to us, as it did in the case of Great Britain. If we settled with Great Britain on the basis of 83 per cent of her interest, giving her a concession of 17 per cent, what concession, if any, should we make to Italy, and upon what basis should we make it?

Mr. President and Members of the Senate, I think that Italy, compared with other debtor countries should receive very favorable consideration from this body. She has a country half as large as France, with a population almost as large as that of France. She has not any raw material in any great quantity. About all she has is silk and water power and her labor, and her labor up to date has served as a chief element of revenue through the emigration policy of Italy. Since we have cut off the large immigration from Italy by our last legislation, that source of revenue, as far as our country is concerned, is almost entirely dried up. It is not dried up as far as Italy is concerned, of course, because Italy's emigration is going now into South America in great quantities. There will be revenue from that particular source in the future, but it will not come so much from the United States, as must be apparent to every Senator.

Mr. President, Italy has little if any coal. The United States in contrast has 43 per cent of all the coal mined in the world, and we use 42 per cent. Italy has no iron to speak of. The United States has 54 per cent of all the iron produced in the world, and consumes 53 per cent. Italy has very little if any copper. The United States produces 49 per cent of all the copper mined in the world, and consumes 44 per cent. Italy has no cotton. The United States produces 69 per cent of all the cotton produced in the world, and consumes 37 per cent of

it. Italy has little if any oil. The United States produces 64 per cent of all the petroleum produced in the world, and consumes 72 per cent. In other words, the United States is not self-sustaining in her production of oil.

These are largely basic elements in the tremendous wealth of the United States. All of them are lacking on the part of Italy. That is a feature that it seems to me ought to be included in the consideration of this subject as between the United States as a creditor country and Italy as a debtor country.

Mr. President, the United States has a wealth that is variously estimated at $380,000,000,000. Italy's wealth, according to the latest figures, is $22,300,000,000. Our wealth, therefore, is over seventeen times that of Italy.

Mr. BORAH. Mr. President, where does the Senator get his estimate of Italy's wealth at $22,000,000,000?

Mr. FESS. I took it from the Government actuaries' reports repeated by the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Mr. President, I will say that we got that figure from Italy's own estimate of her value, and the other countries of the world also use the same identical figure.

Mr. BORAH. Mr. President, the London Economist gives the national wealth of Italy at this time as $33,000,000,000. The World Almanac gies it as $35,000,000,000. Every authoritative publication that I know of, outside those that are interested in this debate, gives it as over $30,000,000,000.

Mr. SMOOT. Mr. President, we had the Secretary of Commerce, Mr. Hoover, make a thorough examination as to the values that I quoted in my speech, and that was the report that the Secretary gave to the commission. Not only that, but I will say to the Senator that I have the official figures from the representatives of Italy, and they say that the total value of Italy is from $20,000,000,000 to $22,000,000,000.

Mr. BORAH. Mr. President, the territory which they acquired during the war is estimated at almost one-half of the $22,000,000,000.

Mr. FESS. Mr. President, the figures that I have given come from the actuaries of the Government and were verified by the statement of the Senator from Utah [Mr. SMOOT]. I have not thought it necessary to go further into that matter. I aim to deal with accurate statements rather than irresponsible utterances.

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

Mr. FESS. I yield to the Senator from New Jersey.

Mr. EDGE. I might draw the further attention of the Senator to the estimate of the Bankers' Trust Co. of New York, which company, as the Senator knows, has branches all over Europe and elsewhere in the world. The Bankers' Trust Co. of New York estimates Italy's national wealth in 1923 as $21,500,000,000.

Mr. FESS. That is less than the figure I gave.

Mr. President, the estimated annual income of the United States is three and a half times the total wealth of Italy, which strikes me as one of the most startling statements that could be made in reference to the comparative wealth of the two countries. I am not offering that as a reason why there should be any undue concession. Just because our country is wealthy and is the creditor of Italy, not so wealthy, is the debtor, I do not mean to quote these figures to indicate that there should be undue concessions. What I have in mind is that the disparity in ability to take care of an obligation is so sharp and so great that I think it ought to be taken into consideration.

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

Mr. FESS. I yield to the Senator from New Jersey.

Mr. EDGE. I do not want to disturb the Senator's train of thought; but in view of the fact that the Senator has stated that he was not using the wealth of the two countries as an argument except in passing by way of comparison, I might draw attention to the fact that the Senator from Tennessee [Mr. MCKELLAR] yesterday, in arguing against the settlement, very distinctly used the relative bonded indebtedness of the two countries as an argument against the settlement when he drew attention to the fact, which I think is entirely correct, that our bonded indebtedness incurred in the war is $20,000,000,000, as compared with Italy's bonded indebtedness of, I think, three and one-half billion dollars. That, of course, demonstrates that the bonded indebtedness in our case is practically five times as great as in the case of Italy; but when using that as an argument it is quite proper, it occurs to me, to use the national wealth also as an argument.

Mr. FESS. I thank the Senator for his comment.

Mr. President, so far as the relative wealth of the two countries goes, I think it should have very little effect upon our decision, save as suggestive of our policy, to wit, that the ability of the debtor country to pay should be the determining factor not only for the sake of the debtor country but also for the sake of the creditor country. If we insist upon a debtor country doing beyond its ability to do, it will repudiate the obligation that it owes; it takes no argument to convince anybody that as between total financial collapse and repudiation, the latter will be chosen rather than the former. From our standpoint, therefore, it seems to me it would be an unwise policy to push a country beyond its ability to pay, because we would probably lose the entire payment by giving the debtor government a basis upon which to make that decision, unwise as it would appear to me to be.

Mr. President, there are certain things that we as an interested creditor ought to have in mind in our consideration of what a debtor should do. In the first place, if the debtor should continue to spend more than it collected, and refuse to balance its budget, as many countries do, I should look with considerable sympathy upon the views of those who assert that we ought to be more rigid than we are; but that is not true with Italy. Italy is one of the few European countries that have adopted the plan of balancing the budget.

That may be either in increasing her production, which is under the limit of her natural resources, or in cutting off some of her expenditures. Italy is doing both of those things. I know countries in Europe that are not so much concerned about their expenditures, if we are to judge by the obligations they are making, but that statement can not be truly made about Italy. She is pushing her production to the very limit of her ability and she is reducing her expenditures down to the bone, and in that way has succeeded in balancing her budget.

There is another item which a creditor ought to take into consideration in regard to a debtor, and that is whether the debtor is put in such a position that it can know something definite about the amount of its obligations. So long as we fail to make an adjustment so that the debtor country knows precisely the size of its obligations, so long will indefiniteness continue, and so long will there be chaos so far as the fulfillment of future obligations goes.

That was one of the difficulties that faced Germany until the famous commission made its report. So long as Germany knew nothing about what she was to pay in the form of reparations, there was absolutely no possibility of putting the full capacity of German industry into action, but as soon as a definite plan was agreed upon, so that the debtor knew something about how large the obligations annually coming due were, they could make some specific arrangement to meet them.

That is the case with Italy, and one of our chief concerns as a creditor of Italy would be to make definite what her obligations to us are, so that she can make her plans to meet them. That is in her interest, and it will be indirectly greatly in our own interest.

I have insisted that no country will take the position voluntarily of repudiation, because of the economic effect, the penalty economically that would be visited upon it. Such a policy would drive all liquid capital out of the country and bar foreign capital from entrance. Therefore I believe that there is no doubt about every debtor country, including those which have not yet made their arrangements with us, making definite plans for the adjustment of the obligations.

Mr. ROBINSON of Arkansas. Mr. President——

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

Mr. FESS. I yield.

Mr. ROBINSON of Arkansas. Does the Senator feel reasonably assured that the plan which has been adopted for the payment of German reparations can be and will be carried out?

Mr. FESS. No one can be assured of it. There are now and then dispatches coming out of Germany which indicate her difficulty in making her next reparations payments. I do not know all the facts, but I am quite certain that the wisest course the interallied countries could make would be to make specific and definite that obligation.

Mr. ROBINSON of Arkansas. The Senator from Ohio thinks it is possible to make definite now the amount Germany can and will pay?

Mr. FESS. I have not the data on which I could make that statement.

Mr. ROBINSON of Arkansas. The Senator has made the statement, as I understood him, that until it is definitely ascertained what Germany will pay, it is impossible for German industry to resume full operations, implying, as I understood him, that the effect of the arrangement which has been consummated is to bring German industry back into full operation. What I ask him now is whether he feels, from all the information he has, that the plan which is in force at present will be carried out.

Mr. FESS. I am very hopeful that it will be.

Mr. ROBINSON of Arkansas. We are all hopeful, of course, but that is not quite responsive to my question, and if the Senator has information sufficient upon which to reach a conclusion respecting that point, I wish he would state to the Senate whether he believes that Germany can and will carry out the arrangement that is now contemplated with respect to the payment of reparations.

Mr. FESS. I do not have the data necessary for me to predicate a specific judgment on that.

Mr. ROBINSON of Arkansas. The Senator plainly implies a doubt, at least he indicates, as I feel sure is the fact, that sufficient information is not now available to enable him to reach a reliable conclusion respecting the question I asked him. What effect does the Senator believe will result if Germany defaults finally in her payments of reparations under the Dawes plan, or under any other plan that may be agreed upon? What effect will that have upon the consummation of the Italian debt settlement? I do not mean upon the passage of this bill, but upon the actual carrying out by Italy of the settlement contemplated by the bill.

Mr. FESS. Whatever loss Italy must suffer by the failure of the small proportion of reparations she is to get will further disqualify her in ability to pay her debt to us.

Mr. ROBINSON of Arkansas. So that if a readjustment with Germany becomes necessary with regard to the amount of reparations she is to pay, another readjustment will be necessary with Italy in regard to the payments she is to make to the United States under this plan.

Mr. FESS. I think our commission very wisely has refused from the beginning to settle the obligation of any of these countries to us upon the condition that Germany is to pay any amount of reparations. I think that was a very wise decision on the part of the commission, because we do not want to become the collecting agency of these governments against any country.

Mr. WILLIAMS. Mr. President, will the Senator yield, so that I may interpose a question at this point with respect to German reparations?

Mr. FESS. I yield.

Mr. WILLIAMS. Does not the Senator from Arkansas understand that there is complete flexibility in the plan for the payment of reparations from Germany, and even though Germany might fail to make its next payment that will not absolve Germany from future payments?

Mr. ROBINSON of Arkansas. Certainly, Mr. President. The Senator from Missouri has indicated by his question that he has failed completely to grasp the significance of the questions I am asking the Senator from Ohio. The Senator from Ohio, I think, has fully comprehended my question. My point is that, taking the statement of the Senator from Ohio in response to my question, we are making a settlement by this bill which will possibly not be carried out for the reason that Italy's ability to pay depends in large part on Germany's carrying out the arrangement that has been made with respect to the reparations she shall pay to Italy, and if Italy does not receive the reparations contemplated from Germany, we will have to make a new settlement or revise our settlement with Italy.

Mr. WILLIAMS. Mr. President, I did not misunderstand the point made by the Senator from Arkansas, but my point was that the two things are quite dissimilar; that there is no relation between the two; that the settlement with Germany was a provident settlement; that time is not of the essence of that settlement; that if Germany fails to make a payment of reparations when the next one becomes due, it does not follow that she can not make the payment at a future time.

Mr. ROBINSON of Arkansas. I understand that perfectly, Mr. President.

Mr. WILLIAMS. And that there is no provision, under this settlement, by which Italy——

Mr. ROBINSON of Arkansas. Mr. President, the Senator from Missouri surely can see that if there shall be a reduction in the amount of the reparations Italy is to receive from Germany, the principal source from which Italy is to derive the funds with which to carry out the settlement with the United States, the settlement contemplated by the pending bill, which is the payment of reparations by Germany, as there necessarily must be if Germany proves unable to meet the payments generally, then Italy will expect a readjustment of her settlement with the United States.

Mr. WILLIAMS. No, Mr. President, I do not misunderstand that, if the Senator pleases. The settlement with Italy is an independent settlement. The settlement with Italy, so far as the report of this commission is concerned, is predicated upon Italy's ability to pay, without reference to what moneys she may receive from Germany through reparations under the Dawes plan.

Mr. ROBINSON of Arkansas. Mr. President, the Senator is mistaken. The Senator from Utah [Mr. SMOOT] said plainly in his speech to the Senate that Italy never could carry out this settlement if Germany defaulted finally in the payment of reparations due Italy under the plan now in force; that Italy must get the funds with which to carry out the settlement from German reparations. True, the commission did not embrace in the bill any provision relating to a modification of the settlement in case Germany should fail to pay Italy's reparations, but the Senator from Utah made it quite clear, and other Senators have done so, that the value of this settlement depends upon the amount of reparations which Germany shall pay to Italy.

Mr. SMOOT. Mr. President——

Mr. ROBINSON of Arkansas. I know it does not in contemplation of law. I understand the law in this particular. But in practical effect, if it be true that Italy can not pay the United States unless she collects reparations from Germany, then it follows that if the amount of reparations which Germany is to pay to Italy shall be permanently reduced the amount of the payments Italy will make to the United States will be correspondingly reduced, and we might just as well face the fact that we are making a settlement now which will probably have to be revised.

Mr. WILLIAMS. And in facing the fact it is just as well to have some knowledge of the plan to be worked out under the Dawes Commission.

Mr. FESS. I yield to the Senator from Utah.

Mr. ROBINSON of Arkansas. Just a moment. I do not know what the implication of the statement of the Senator from Missouri is. I assume that the Senator from Missouri does understand the Dawes plan, but for the purposes of this argument it is not material what the exact detail of the Dawes plan is. If it fails to work permanently, or if future circumstances prove that Germany is entitled to a revision of the amount of reparations she must pay, if in time we come to apply the same yardstick to Germany that we apply to Italy, everybody knows that German reparations will be reduced. If we compare the amount of the indebtedness which Italy proposes to pay by this settlement, for instance, during the first 10 years, taking into consideration also the amount she must pay to Great Britain, with the amount of reparations Germany is required to pay in the next 10 years, it will be realized that the measurement that has been applied in the case of Germany is totally different from that applied in the case of Italy.

Mr. WILLIAMS. Then my purpose was, though it may be that I do not know what we are talking about, to dissociate, if possible, the German reparation settlement and the proposed Italian settlement.

Mr. ROBINSON of Arkansas. I agree with the Senator that legally the two are dissociated, but I assert that actually and as a matter of practical advantage the two are inseparable in the way the matter has been presented to the Senate.

Mr. WILLIAMS. But the payments under the Dawes plan will proceed. Time is not of the essence of those payments. If they can not pay now, they must pay when they procure marks with which to pay.

Mr. ROBINSON of Arkansas. But if they never procure them, they will not pay, of course.

Mr. WILLIAMS. And if they do not procure them, they would not pay and should not pay.

Mr. ROBINSON of Arkansas. Certainly; and then there will be a revision of the German reparations, and in truth that is what the world may expect.

Mr. WILLIAMS. I do not want the Senator to understand that my position with reference to the Italian debt settlement is based upon Italy's ability to pay. I do dissociate the two things in my own mind. I regard the Dawes settlement and the plan worked out under that settlement as equitable not only to the creditor nations of Germany but equitable to the people of Germany. I am not impressed with the present ability of Italy to pay as an argument why the settlement should be made.

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

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

Mr. FESS. I yield.

Mr. REED of Missouri. I understand the Senator from Ohio wants to emphasize the point that the proposed Italian debt settlement is a settlement that is, in the opinion of the Senator from Arkansas [Mr. ROBINSON], one that is hard and fast; that we are basing it upon the ability of Italy to pay at this present time, and that hereafter if Italy is unable to pay she will not pay; but that in the German settlement, even if Germany is not

able to pay to-day or able to pay next year, she does not thereby escape. The French say to Germany, "If you can not pay to-day or to-morrow, you have got to pay ultimately, anyway, when you are able to pay." That is the difference between the Italian settlement and the German settlement.

Mr. SMOOT. The Senator is wrong in his conclusions, I will say.

Mr. WILLIAMS. I understand the settlement as made under the Dawes Commission plan is responsive to a well-defined, well-understood, sound economic plan and depends upon the ability of Germany to procure, not in Paris nor in London nor in New York, dollars or pounds or francs, as the case may be, but is based upon the proposition that she receives at the Reichsbank in Berlin gold marks with which to pay.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Ohio yield to me to ask the Senator from Missouri a question?

Mr. FESS. I yield.

Mr. ROBINSON of Arkansas. Does the Senator from Missouri think, or does he not think, that in effecting this settlement both the commission on the part of the United States and the commission representing Italy took into consideration the undertaking of Germany to pay reparations to Italy in determining the ability of Italy to pay the United States?

Mr. WILLIAMS. The only way I can answer that and the only information I have is from the press as to statements reported to have been made by Volpi when he returned from the United States and from Great Britain.

Mr. FESS. Mr. President, I shall have to decline to yield further except to the Senator from Utah [Mr. SMOOT], who has been trying for some time to secure my permission to interrupt. I yield now to the Senator from Utah.

Mr. SMOOT. For the RECORD and in order that the matter may be perfectly straight, I want to quote what I said on this question:

> The commission did not neglect to make a careful study of Italy's interest in reparations and its effect on her capacity of payments. Reparation receipts, of course, represent a new credit to Italy in her international balance of payments. Up to the present time Italy's reparation receipts have not been relatively very large. There is no doubt, however, but that they have been of substantial assistance in enabling Italy to balance her budget and restore economic equilibrium.
>
> Italy receives only 10 per cent of German reparations, against 52 per cent allotted to France and 22 per cent to Great Britain. To compensate Italy for the small percentage of German payments she was given 25 per cent of Austrian, Hungarian, and Bulgarian reparations. But Italy has been compelled to renounce practically all of these latter payments as her contribution to the reconstruction and restoration of her former enemy countries. She has received reparations in substantial amounts only from Germany. Up to August 31, 1924, when the Dawes plan went into effect, Italy had received 456,000,000 gold marks, all in the form of deliveries in kind, chiefly coal. Up to August 31, 1925, the end of the first Dawes-plan year, she had a credit on the books of the agent general of 66,000,000 gold marks, nearly all of which was applied to payment for deliveries of coal, coke, and allied products. Italy normally should receive 10 per cent of the Dawes-plan payments, but as prior to August 31, 1924, she received heavier payments than she was entitled to receive, her share is to be reduced during the next few years till the extra payments are absorbed. During the second Dawes-plan year, 1925–26, it is estimated that Italy will receive 84,000,000 gold marks; 1926–27, 77,000,000 gold marks; 1927–28, 127,000,000 gold marks; and 1928–29, 175,000,000 gold marks. It is expected that deductions from Italy's share will cease after 10 years, so that in 1935 and thereafter Italy should receive about 195,000,000 gold marks annually. When the normal yearly payments are reached, the distribution per capita of German reparations will be substantially as follows: Italy, $1.19; Belgium, $4.75; and France, $6.18. No one can deny that German reparations will largely provide Italy with the means of making the payments required under her debt settlements with the United States and Great Britain. This is a fact, whether we admit it or not.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator from Utah a question?

Mr. FESS. I yield for that purpose.

Mr. ROBINSON of Arkansas. If Italy is to derive from German reparations the funds with which to execute this settlement, and German reparations fail in whole or in part, does it not follow that Italy will default in the carrying out of this settlement?

Mr. SMOOT. I think if Germany defaulted wholly that it would be impossible, perhaps, for Italy to pay according to the terms of the agreement, but it does not relieve Italy of any obligation. At any time she is able to pay she has to pay. For instance, with reference to the situation as to Germany to-day, it is generally conceded that under the Dawes plan she will have to pay $10,000,000,000 to $11,000,000,000.

Mr. ROBINSON of Arkansas. How much does Germany pay during the first 10 years and how much does she pay annually?

Mr. SMOOT. I have not the list of payments here now.

Mr. ROBINSON of Arkansas. I mean the total reparations under the Dawes plan?

Mr. SMOOT. I have not that figure here now. I have the original amount that they were to pay, but I have not the later figures.

Mr. WILLIAMS. They pay $625,000,000 a year.

Mr. SMOOT. We must remember that all of the German prewar indebtedness was wiped out, and if she carries out the Dawes plan as contemplated and as generally understood she will have to pay about $10,000,000,000 to $11,000,000,000. France, of course, owes more than that to England and America, or approximately that with the interest added. Germany is more capable of paying her reparations than Italy is possibly capable of paying her indebtedness to the United States, not taking into consideration that she is owing England more than she owes the United States. But, of course, in the settlement the commission did not take into consideration that we were not going to get anything from Italy because of the fact that she was going to receive her reparations, but I do know that it will have a great bearing upon the ability of Italy to pay the United States.

Mr. ROBINSON of Arkansas. Does the Senator from Utah feel that the same test of ability to pay was made as to Germany in the Dawes plan that is being made as to Italy in the pending bill?

Mr. SMOOT. I think upon the same financial basis and based upon the ability of all of the countries to pay.

Mr. ROBINSON of Arkansas. Does the Senator think that Germany is as able to pay $625,000,000 a year in reparations as Italy is to pay the United States $5,000,000 a year in debts and Great Britain $20,000,000 a year in debts?

Mr. SMOOT. That, of course, is only the beginning, I will say to the Senator.

Mr. ROBINSON of Arkansas. The Senator does not pretend to say that it is practicable or possible now to measure the ability of Italy or any other country to pay 25 or 62 years from now?

Mr. SMOOT. No.

Mr. ROBINSON of Arkansas. The conclusion the committee reached was based entirely upon existing conditions.

Mr. SMOOT. No; not entirely, I will say to the Senator.

Mr. ROBINSON of Arkansas. Existing facts and conditions reasonably to be expected.

Mr. SMOOT. We have one settlement plan with a country that was absolutely impossible for it to carry out, and it had to ask an extension of time on $3,000,000.

Mr. FESS. Mr. President, I think I shall have to decline to yield further.

Mr. ROBINSON of Arkansas. I think the Senator from Ohio is entitled to resume his speech.

Mr. SMOOT. I apologize to the Senator from Ohio.

Mr. FESS. It is perfectly proper, because Senators have brought out phases of the discussion that I think every Senator wanted to hear.

Mr. SWANSON. Mr. President, will the Senator yield to me?

Mr. FESS. I yield.

Mr. SWANSON. This settlement has been invoked as being similar to the Dawes settlement, and it has been so claimed in order to give this settlement recognition and support in the country, but I think there is a difference between this settlement and the Dawes settlement. I would like to have the Senator explain if my impression is not true.

Mr. FESS. I would be glad to do that. Probably I was unfortunate in using my illustrative material.

Mr. SWANSON. Let us see if this is true——

Mr. FESS. Let me state it, and let the Senator see whether I am accurate or not. I had made the statement that certain things should be done in a debtor country and that the creditor country should be interested in those things being done. One was that the budget must be balanced. Italy has done that. The other was that obligations ought to be distinctly stated, and there I used the Dawes plan as an illustration.

Mr. SWANSON. My objection to the plan is that it is not in accordance with the Dawes plan. If I understand the Dawes plan correctly, it did not have anything to do with the ultimate payment that Germany had to make in reparations and it did not affect the $32,000,000,000 of reparations that must be cared for. The Dawes plan, as I understand it, determined the capacity of Germany to pay yearly. The Vice President deserves a great deal of credit for having effected

that plan. The Dawes Commission determined that Germany could pay so much yearly. It did not affect at all the ultimate payment that Germany ought to make. The payment of $32,000,000,000 was not affected by the Dawes plan.

My objection to the Italian debt-settlement plan is that it fixes the annual payments at so much a year, and at the end of 62 years the debt is canceled. That is the difference between this plan and the Dawes plan. The Dawes plan provides for $600,000,000 a year, and leaves the question of ultimate payment to the developments of the future.

Mr. FESS. I think I shall have to decline to yield until I make one or two statements, because I do not want this speech of mine to be made by my colleagues.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield just a moment?

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

Mr. FESS. I must decline to yield, and I do so as genially as the Senator asked me to yield.

Mr. ROBINSON of Arkansas. I think the Senator from Ohio has been very generous.

Mr. FESS. As I recall, the Dawes plan was based upon four fundamental principles that are easily understood when clearly stated. The first one was that Germany must subject herself to as heavy taxation as the Allies. In other words, she can not decline the payment of reparations and at the same time refuse to adopt a rational taxation system. That is the first principle, and Germany acceded to it.

The second principle was that the Allies must be willing to loan $200,000,000 of actual specie as a basis for a new issue, that the depreciated mark might have substituted for it a mark that is worth its face value, because it would be redeemable. It was not only provided that the specie must be actually delivered, but it had to be delivered by the Allies, because the Allies must be interested in the restoration of Germany or she would not be restored. That was the second provision. The United States not only agreed to loan 50 per cent of the entire amount, but when she agreed to loan $110,000,000 of the $200,000,000, it was oversubscribed, I understand, thirteen times in about as many minutes.

The third provision was—and this is what the Senator from Virginia had in mind—that Germany, with those conditions established, must be willing to pay to the extent of her ability the reparations that had been stipulated.

Mr. SWANSON. The Senator is mistaken about that.

Mr. FESS. The fourth item was that with those conditions met, France must be willing to evacuate the occupied portions of German territory.

Mr. SWANSON. My contention was that the Dawes plan simply fixed the amount of yearly payments. The ultimate payment was not affected at all by the Dawes plan. I say the trouble with the present proposed plan is that it fixes the ultimate payment which it is said is necessary for Italy, and does not say it is necessary for Germany. I am willing to vote for the settlement if it shall be confined to yearly payments, and let the ultimate payment in 62 years be on the basis of the Dawes plan with reference to the future payment by Germany.

Mr. FESS. We are not going to dispute about what is the opinion of the Senator from Virginia. It is only the opinion that I am expressing that I want to get before the Senate, and I have stated that. I use that illustration as evidence of the wisdom of our definitely specifying Italy's obligation to us, and I repeat that until settlement is made, so that Italy shall know what her obligation is to be, there is no economic recovery possible in Italy to the fullest extent.

The third view that I have is that our ability to collect the debt will largely depend upon the progress of Italy and her ability to secure necessary liquid capital, for she does not possess it herself, and everybody is aware why she does not. It must depend upon her ability to get credit from other countries, and ours is the country from which it is possible for her to obtain credit. Until Italy has made her stipulation to pay, so long as there is anything uncertain about the fulfillment of her governmental obligation there is no possibility of private capital going to Italy.

For that reason it is to the interest of Italy first, and to our interest indirectly, that Italy be met on the basis of her ability to pay and that the contract be closed. She has balanced her budget, which is good. We are to specify definitely what she is to pay, which is wise. Then private capital will ultimately flow into Italy to reinvigorate her industries and enable her to produce and sell in order that she may have the wherewithal with which can pay the debts which she owes. It seems to me that those propositions are fundamental, and two of them depend upon our action.

The Senator from Arkansas raises a question now of Italy's ability and purpose to pay. We have no purpose to involve the payment of German reparations as a condition to receiving our payment, but it is true that if reparations are not paid, small though they be—for only 10 per cent of the reparations to be paid will go to Italy—it goes without saying that Italy's ability to pay her debt in that degree is going to be crippled. Nobody wants to deny that, but we do not take England's view. Italy owed to England a much larger debt than Italy owes to us, yet England settled the debt at a much less figure than is called for by our settlement with Italy and wrote into it a condition making it dependent upon the payment of German reparations. We did not do that, and I do not think it would have been wise for us to have done so, for the reason, as I said a moment ago, that we as a Government are not going to become the collecting agency of any government in Europe. The considerations which I have mentioned, it seems to me, ought to argue very strongly here for the expedition of this proposed legislation.

The Senator from Arkansas also suggested that we shall have to revise this settlement. That may be, but that is no reason at all why we should not make the settlement now. It seems to me it is an argument that we ought to make the settlement upon the data that we have at hand as to the ability of Italy to pay; and if a revision is impelled by considerations that may develop later, we shall meet that question when it arises.

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

Mr. FESS. I yield to the junior Senator from Utah.

Mr. KING. Of course, if any of the nations which are debtors to the United States are dependent for meeting their obligations to us in part upon the payments received from Germany, then the same principle would apply to France and to England, and there might be a temporary revision from year to year to meet the contingencies which possibly might affect the payments from those countries.

Mr. FESS. I thank the Senator for that observation. What he has stated is absolutely true.

Mr. KING. I agree with the Senator that that ought not to be a reason for failing to enter into this settlement.

Mr. EDGE. Mr. President, It does not make the settlement less desirable, because it may be necessary to revise it; in fact, it makes it more desirable, I should assume.

Mr. FESS. That is true.

Mr. SMOOT. Mr. President, the bill itself provides for that. It provides that whenever a country can not pay one year, upon a certain length of notice it may be excused from paying for a period of two years.

Mr. FESS. Mr. President, there is another consideration that appeals to me immensely in reference to this particular settlement. That is the character of taxation that Italy has adopted and from which her people are now suffering. Some of the governments in Europe, as I suggested a moment ago, have tried to avoid heavy taxation. They have avoided it to a point where it has become a subject of very severe criticism from this side of the water from those who are creditors of those nations. However, that is not the case as to Italy. It seems to me that her taxation system is tremendously burdensome; in other words, every conceivable source of revenue that the Italian Government can find has been sought out, and taxation is so heavy that I wonder how the people get along under the burden. Consider our own system of taxation. Mr. President, if the exemptions in our income tax law should be applied to Italy and salaries and incomes below that exemption were not subject to taxation in that country, there would be more taxpayers—and I want the Senate to get this—there would be more taxpayers having incomes above the exemption in the city of Chicago alone than in the entire Kingdom of Italy. In other words, their taxation is so burdensome that it goes into the very recesses of every source of wealth.

Mr. President, we are the first country in all the world in agriculture. Italy is way down on the list, because she is very poor in agricultural ability. She can not produce the food she needs, and any country that must buy the necessaries of life in order to subsist is in an unfortunate situation, unless that deficiency can be recouped in some other way.

Mr. COPELAND. Mr. President——

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

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

Mr. COPELAND. In that connection has the Senator called attention to the large purchases of the products of the farm made by Italy from the United States?

Mr. FESS. I have not done that; but the Senator from Utah [Mr. SMOOT] covered that subject and did so in a very exhaustive manner, and presented comparative figures.

Mr. COPELAND. It seems to me, Mr. President, that it would add strength to the argument of the Senator if at this point the fact were brought out that last year Italy bought from the United States $91,000,000 worth of cotton, $26,000,000 worth of wheat, $8,000,000 worth of oil, $28,000,000 worth of copper, all from the fields and mines and wells of this country.

Mr. FESS. I did not repeat those figures because they were dealt with exhaustively by the Senator from Utah the other day; but they are very pertinent, I will say to the Senator from New York.

Mr. President, I was about to say that in transportation facilities and their extent we are the first country in all the world; we are first in mining and manufacturing of all the nations of the world, and we are first in our banking resources, having about three-fifths of the banking resources of the entire globe. We are also first in managerial ability and in the organization of industry, and first in the initiative of labor. In other words, America does not only possess all the basic elements at the bottom of great material wealth, but is first in every single one of them. Italy is a country that is away down in rank in all of these basic elements, and she owes us a tremendous amount of money; one-tenth of her total wealth is owing to us in cash. Due, I believe, to the obligation we owe to the citizens of America, we can not give such an amount of money to any country; we have got to regard the debt as an obligation which must be respected, and we are proposing by the pending settlement bill to have every dollar of the principal paid; but when it comes to paying the interest, stretching over 62 years, in the face of Italy bending under her system of taxation in order to make her budget balance, resorting to every element of industry in order to produce to the maximum, cutting to the very bone in her expenditures, and at the same time respecting her obligation, the question comes to me, Shall we make a concession in the interest charge?

The settlement now under consideration provides for the payment of 100 per cent of the principal. We conceded to Great Britain 17 per cent of the interest; but the pending proposal is to concede to Italy a much larger percentage than to Great Britain, and I think it is justified. I shall not for a moment hesitate in voting for the proposal, and I shall do so as one who was in Congress when the loans were made, with the understanding that they were never to be considered a gift, but that they were to be considered an obligation, sacredly regarded and to be repaid. I was one who wondered why we should not enter into specific stipulations at the time, but was convinced, under the leadership of Woodrow Wilson, that that was not the time for us to make such terms. I do not think now it lies in the mouth of any Member of the Senate to say that we ought, after eight years, to quibble about what the terms shall be, but that the settlement should be based on the ability of the Government to pay. Anything else is unwise from the standpoint of America and would be unwise from the standpoint of the debtor country.

MATERNITY AND INFANCY ACT

Mr. SHEPPARD. Mr. President, unless some Senator desires to discuss the Italian debt settlement bill, it is my intention to speak very briefly on another matter.

Mr. President, recently I addressed inquiries regarding the work under the maternity act to the proper authorities in cooperating States, and asked permission in an address before the Senate on this act to append the replies and the summaries of the work in these States, as a part of my remarks, with the headings I had supplied. That permission was granted by the Senate. I had not at that time assembled the replies in proper shape for publication. They are now ready, and I present them for insertion in the RECORD as a part of my remarks.

I asked these State agencies also for a few copies of letters which they might have received from mothers who had experienced the benefits of the act, or from others who had observed its operation. Quite a number of these were sent me, and I shall be glad to show them to anyone desiring to see them. On account of the large number, I shall not ask to place them in the RECORD at this time. I may read some of them to the Senate later.

It is hardly possible to examine these replies and summaries from State agencies and these letters of comment without an increasing appreciation of the importance and the necessity of this work. The replies and summaries I present cover the work of the 43 States and of the Territory of Hawaii, cooperating with the National Government under the maternity and infancy act.

As to the present status of the measure, let me add that, after consultation with the Budget Bureau and the President, the Secretary of Labor transmitted to Congress a recommendation for the continuation of the appropriations under the maternity act for two additional years. The act itself is permanent legislation. The appropriations, however, when the act first passed in 1921, were limited to five years, beginning June 30, 1922. The bill authorizing further appropriations passed the House a few days ago by the overwhelming vote of 218 to 44. It came to the Senate, and was referred to the Senate Committee on Education and Labor. I understand that this committee has voted adversely on the bill. It will be brought before the Senate, however, for discussion and decision during the present session.

I again ask permission to insert the replies and certain summaries in the RECORD as a part of these remarks.

The PRESIDING OFFICER (Mr. KING in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

ALABAMA

ALABAMA STATE BOARD OF HEALTH,
Montgomery, March 3, 1926.

Senator MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your circular letter of February 19, I am giving you the following summary of accomplishments in Alabama through activities under the Sheppard-Towner Act and inclosing a few excerpts from the narrative reports of the 28 nurses who are employed under this act.

The per capita expenditure for activities in the interest of maternal and infant hygiene has increased from 0.0056 in 1921 derived from State and Red Cross funds to 0.0204 in 1925 derived from State and Federal funds.

Alabama was admitted to the United States death registration area for 1925 on a test of 1924 records. A test of birth registration is under way.

Prenatal supervision of expectant mothers has been undertaken in 28 counties, together with an educational program covering the hygiene of infancy and preschool-age children. The practice of midwifery has been brought under control in these counties.

Very truly yours,

JESSIE L. MARRINER,
Director Bureau of Child Hygiene and Public Health Nursing.

ARIZONA

PROMOTION OF THE WELFARE AND HYGIENE OF MATERNITY AND INFANCY, STATE OF ARIZONA,
Phoenix, March 8, 1926.

Hon. MORRIS SHEPPARD,
United States Senate Office Building, Washington, D. C.

MY DEAR SENATOR: Your letter of February 19 was received in due time. Please pardon the delay in answering it, but some of the material which I wished to include was not available.

Herewith I am sending considerable material in the shape of reports and copies of letters, and you can use such of it as seems adapted to your purpose. In making copies of the letters I have not attached the names of the writers. Since these letters were written to me in strict confidence, I do not feel at liberty to reveal the identity of the writers. I am, however, quite willing to make affidavit as to their correctness and authenticity and the fact that the originals are in the files of this office.

Please be assured that I am very grateful for your interest and cooperation in endeavoring to secure a continuation of the Sheppard-Towner program.

Sincerely yours,

Mrs. CHARLES R. HOWE,
Director Child Hygiene Division.

ARKANSAS

ARKANSAS STATE BOARD OF HEALTH,
BUREAU OF CHILD HYGIENE,
Little Rock, March 26, 1926.

Senator MORRIS SHEPPARD,
Washington, D. C.

MY DEAR SENATOR: Your letter of February 19 which was sent to Doctor Koenig would have had more prompt attention, but Doctor Koenig was in the field, which may account for part of the delay.

I do not believe any intelligent person who is reasonably well informed regarding the operation of the Sheppard-Towner Act in Arkansas would hesitate to say that it has been accepted with enthusiasm and has met a very urgent need.

You will also find a copy of the "Arkansas Family Series," under separate cover. Reference is made to it in many of the letters, so we

send it in order that you may see what type of literature is being published and distributed as a result of this act.

The Arkansas Medical Society has approved the Sheppard-Towner Act and has indorsed the State board of health in its administration of same.

We are very grateful for your efforts in securing public health and welfare legislation, and we hope that you will be successful in establishing the Sheppard-Towner Act as firmly as are some of the agricultural subsidized acts.

Very respectfully,

STATE BOARD OF HEALTH,
Bureau of Child Hygiene.
By C. W. GARRISON, M. D.,
Special Agent, Children's Bureau.

CALIFORNIA

CALIFORNIA STATE BOARD OF HEALTH,
BUREAU OF CHILD HYGIENE,
San Francisco, Calif., March 3, 1926.

Hon. MORRIS SHEPPARD,
Member United States Senate,
Committee on Irrigation and Reclamation,
Washington, D. C.

MY DEAR MR. SHEPPARD: I take pleasure in sending the material which you have requested from women of the rural area of California. I have included a number of letters coming from different small towns showing how widespread the appreciation of the opportunity developed under the Sheppard-Towner Act.

I inclose, too, a brief statement which we have prepared of the work which has been accomplished during the past three years in California.

Upon receipt of your letter I wrote to various health officers and others in the State who have been closely connected with maternity and infancy work in California, asking them for an expression of opinion as to the value of the work in their communities. When I receive these answers I shall take pleasure in forwarding them as well.

We are looking forward with every hope to the continuance of the Sheppard-Towner bill over a longer period, knowing that it has stimulated many local communities to work on their own behalf and that with longer time we may show material results in our maternity and infancy mortality rates.

Sincerely yours,

ELLEN S. STADTMULLER, M. D.,
Director.

CALIFORNIA ACTIVITIES UNDER THE SHEPPARD-TOWNER ACT

Administrative agency: State board of health, bureau of child hygiene.

Staff: Director, physician-lecturer, supervising nurse, 2 maternity-home inspectors (nurses), 4 clerks (1 vital statistics), 18 public-health nurses in 12 counties, on part pay from Sheppard-Towner funds.

Activities up to December 31, 1925: The State nurses supervised the work of the field nurses for maternity and infancy. These field nurses have organized 56 permanent and 14 temporary health centers, in which 40,412 children have been examined. (These figures include some but not all of the children examined during the preschool campaigns.)

Dental conferences and little mothers' classes have been held in a limited number of localities.

State survey of midwives: Three hundred and fifty-six found, of which one hundred and eleven were licensed to practice.

State physicians have examined children in the past year, using this means to stimulate interest in permanent child-health centers and to launch new work of this kind. Lectures to organizations to fill demand for educational work. One physician constantly employed, speaking on child hygiene to groups of men and women, reaching over 10,000 people in the past year. These talks occasionally precede or follow child-health conferences. Prenatal round tables also offered. Sets of prenatal letters have been prepared. These were first distributed to 5,500 physicians of California. Up to the present time 8,678 sets have been sent to mothers.

Inspections: In September, 1925, the bureau of child hygiene assumed the work of inspecting maternity hospitals and homes, making recommendations to the State board of health for license. There are 353 known institutions to be visited. New homes are constantly springing up. This offers a large field for prenatal education and improvement of confinement care.

Educational exhibits have been arranged at fairs, food shows, in well-baby weeks, and in connection with women's organizations.

Eleven new pamphlets have been prepared; 314,877 pieces of literature have been distributed, making an average of 8,745 a month for 36 months.

COLORADO

COLORADO CHILD WELFARE BUREAU,
DEPARTMENT OF PUBLIC INSTRUCTION.

Senator MORRIS SHEPPARD,
United States Senate, Washington, D. C.

SIR: We understand a bill for an appropriation for the years 1928 and 1929 for the extension of the maternity and infancy act is now before Congress and that the Committee on Interstate and Foreign Commerce of the House of Representatives has already granted a hearing to the supporters of the bill.

Knowing you to be coauthor of the maternity and infancy act, we are writing you to place before you the benefits of this work to Colorado that you may use the information when the bill comes before the Senate.

Before this Federal act went into effect the only work done in Colorado for mothers came under the mothers' compensation act, which in no way covers the ground of the maternity and infancy act, but does go to show our legislators were alive to the fact something had to be done for the mothers in this State. Since the passage of the maternity and infancy act Colorado had written into its statutes a "maternity act" which seeks to provide for a mother six months before the birth of the child until six months after. This maternity act is part of the dependency act of 1923 and is for the sole purpose of relief. This law does not provide for the big, broad, educational work of the Federal act. It reaches the particular individual at a crisis but does not teach our young women the glories of perfect motherhood nor bring to their consciousness the miracle of bringing into the world a healthy, happy child in a healthy, happy way as is taught under the maternity and infancy act.

The spirit of the Federal act is to give to the prospective mother knowledge of herself and the needs of the coming child. We have tried to carry this out in Colorado. Through the courtesy of the Woman's Farm Bureau of the Colorado Agricultural College we have given classes in prenatal infant and child care to the farm women. Other women in the rural communities have been gathered together through the various church aid societies, parent-teacher associations, and women's rural clubs and given lessons on maternity hygiene. Lack of knowledge along these lines is appalling. The consequent mistakes, heartaches, and tragedies are even more appalling.

A most outstanding angle of maternity work in Colorado has been in giving the services of a gynecologist to rural communities. The women on our dry lands as well as those in the mountain districts are seldom able to go to a specialist for examination. They do remarkably well to keep the current family doctor bills paid up. There is always the great drawback of shyness or timidity in having the local doctor make the examination. Whatever the cause of past carelessness in seeking knowledge of themselves we find these women extremely keen to learn the reason of their constant pain and ill health from the gynecologist. In one little town of about 600 population 19 women were examined by this woman specialist. There were three prenatal cases in almost completed term who had not yet seen a physician regarding their condition and only expected to call one in in case of an emergency. The other 16 cases were the results from injuries from childbirth, barrenness, depletion through having so many children under unfavorable circumstances, tumor, cancer, etc. After the examinations the follow-up nurse from the bureau made contact with physicians regarding the cases whenever the patient would allow her to do so. Before the week ended the prenatal cases had all been arranged for and one woman had gone into Denver to her old family physician for an operation for carcinoma. She also established "mother's classes" in the town. This work with the mothers as individuals is the heaviest educational work done in the maternity and infancy division of the bureau, but at the same time the most appreciated by the women themselves.

In our maternity and infancy health conferences we found great numbers of adolescent girls developing goiter. It developed that goiter in women and children exists to a startling degree in large areas in our State. Babies as young as three months old were found to be afflicted. Through heavy publicity in every locality visited by the health conference goiter and its prevention became a subject of common concern and preventative measures have since been adopted in all these communities.

Another important maternity and infancy activity is our campaign on breast feeding. The good done in training mothers in the care and feeding of infants is inestimable. Our feeding cases have been countless owing to outstanding programs on diet for the mother and the child.

The greatest friends to the maternity and infancy work in Colorado are the doctors. It is only when they are in favor of a program that we go into their community. They have been our stanchest friends and most constant supporters.

Inclosed are copies of some letters from a few of the leading physicians in the rural sections of our State showing their attitude toward our endeavors to help mothers and their children.

Maternity and infancy work is bound to grow and grow. It is popular, humane, and of vital necessity. There is a real place for all its activities in Colorado, and Congress will surely see that it continues. One can not picture a single Congressman who would not give to the women of his State the advantage of every bit of knowledge that would make of her a more perfect mother.

In our printed report of 1923–24 you will find a summary of the number of conferences, established stations, classes for mothers and

girls, and the number of children examined. The gynecologist and the better rounded clinics have been developments of the work of 1925 and 1926.

With a firm belief that Congress will be friendly toward this great boon to womankind, I am,

Most sincerely yours,

ESTELLE N. MATHEWS,
Executive Secretary.

DELAWARE

PROMOTION OF THE WELFARE AND HYGIENE OF MATERNITY AND INFANCY, STATE OF DELAWARE,
Dover, Del., April 13, 1926.

Hon. MORRIS SHEPPARD,
United States Senate Building, Washington, D. C.

MY DEAR SENATOR SHEPPARD: In replying to your letter inquiring as to the value of the Sheppard-Towner funds assigned to the State of Delaware, it is my great pleasure to state that through this fund a great many babies' lives have been saved. While the death rate compared with other States' death rate is still high, nevertheless there has been a steady decline from a much higher death rate.

Through these funds one of the most valuable educational services has been performed, namely, convincing a more or less reluctant public that a small State like Delaware had a serious problem in high maternal and infant deaths, and that the remedy was procurable through public funds. The dissemination of health education can not be overestimated. At the State health centers physicians and public-health nurses hold weekly conferences, and the public-health nurses visit the homes of every known prenatal case and deliver birth certificates to all new-born children. These visits are always accompanied by valuable information and instruction. The service is state-wide, includes the city of Wilmington, and therefore leaves little opportunity for missing any mother or child.

Those of us who know Delaware conditions know that the Sheppard-Towner funds are just beginning to function satisfactorily for the further decline in maternal and infant deaths. Undoubtedly it would mean a great sacrifice in the lives of mothers and babies to have this fund unavailable after the five-year period, and it is to be hoped that Congress may see fit to continue this fund for a longer period in order that the gains made during the past five years may be permanent gains.

It is well recognized in Delaware that the mothers of the State appreciate the value of the work that has been possible through the Sheppard-Towner funds. During a recent session of the legislature, when it seemed that a reduction in the State appropriation was pending, the mothers of Delaware from the northmost to the southmost boundaries flooded the senate and house with personal appeals for the appropriation.

Delaware mothers and babies still need this help. May your good offices, Senator SHEPPARD, which have been so successful and meritorious in the past in promoting this national life-saving purpose, again serve this State and your country in furthering so worthy a cause.

Very sincerely yours,

MISS MARIE T. LOCKWOOD,
Supervisor of Public Health Nurses and Midwives.

SUMMARY OF WORK IN DELAWARE

Administrative agency: State health and welfare commission.

Staff: Director (nurse, part time), 13 community nurses (part time), 2 clerks (part time), 1 milk inspector (part time), 1 sanitary engineer (part time).

Activities: Child-health conferences, 797, at which 21,028 examinations were made. Continued corrections were obtained in every locality. The interest and cooperation of parents are increasing.

Prenatal conferences, 93. The number of women attending was not recorded.

Midwives' classes: Eleven class groups with an enrollment of 392. Two state-wide meetings attended by 182 midwives were held. Improvement in reporting births has been noted, also in the midwives' standards of personal hygiene and their use of equipped bags. Many who were inefficient have ceased to practice. The supervision from the State department has reduced the number of unlicensed midwives and brought about an improvement in those practicing.

Mothers' classes, 5, with 20 women attending.

Little mothers' classes, 2.

Nutrition classes, 1.

Community demonstrations, 2.

A better milk supply was made the object of some campaign work.

New permanent child-health centers established, 4. The centers have weekly conferences in rural districts and daily ones in city locations.

Volunteer assistance was given during the year by 3 physicians and approximately 30 lay workers.

Lectures and addresses by staff members, 90.

Exhibits: Graphs, charts, and exhibit material have been prepared for use at clubs and fairs, and films have been shown frequently.

Literature distributed: Several hundred Federal bulletins have been used each month, and a State health bulletin was printed and widely used.

Home visits: Fourteen thousand eight hundred and fifty-six have been made. Demonstrations of the proper selection and preparation of food has been an especial objective.

FLORIDA

STATE BOARD OF HEALTH,
BUREAU OF CHILD WELFARE AND PUBLIC HEALTH NURSING,
Jacksonville, April 7, 1926.

Hon. MORRIS SHEPPARD,
United States Senator,
Senate Office Building, Washington, D. C.

SIR: Replying to your letter of March 25, re: Sheppard-Towner work in Florida.

July 1, 1922, this work was begun with an appropriation of $3,000 Federal money matched by Florida Legislature with $3,000 State money. Four nurses (three white and one colored) were employed, and a state-wide program was planned and put in operation.

1923: Legislature in regular session matched the entire Sheppard-Towner appropriation for the State, which is $11,531.72.

1924: As a result of work accomplished by division of maternal and infant-hygiene staff, five extra nurses were added to the staff to work with school children.

1925: Two field supervisors were added, these to assist the director in giving an advisory and supervisory service to the rapidly increasing number of public-health nurses employed by organizations, industries, communities and counties, our desire being that no matter what the plan of work undertaken a program of Sheppard-Towner work should be carried on also.

1922: There were 16 nurses employed by counties, communities, and industries in the entire State.

1926: There are now 108; and while we can not claim that this increase is all due to the Sheppard-Towner work inaugurated in 1922, a large part of the increased interest and desire for continuous work in their respective counties has been due to the work done by the Sheppard-Towner nurses on their periodic visits.

Inclosed please find reports covering the work in Florida from its inception in 1922 to December 31, 1925. I am having some letters written you directly by people who have followed the work and can speak with authority about its value.

Assuring you, sir, of my appreciation of your interest, I am,

Respectfully,

LAURIE JEAN REID, R. N.,
Director Bureau of Child Welfare and Public Health Nursing.

Administrative agency: State board of health, bureau of child welfare and public-health nursing.

Staff: Director (nurse), 7 nurses (1 part time), 2 clerks (1 part time), 1 auditor (part time).

Activities: Child-health and prenatal conferences: One hundred and twenty-eight conferences for white children, with 2,326 examinations made; 48 for colored children, with 3,147 examinations made. At the conference 1,366 white mothers and 1,402 negroes were given instruction on prenatal care.

Midwives' classes: There were 134 class meetings for white midwives and 358 for colored. Altogether 2,902 midwives received instruction and 2,024 completed the prescribed course and received "certificates of fitness." Most of the undesirable midwives have ceased practicing. The follow-up work when a midwife reports stillbirths is having an excellent effect upon the work and the attitude of the midwives, and physicians are being more promptly called if abnormalities or unusual difficulties are to be dealt with.

Neighborhood institutes: In place of the usual mothers' classes it has been found advisable to hold a more informal kind of meeting, termed "neighborhood institutes," in order to obtain the desired attendance and arouse the interest of the women whom it it is the aim to reach. Over 600 such meetings were held, more than half of them being for negroes:

The method of procedure was as follows:

The nurse who has to make a demonstration of maternity and infancy work first sought out a woman willing to offer her house for the occasion. The woman herself invited friends and neighbors, being left in control of the matter of whom might attend, unless she asked the nurse to extend invitations. The mothers were instructed in prenatal, postnatal, and child care. If possible more than one meeting of the same group is held. The nurse began her talk on preparation for confinement by telling the assembled women that she wished to help them to learn to improvise in order to save money. She showed them how to use material things at hand, even the contents of the rag-bag, in their preparation before the suggestion was made of expending a single penny. This proved more productive of results than permitting the nurse to carry with her an equipment whose very excellence discouraged mothers who could not afford one so complete.

During one month a different type of neighborhood institute from the one generally held was conducted in two counties. Several points in each county were covered, the same program being conducted in each place. In addition to the State nurse, who talked on maternal and infant hygiene, these institutes were attended by the county nurse, who talked on home hygiene and sanitation; the home demonstration agent, who talked on the family wardrobe; the county nutrition worker, who attended to the details of the noon meal during which the women were taught food values and proper menues for a well-balanced diet; and the county welfare worker who gave talks on household economics.

Dental clinics, 38, of which 9 were for negroes.

Demonstrations, 6: These were made in connection with local activities, such as well baby conferences, local fairs or celebrations, and the demonstrations covered feeding of infants, preparation and care of maternity cases, the use of silver nitrate in the eyes of the newborn, preparations of material to be used, such as solutions, pads, etc.

New permanent child-health centers established, 10.

Campaigns: During negro health week and the first week of May, a special campaign was carried on to interest parents in the periodic examination of infants and preschool children. Constant efforts have been made to improve birth registration, more than 1,000 unreported births being recorded and birth certificates issued.

Lectures and talks by staff members: 705, to both white and colored audiences in rural and urban localities. Films were shown by the movie truck in 49 rural districts before audiences totaling approximately 10,500 persons.

Literature distributed: About 10,700 copies, such as mothers' manuals, midwives' manuals, and bulletins on the feeding of children, and 7,430 pieces of miscellaneous material were distributed during the last half of the fiscal year. The number of the first half year was not reported.

Maternal and infant hygiene work is gradually being made a part of the work of the county and community nurses, and is regularly so done in 10 counties. The beginning was made by having them assist the State staff in conferences and in reporting conditions found.

GEORGIA

PROMOTION OF THE WELFARE AND HYGIENE OF MATERNITY AND INFANCY, STATE BOARD OF HEALTH AND UNITED STATES DEPARTMENT OF LABOR CHILDREN'S BUREAU, COOPERATING, STATE OF GEORGIA,

Atlanta, Ga., March 2, 1926.

Hon. MORRIS SHEPPARD,

United States Senate, Washington, D. C.

DEAR MR. SHEPPARD: We would like for you to know what we think about the Federal aid given Georgia under the Sheppard-Towner Act. We think Congress should have expressions from the States as to what has been accomplished under the law. It is perfectly natural and commendable in our lawmaking bodies to take an inventory and find the results of appropriations made.

Immediately after the act was passed Georgia accepted it through Governor Hardwick. We immediately proceeded to get an organization for the purpose of carrying out the intent of the law. We had valuable advice and assistance from Washington, and a director for the work was loaned us for a short time.

I feel sure that every State has its own local problems, its own peculiar situation, its own most urgent need. Our State is about 80 per cent rural, with 161 counties and 3,000,000 people. We have a baby born in this State every seven minutes. We found that 11 of them died the first day; that one-third of all deaths in all ages were children under 15 years of age; that 10,215 were under 5 years, or 88 per cent of the total.

We found that of the 69,000 babies born each year 33,000 of them were born without a physician being present. We have about 5,000 negro midwives, many of them not able to read and write, firm believers in many superstitions, charms, etc. This we consider perhaps our greatest problem.

To do a good job the expectant mother had to be reached and educated, as well as the midwife. The unvarnished facts were laid before the State Medical Association, and the house of delegates passed a resolution asking us to take charge of the situation and prepare regulations for midwives and proceed to give them the necessary training. The regulations were prepared, as well as a set of 10 lessons, for midwives. These were submitted by the president of the medical association to the counselors by mail, and they were requested to vote "yea" or "nay." They passed the regulations. Therefore it will be seen that the regulation of midwives is a medical association act; we simply administer it for them.

To reach the rural mother (black and white), we put in the field the healthmobile manned (or rather womanned) by a woman physician, a nurse, and a director of visual education. The State supervisor of nurses is the advance agent, and goes into a county some two weeks in advance of the unit, makes all necessary arrangements and contacts, always getting the county medical society in line first, taking their advice, and next the superintendent of schools. This conference decides who will sponsor the work in the county, either the P. T. A., woman's club, or some other association of women. The program for each day is practically the same: Mothers' conference, examination of babies, midwives, expectant mothers, and each evening a public meeting, at which a talk is given on sanitation, health, and the necessity of the examination of expectant mothers and the supposedly healthy babies, the remainder of the evening being spent with the movies on health—the healthmobile being equipped with generator for lights and two picture machines.

We follow up our contacts with visits by nurses in the home. Everywhere we have been gladly received and have had many requests for return visits.

We now have 18 nurses on our staff. In addition to the county work, we instruct midwives, conduct mothers' classes and little mothers' leagues. The average county requires about six weeks for the itinerant nurse. The larger counties require her services continually, as we try to organize clinics for both the mothers and babies. Children's health centers are permanent organizations. We are endeavoring to have Georgia children physically fit when they enter school.

We manufacture and distribute to the physicians and midwives 1 per cent solution of silver nitrate for the prevention of blindness. It is a misdemeanor for one who attends a woman in labor not to put this solution in the baby's eyes. By the use of this we hope to reduce blindness 50 per cent in our State.

I might mention that in one instance the work of one of our negro nurses has reduced the negro mortality in her county among infants and young children 52 per cent, and that we employ three negro nurses, besides having been loaned the services of a negro woman physician.

I am requesting some of our people who are familiar with the work in Georgia to give you their opinion direct. I hope this will not burden you too much; I feel that this letter direct from the citizen to you is better than my editing their opinions and expressions. I am also taking the liberty of sending you under separate cover several annual reports of the State board of health, the statistics therein having been compiled by one from your own State—Dr. William A. Davis.

One of our greatest handicaps is the limited franking privilege.

Please request us for any information that we have not given or anything that we can do to secure the continuation of the Sheppard-Towner law. The value of the work in our State can not be placed in dollars and cents but in the lives of mothers and children and in the years to come a citizenship fit to labor and produce.

Yours very truly,

JOE P. BOWDOIN, M. D.,
Director, Division of Child Hygiene,
Special Agent, Children's Bureau.

HAWAII

BOARD OF HEALTH, TERRITORY OF HAWAII,

Honolulu, March 12, 1926.

Hon. MORRIS SHEPPARD,

United States Senate, Washington, D. C.

MY DEAR MR. SHEPPARD: As one of the originators of the Sheppard-Towner maternity and infancy act, you would be interested to know what this appropriation means to mothers and little children of many races here in Hawaii. The Territory has had the benefit of this Federal assistance only since last summer, but the remarkable rapidity with which the work has progressed in so short a time indicates the need it has met and the appreciation with which it is received.

In seven months 51 health centers have been established in the rural districts of Hawaii. More than 2,000 children are already enrolled in these health centers with a monthly attendance of about 1,500. This rapid progress is the result of the cordial cooperation which we have received everywhere. Plantation managers welcome our work and cooperate because they know it to be sound from a business standpoint. Sick babies mean laborers away from work. Physicians are generously giving their time to take part in the work. In rural Hawaii physicians are responsible for districts with enormous population, so they realize the value of preventive as well as curative medicine.

To our health centers come babies and mothers of every race. Interpreters are necessary in many cases, but a desire to give the best care to little children seems to speak a universal language.

In the beginning people asked me how we should get them to come, but one of my nurses said to me recently, "Soon we will have to ask you how to keep them from coming; if the numbers continue to increase as they have done it will be difficult to be as thorough as you insist we must be to be effective."

Yours very truly,

V. B. APPLETON, *M. D., Director.*

IDAHO

STATE OF IDAHO, DEPARTMENT OF PUBLIC WELFARE,
BUREAU OF CHILD HYGIENE,

Boise, Idaho, March 18, 1926.

Hon. MORRIS SHEPPARD,

Senate, Washington, D. C.

DEAR SIR: We have your letter relative to the activities of the Sheppard-Towner work in Idaho. As I have been connected with the work since its beginning in the State your letter has been referred to me,

Prior to the enactment of this law the Bureau of Child Hygiene had never received any money from the State. It was a department in name only. The last two legislatures have each appropriated $5,000 for this bureau. While this amount is small compared to what some of the States are appropriating, we feel that it is a beginning of the State's realization of its duty to the mothers and children within its borders.

I am inclosing herewith a brief statement of our work and extracts from some of the letters received.

Wishing you the best of success in a work which has meant so much to the mothers and babies of our Nation, I am,

Most respectfully,

Mrs. S. J. EWEN,
Associate Director Bureau Child Hygiene.

SUMMARY OF THE MATERNITY AND INFANCY WORK IN IDAHO

In Idaho the Sheppard-Towner funds are administered through the bureau of child hygiene. The program of the bureau is planned with the thought of reaching the mothers who live in the isolated rural communities, mothers who by reason of their isolation have not had the opportunity to learn that the right kind of prenatal and postnatal care will not only conserve the health of mothers and babies but in many instances the lives.

The outstanding feature of the program is the mother and child health conferences, the greater number of which have been held in the rural communities. At these conferences mothers are given simple but scientific instruction in the care, feeding, and general development of their children and the hygiene of maternity. That mothers appreciate this opportunity that the State gives them is evidenced by the fact that at the 65 conferences held, 633 mothers and 5,714 children have been examined.

Follow-up visits on the cases examined show that many children have been brought back to normal health by the correction of defects and a better knowledge on the part of the mother regarding care and feeding.

Some striking results of the examinations of the mothers have been obtained, including the discovery of cancer in its early stages in six of the mothers. The subsequent removal of these growths, thereby preventing long illnesses and possibly the deaths of these mothers, is a result of the work which should commend itself to any thinking person.

Actual results of the Idaho program may be summed up as follows:

1. The maternity death rate is steadily decreasing.

2. The 1925 infant mortality rate is the lowest that Idaho has ever had.

3. Physicians report that more women are consulting them during the early months of pregnancy than heretofore.

4. Mothers report better babies and fewer sick babies.

INDIANA

INDIANA STATE BOARD OF HEALTH,
UNITED STATES DEPARTMENT OF LABOR, CHILDREN'S BUREAU,
Indianapolis, March 29, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR MR. SHEPPARD: I am very much interested in your letter of March 25. For some reason we did not receive in this department an earlier letter from you.

I am inclosing a letter which was made a part of the record on the hearing before the House committee and the summary, which was also included.

Recently I wrote for our State health bulletin a narrative summary of the work in Indiana before and after the acceptance of the Sheppard-Towner Act. I prepared for the League of Women Voters a similar article, all of which I am sending you. As soon as the 1925 report comes from the press I shall send you a copy of that.

If you need additional material, I shall be glad to supply it.

Very respectfully yours,

ADA E. SCHWEITZER, M. D.,
Director of Division of Infant and Child Hygiene.

INDIANA STATE BOARD OF HEALTH,
DIVISION OF INFANT AND CHILD HYGIENE AND
UNITED STATES DEPARTMENT OF LABOR,
CHILDREN'S BUREAU, INDIANAPOLIS.

Miss GRACE ABBOTT,
Chief U. S. Department of Labor,
Children's Bureau, Washington, D. C.

DEAR MISS ABBOTT: I believe that the extension of the act for protection of maternity and infancy (Sheppard-Towner Act) should be for at least another five-year period for the following reasons:

1. Initiation of maternity and infancy activities in many States and the extension of programs in others were made possible by the Federal aid.

2. Much has been accomplished in improving infant health and in lowering infant mortality rates, for ages 1 month to 1 year. This work needs further stabilizing and localizing.

3. Much more needs to be done in lowering early infant mortality and maternal mortality, and in securing observance of better health standards at all ages.

4. The mutual helpfulness of States to each other, the promotion of effective activities on a more economic basis has been greatly enhanced by the helpfulness of the Federal board in evaluating activities and in acting as a clearing house for new ideas and plans of work.

5. Our plan of work has been accepted by them. Improvements suggested and much valuable additional assistance has been given, through speakers, correspondence, quotas of bureau publications, and loans of equipment.

The Indiana State health commissioner, Dr. Wm. F. King, authorizes the statement that the Association of State and Provincial Health Officers approve the extension for a period not less than 10 years.

Respectfully,

ADA E. SCHWEITZER, M. D.

Administrative agency: State board of health, division of infant and child hygiene. Staff: Director (physician), 3 physicians, 4 nurses, 1 exhibit director, 1 clerk and organizer, 1 secretary, 4 clerks.

Activities: Child-health conferences, 119, at which 3,937 children were examined. A special survey was made in two counties (La Porte and Newton) to discover the situation in regard to correction of defects which had been noted by physicians examining in conferences. The percentage 36.89 was ascertained for La Porte County. For Newton 48.4 per cent. Much general improvement was noted in health and habits.

Mothers' classes, 374, with 16,649 women enrolled, has been the major feature of the program in Indiana for the entire year. Three units are in the field conducting the classes, each unit consisting of a doctor and a nurse. The class work is given in five lessons, three by a physician and two demonstrations by the nurse. The emphasis is placed on prenatal care and preparation for home confinement, though one lesson is devoted to the care of the baby in its first year and one lesson to the preschool child. With this plan Indiana is working out a prenatal program, with much attention to detail by educational methods.

Usually a circuit includes two counties, with lessons in each a week apart to each group in the circuit. The work is arranged to take in all sections of the county, 8 to 14 classes in each. The nurse usually gives demonstrations before class groups in one county, while the doctor lectures before the groups in an adjoining county. Each is equipped with a car and material for illustrating her share of the work. Motion pictures are a feature of the work. While the physician gives the last lecture of the series, the nurse enters the next community to arouse interest in the classes. Letters with a questionnaire are also sent to the secretary of the county medical society, the county health officer, and the local physicians. Newspaper publicity is obtained, and mimeographed outlines of the lectures distributed. Women who are prominent in organization work are asked to serve as county and township chairman. An attempt is usually made to have a continuation of the course conducted by local physicians.

Lectures and talks by staff members, 1,980. Motion pictures were widely shown, and a number of charts were also loaned for exhibit purposes at county fairs and on other occasions.

Exhibits and projects: Child-health week at Winona Lake, Chautauqua, Indiana State fair better baby contest, lectures on care of the baby and motherhood to girls at Home Economics School, model maternity and infancy center in new baby building at State fair, exhibits shown at county fairs and other meetings, exhibit prepared for American Medical Association meeting in Chicago shown at State conference of charities and corrections, also at Illinois League of Women Voters meeting in Chicago. Other exhibits were shown at Peoria, Ill.; Lafayette, Ind.; Biennial Council of the General Federation of Women's Clubs, West Baden, Ind.; National Educational Association at Indianapolis, and exhibits were also shown before local, State, and national groups, all of which has aided the national program for maternity and infancy work.

Literature distributed, 156,044 pamphlets, etc.

Midwives: There are fewer than 200 in the State, and these are mostly in two districts whose population is largely foreign. The women are learning that they should demand skilled attention.

Volunteer assistance was given by 44 physicians, 19 nurses, and more than 500 lay persons. Efficient cooperation has been given by nearly every state-wide women's organization, including parent-teacher associations, and a number of men's fraternal and professional organizations.

IOWA

THE STATE UNIVERSITY OF IOWA,
DIVISION OF MATERNITY AND INFANT HYGIENE,
Iowa City, Iowa, February 27, 1926.

MORRIS SHEPPARD,
United States Senator,
Senate Offices, Washington, D. C.

DEAR MR. SHEPPARD: As an immediate reply to your letter regarding the Sheppard-Towner work I am sending a copy of a bulletin which

explains the nature of the work. Although this is now old, a second edition is being prepared bringing the figures up to date. The general nature of the work is about the same.

I should be glad to learn what other specific information you would like, and should be glad to send you anything I can get.

Assuring you of my desire to be at your service, I remain,

Yours very truly,

EDWARD H. LAUER, *Director.*

EXCERPTS FROM BULLETIN ON MATERNITY WORK IN IOWA

A casual wayfarer driving past the consolidated school at the edge of the little town is attracted by the jam of autos and the groups of people in the school yard. It is midsummer. School is not in session and so he stops to see what is going on. Inside the building a waiting room is crowded with mothers and children. A swinging door gives a glimpse of a physician examining a rosy cherub proudly held in his mother's arms while a nurse fills out the health chart. Another door opens and a mother, or perhaps a mother and father, are ushered out from a private conference with a second physician—a woman—who excuses herself with the remark that at 3 she is to talk to a group of mothers on prenatal care. Here another group is poring over the pamphlets on infant feeding or child care or the nurse may be showing them the latest styles in sensible baby wear. To the interested query as to the meaning of all this, one of the busy farmer's wives in charge says, "Why, we are having a Sheppard-Towner clinic," and she hurries away to see if the doctor will have time to see just one more baby.

PRINCIPLES UNDERLYING THE PROGRAM

In setting up the program for Iowa the following fundamental principles were considered operative, and no activity was undertaken which could not be justified by its relation to these principles.

1. Federal and State grants always have as their primary objective the stimulation of local communities to learn how to do certain things which need to be done, and then by virtue of this knowledge to encourage these communities to make provision for doing these things without Federal or State aid.

2. The program therefore must be essentially educational.

3. The particular objective in this field is to awaken people to an appreciation of the importance of the public-health problem and then to stimulate communities to organize their resources to meet that problem.

4. Absolutely basic to the success of any public-health program is the situation in which adequate medical and dental service of the highest type shall be within reach of every person.

5. To render such trained medical and dental service effective, however, it is necessary that the general public shall be educated to make use of such service to the fullest extent. The individual must be brought to see that he owes it to society to be healthy.

THE IOWA PROGRAM

The activities carried on by the division of maternity and infant hygiene in accordance with the above fundamental principles have been as follows:

1. The holding of clinics or conferences at which children of preschool age have been examined. Special effort has been made to reach children in need of medical attention. The service is limited to diagnosis, and for treatment of defects parents are referred in every case to their family physician.

2. In connection with these clinics group meetings and individual conferences on prenatal care have been held by women physicians with mothers and expectant mothers.

3. Literature on infant feeding, infant care, child care, prenatal care, children's teeth, etc., has been prepared and distributed throughout the State.

4. There has been inaugurated a program of active cooperation with the State Medical and State Dental Societies, primarily through their respective committees, in an attempt to make available to the general practitioner the best technique and latest advances in the fields of obstetrics, pediatrics, and oral hygiene.

WHAT HAS BEEN DONE WITH CHILDREN

Up to July 1, 1924, clinics have been held in 540 communities in 97 of the 99 counties of the State, with a total of 696 days of service. The following map and tables show in detail the work done:

THE FUTURE

The work has begun well and has been successful in arousing interest and enthusiasm throughout the State. If the activity can be continued for a number of years along the lines laid down, the results will fulfill the expectations of the supporters of the program.

KENTUCKY

STATE BOARD OF HEALTH OF KENTUCKY,
BUREAU OF MATERNAL AND CHILD HEALTH,
Louisville, Ky., March 8, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SIR: I have received your letter of February 23, and have been trying to get together letters which I thought might be useful to you in your work toward the continuance of the Sheppard-Towner Act.

I am inclosing an outline of the plan of our work in Kentucky which we have been carrying on since we first received national funds. This plan of work was approved by all organizations in the State and by the medical profession. So far as I know, in Kentucky we have had no opposition to the work from any part of the public or from the medical profession.

Since July, 1922, we have done a great deal of health educational work before many groups consisting of men's and women's organizations and before large numbers of school children. Each year we have had some one on the program of the State medical society. We also have had opportunity of speaking to many county medical societies on maternal and child health.

Much has been said by those opposed to it about Sheppard-Towner work not lowering maternal and infant death rates. This has not been true in our own State. Nevertheless, so many factors affect the statistics of both birth and death rates that I hardly think it fair in so short a period of time to expect definite results in any State concerning these rates, but I do know what we have done is to improve the standard of health for women and children and also the care they are now receiving. Naturally, lower death rates are bound to be a by-product of our work.

I wish I could express to you the appreciation of all the women of my State for the stand some of the splendid men in Washington are taking by being interested in the human needs of the people whom you represent.

Feeling sure you will have success in the effort you are making, and with kindest regards, I am,

Faithfully yours,

ANNIE S. VEECH, M. D.

P. S.: Inclosed you will find figures for the work accomplished since 1922. During 1925 the department has done a definite piece of maternal and child-health work in 110 of the 120 counties in Kentucky. By this you see the increase in what we have been able to do from year to year.

I am inclosing a selected number of letters, many of which have come to us unsolicited from the people in the State.

A. S. V.

LOUISIANA

STATE OF LOUISIANA, DEPARTMENT OF HEALTH,
New Orleans, March 3, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR MR. SHEPPARD: As coauthor of the Sheppard-Towner maternity act, I feel sure you will be interested in our work in Louisiana.

We did not begin until September 1, 1924, because the legislature up to that time had not seen fit to accept the terms of the Sheppard-Towner Act and only did so at the 1924 meeting because Doctor Dowling, of the State board of health, offered to meet the Federal appropriation out of the appropriation given the State board of health for general work.

Naturally through the bureau of child hygiene we had done some infancy and maternity work, but very little because of lack of funds.

I have tabulated reports of work from September, 1924, to December, 1925, and take pleasure in inclosing a copy of the tabulation. I think it speaks for itself, as work of this character with so many children in such a large number of the parishes of the State and in different lines must bring great returns, although we can not know of the effect in so short a time as a year and a few months.

As requested, I am inclosing copies of letters in regard to the work.

Very truly yours,

AGNES MORRIS, *Director.*

LOUISIANA STATE BOARD OF HEALTH,
BUREAU OF CHILD HYGIENE,
DIVISION OF MATERNITY AND INFANCY.

Report of work done from September, 1924, to December 31, 1925

Baby and preschool age conferences:	
Visits to parishes	192
Conferences held	418
Children examined	11,012
Children found defective (1924 data not complete)	8,300
Defects found	34,470
Interviews, doctors and others	1,424
News articles, local papers	110
Group talks	104
Attendance at talks	1,837
Mothers instructed	4,310
Health exhibits arranged	15
Children weighed and measured at fairs	1,800
Nutrition corrections reported by health units	76
Dental work:	
Visits to parishes	15
Dental clinics held	48
Children examined	6,156
Children found with defective teeth	3,733
Children who received dental care (data not complete)	2,890
Children teeth cleaned or filled	2,176
Treatments	766
Extractions	3,462
Parents and others interviewed	253

Special work:	
Visits to parishes in interest of M. and I. work and follow-up work among colored children	17
Interviews, doctors and others	858
Group talks	151
Little mothers' classes started	7
Mothers' classes started	6
Visits to homes of colored children	498
Defects found, corrected	151
Defects found, under treatment	694
Registration:	
Visits to parishes	51
Doctors interviewed	361
Registrars interviewed	310
Others interviewed	419
Group talks	54
Present at talks	566
Births registered	250
Deaths registered	69
Midwives:	
Parishes represented	24
Midwives interviewed	834
Home visits to midwives	374
Classes held	169
Attendance at classes	1,241
Demonstrations	117
Assisting in getting equipment	171
Silver nitrate distributed (ampules)	2,653
Midwives completing standard six weeks' course	26
Prenatal work:	
Visits to parishes	36
Mothers interviewed	254
Home visits	234
Group talks	30
Present at talks	260
Talks to mothers on registering the baby	1,019
Work done by portable laboratory:	
Parishes visited	5
Number positive feces examined	429
Number positive malaria examinations	41
Literature distributed	15,388
School conferences held	211
Children examined	23,776
Children inspected (second visit)	3,953
Corrections found on inspection	1,445
Children found defective	21,624
Defects found	79,795

MARYLAND

STATE OF MARYLAND DEPARTMENT OF HEALTH,
Baltimore, February 26, 1926.

Senator MORRIS SHEPPARD,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR SHEPPARD: Replying to your letter of the 23d asking what has been accomplished by the bureau of child hygiene in Maryland, I think I can best reply by sending you a copy of the "Activities of the Bureau of Child Hygiene," also a copy of a letter received some time ago from a grateful lady on the Eastern Shore. This came as a surprise, without solicitation.

The bureau of maternity and child hygiene was established in Maryland to take advantage of the provisions of the Sheppard-Towner bill. Up to that time there was no bureau covering this field in our department.

It is only fair to say that in the administration of the bureau we have been perfectly free to develop our own program and carry out our work as we have seen fit. We have attempted no spectacular activities, but have devoted the resources of the bureau to building up public-health sentiment and activities for children in the various counties; that is, in helping each county help its own children. This year, for the first time, each of the counties has one or more public-health nurses. In 15 counties the bureau is contributing toward the budget of the nurses. All the nurses are carrying on child-health work.

Believe me, very truly yours,

J. H. M. KNOX, Jr.,
Chief, Bureau of Child Hygiene.

SUMMARY OF THE WORK IN MARYLAND

ACTIVITIES OF THE BUREAU OF CHILD HYGIENE

The bureau of child hygiene of the Maryland State department of health is the youngest of the eight bureaus of the department. It was established in 1922, and is financed partly by State and partly by Federal funds (Sheppard-Towner appropriation). Its activities are limited, in accordance with the laws under which it operates, to advisory care of mothers and children under school age. Care of the health of children of school age, with special reference to the control of communicable diseases, and the medical inspection of school children in the grades is included among the activities of the State bureau of communicable diseases.

MIDWIFERY SURVEY

The first piece of work undertaken by the bureau after its organization was a survey of the midwifery conditions in the State.

FIELD WORK

The field work of the bureau is done in cooperation with the deputy State health officer or local health officer with the assistance of the local public-health nurse. Clinic physicians are sent on invitation from the deputy State health officer or local health officer to conduct the child-health conferences that have been organized in 15 of the 23 counties.

CHILD-HEALTH CONFERENCES

These conferences are held at regular intervals, usually about once a month, in different parts of the county. No medical treatments are given, but any child who needs such treatment is referred to its family physician. Great care is taken to interest and secure the cooperation of the local physician. A report is sent to each physician outlining the results of the examination of his patient.

Nearly 5,000 babies and preschool children (4,986) were examined at the 279 conferences that were held during the year ending December 31, 1925.

PRENATAL ADVICE

Regular prenatal conferences have not been organized. Whenever advice is given, it is given in response to the request of the mother. A circular entitled "Suggestions to Maryland's Future Mothers," containing advice in regard to care during the prenatal period, was published during the summer of 1925. Copies of the circular were sent to all the physicians in the counties, for use in their private practice, and to the public-health nurses.

EARLY VISITS WHERE THERE ARE NEWBORN BABIES

In a number of the counties a special effort is made by the public-health nurses to visit each new mother as soon as possible after the birth of the baby, in order that the mother may have the benefit of helpful suggestions. In accordance with this plan the registrars in 15 counties send an early report of births to the deputy State health officer, and through him to the public-health nurse. The counties in which this is done are Allegany, Anne Arundel, Calvert, Cecil, Charles, Frederick, Harford, Kent, Montgomery, Prince Georges, Somerset, St. Marys, Talbot, Wicomico, and Worcester.

EDUCATIONAL MATERIAL

Educational literature on the care of the baby and the preschool child is distributed by the bureau and is available to any nurse or mother in the county who desires it. The bureau recently issued a pamphlet of instructions to be used in classes for midwives.

STATEMENT BY MARYLAND MOTHER

MAY 30, 1925.

There are some privileges extended to the public which are loudly lauded, while other most important opportunities are accorded us and probably we fail to adequately express our delight and appreciation for services rendered. It is in this spirit of thanksgiving that I tender these few lines.

I am one of the Talbot County mothers who has enjoyed and profited by the medical advice of some of the most prominent and ablest physicians in Maryland. This great service has been procured through the bureau of child hygiene, conducted monthly in our county by Dr. J. H. Mason Knox, jr., chief.

It is surprising, however, how few mothers, comparatively speaking, have seized this opportunity of placing the supposedly well children under such physical inspection. At the monthly conferences the preschool child—infancy to seven years, inclusive—is given a thorough examination, the individual history recorded, each defect registered and then referred to the family physician for any necessary treatment. Personally I deem it one of the greatest assets that young mothers possess—access to such superior knowledge for the mere asking—and am very proud that my native State takes advantage of this phase of the Sheppard-Towner bill in appropriating a sum of money to carry on such a magnificent work. Its advantages must be even keener in the rural sections, where local physicians are fewer and beyond the "beck-and-call" range.

This article has been prompted by the heartfelt whisperings of mothers overheard by the writer at a recent conference, grateful mothers who desire other parents to profit by their good fortune. Our sincerest appreciation is directed to our two Talbot County health nurses and to the various specialists who so arrange their professional hours to help keep well our little folks—to-morrow's healthful men and women.

MICHIGAN

MICHIGAN DEPARTMENT OF HEALTH,
BUREAU OF CHILD HYGIENE AND PUBLIC-HEALTH NURSING,
Lansing, March 1, 1926.

Senator MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR MR. SHEPPARD: I am in receipt of your letter of February 23, and in response to the same am sending you a copy of the accomplishments in Michigan under the Sheppard-Towner Act up to the date of January 1, 1926. I am also inclosing copies of letters from women who have received benefit from the work done under the Sheppard-Towner funds.

We in Michigan are very anxious, indeed, that this work may be continued, as we feel that the work has been in operation too short a time to put it on a permanent basis.

We shall eagerly await the news from Congress as to the action taken upon the reappropriation of the funds.

Sincerely yours,

MICHIGAN DEPARTMENT OF HEALTH,
LILLIAN R. SMITH, M. D.,
Director Bureau of Child Hygiene and Public-Health Nursing.

Résumé of activities in Michigan, July 1, 1922, to January 1, 1926

Total number infant clinics held by bureau staff	814
Total number infants and preschool children examined	16,117
Total number prenatal clinics held by bureau staff	93
Total number prenatal examinations	137
Total number prenatal talks and consultations	145
Total attendance at talks and consultations	2,457
Total number prenatal letters sent	68,660
Total number Little Mothers' Leagues organized	690
Total number enrolled	14,983
Total number mothers' classes organized	229
Total number mothers enrolled	3,256
Total number women's classes organized	37
Total number enrolled	381
Mother and baby health centers in State (outside of Detroit and Grand Rapids)	70
Total number babies examined at centers reporting since February, 1923	69,536
Total prenatal attendance at centers	3,953
Total number county health committees organized	51
Total talks made by bureau staff	1,388
Total attendance at talks	65,191

Two county demonstrations in infant and maternity nursing were conducted in Alger County, 10 months; and in Calhoun County, 12 months.

Birth-registration certificates have been sent to parents of all babies born in the State since March 1, 1924. A Message to Parents on infant care accompanies the certificate. To date 181,231 have been mailed.

MINNESOTA

MINNESOTA DEPARTMENT OF HEALTH,
DIVISION OF CHILD HYGIENE,
Minneapolis, Minn., March 2, 1926.

Hon. MORRIS SHEPPARD,
United States Senate,
Committee on Irrigation and Reclamation,
Washington, D. C.

MY DEAR MR. SHEPPARD: I am inclosing a copy of a brief summary of the educational program in maternal and infant hygiene that has been carried on in Minnesota under the Sheppard-Towner Act. I believe this will give you in as concrete a form as possible an idea of the type of program which has been carried on in Minnesota.

As you request, I am also inclosing copies of a few letters received from women in the State typical of the response which comes from women who have received aid through this act.

If you wish any further information about our work here, I shall be very pleased to send it to you.

Respectfully yours,

RUTH E. BOYNTON, M. D.,
Director.

EXCERPTS FROM MINNESOTA PROGRAM

The division of child hygiene of the Minnesota State Board of Health was formed July 1, 1922, to administer the Sheppard-Towner Act in Minnesota. The formation of this division of the State board of health was necessitated by the passage of the Federal Sheppard-Towner law and the acceptance of the provisions of this act by our State legislature. The duties of the division of child hygiene are to cooperate with the United States Children's Bureau in the promotion of the welfare and hygiene of maternity and infancy. The State law authorized the State board of health "to provide instruction and advice to expectant mothers during pregnancy and confinement and to mothers after childbirth." By the wording of the Federal and State laws the activities of the division are necessarily limited to educational work.

* * * * * * *

Prenatal letters: A series of nine prenatal letters containing advice and instruction for expectant mothers has been prepared. The names of the women to whom these letters are sent are referred to us by physicians and public-health nurses, as well as by the women or their friends. The fact that many physicians of the State are using these letters for all of their expectant mothers shows that they fill a real need. During the year 1923 about 2,000 women received these letters.

Prenatal clinics: During the past year monthly prenatal clinics have been held in five counties of the State in cooperation with the physicians in the counties. The purpose of the clinics is to cooperate with the physicians in the promotion of the well-being of expectant mothers and to impress upon the women of the community the necessity for going to their doctors for prenatal care. Before starting clinics in any county a meeting was held with the physicians discussing the plans for clinics with them. At these clinics a complete physical examination was given each woman. A general talk on the hygiene of maternity is given by the clinician, and a nurse from the division demonstrates the preparation for home confinement. Such men as Dr. Fred L. Adair and Dr. C. O. Maland have been the clinicians at these clinics.

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MISSISSIPPI

MISSISSIPPI STATE BOARD OF HEALTH,
Jackson, Miss., February 26, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: In reply to your letter of February 23, under separate cover, we are mailing to you our biennial report to the legislature and your attention is called to pages 214 to 235, inclusive. This will acquaint you with the maternal and infant hygiene activities in the State.

* * * * * * *

Personally, and as executive officer of the State board of health, I wish to express my appreciation of the splendid aid that has been extended to us under the Sheppard-Towner Maternity Act.

It is rather encouraging to go out in the field and find professional and lay members of the community speaking of "prenatal care," "mothers' classes," "child welfare conferences," and the like. A few years ago the communities were interested in school work only, but more and more are realizing these newer phases of the work.

I trust you may glean some of the information you desire from our report. With best wishes, I am,

Yours very truly,

F. J. UNDERWOOD, M. D.,
Executive Officer Mississippi State Board of Health.

SUMMARY OF WORK IN MISSOURI UNDER MATERNITY ACT

Administrative agency: State board of health, division of child hygiene.

Staff: Director (physician), 1 physician, 2 staff nurses, 3 county nurses, 1 nutrition worker, 3 clerks. Additional medical and nursing assistants for special work as needed.

Activities: Child-health conferences, 146, at which 4,161 examinations were made. The correction of defects which had been noted at conferences averaged 17 per cent. In some communities the percentage ran as high as 30 per cent.

Prenatal conferences, 90, with an attendance of 2,298.

Mothers' classes, 195 class groups, with 3,157 women enrolled. One of the most important phases of the work of the county maternity and infancy nurses has been the mothers' classes. The course includes 10 lessons outlined by the State division. It is given to any group of women in the county who request it. When the course is completed an infant clinic is usually held.

Little mothers' classes, 95. In some communities this has been a vacation activity for schoolgirls, but a number of junior high schools have made the work a compulsory course.

Dental clinics, 5, with 258 children receiving care.

Nutrition classes, 90. These are conducted by the State nutrition worker and arranged on a county basis. The counties selected are allotted a period of one month's time each for the work. Prior to the nutrition worker's arrival in the county, the county health department arranges for group meetings for mothers in at least six different communities of the county. In this manner a series of four lessons can be given to each group. The subjects discussed with the mothers are as follows: (1) Food selection; (2) food habit; (3) scoring lessons on usual diet; (4) proper diet for the expectant mothers; (5) diet in overweight and underweight and in constipation.

Group demonstrations: Fifty-one conducted at county fairs, community home-comings, farm picnics, etc. Demonstrations include such things as preparation of artificial feeding, nursing care, and preparation for home confinement. Sometimes talks on child care are given and educational films and slides are shown.

Home demonstrations, 3,633. These demonstrations are given by the county nurses in the homes. They include the following: Preparation of a feeding formula; home pasteurization of milk; care of the new-born baby; post partum care; preparation of infant layette and preparation of a sterile obstetrical pack for home delivery. In many instances there are many other problems which the mothers desire to take up with the nurse, and these problems are handled according to the particular question involved.

A birth-registration campaign was made the feature of the observance of child-health day on May day. A chairman of May day activities was appointed by the State board of health, and an executive committee, consisting of the county superintendent of schools, county health officer, and president of the county medical society was organ-

ized in each county. The committee enlisted the cooperation of any and all interested organizations in the county. Each county worked through its school districts, and a complete survey was made of every birth in that district during the year of 1924 on forms furnished by the State board of health. When the survey was completed all forms were returned to the bureau of vital statistics and the names were checked against the records on file. If the bureau of vital statistics found a birth not registered, a letter was sent to the physician or midwife delivering the case requesting that the birth be properly registered as soon as possible. Through this campaign much interest has been aroused in birth registration, and it is believed that when the next Federal check is made the State will be admitted to the birth-registration area.

New, permanent child-health centers established, 6.

Lectures and talks by staff members, 190.

Literature distributed, 116,546 pamphlets, leaflets, etc.

Prenatal letters: Six thousand one hundred and twenty-six distributed.

Exhibit material: Five health films were loaned to 25 communities.

A sterile obstetrical pack was also made, with mimeographed instructions for its preparation.

An intensive six-month's campaign for diphtheria immunization was conducted, in which 3,397 children were treated, and local physicians aided by giving talks on the prevention of diphtheria, and two films on the subject were loaned to communities requesting them.

The stimulation of interest due to the work of the division resulted in four counties raising funds for the employment of county nurses and in the passage of a law at the last session of the legislature giving county courts authority to appropriate money for public-health nursing work.

MONTANA

MONTANA STATE BOARD OF HEALTH,
DIVISION OF CHILD WELFARE,
Helena, March 1, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: Thank you very much for your letter of February 23, expressing your interest in the future of the Sheppard-Towner maternity act. I am inclosing for your use a copy of a paper which summarizes Sheppard-Towner activities in Montana from July 1, 1922, to June 30, 1925. In addition to what is stated in this paper, I should like to say that since June 30, 1925, we have also aided in county nursing services for the following counties: Prairie and McCone combined and Broadwater, Meagher, and Wheatland combined. In addition, during the last half of 1925, we held approximately 270 baby and preschool child conferences with 3,000 children examined. About 1,624 ampoules of silver nitrate were distributed, and over 30,000 pamphlets, cards, and leaflets on maternity and infancy welfare were distributed.

Montana first accepted the act through its governor in 1922, and in the following year the State legislature accepted the act and appropriated the full amount necessary to meet the entire Sheppard-Towner Federal appropriation, $8,701.91. The next legislature of January, 1925, appropriated $8,700 to meet the Sheppard-Towner Act. I think that this will show you the way Montana feels about this maternity and infancy act, and that the people of the State are as a whole deeply interested in its success. * * *

Thanking you for your interest, I am,

Yours very truly,

HAZEL DELL BONNESS, M. D., *Director.*

DESCRIPTION OF WORK UNDER MATERNITY ACT IN MONTANA

The work in Montana was begun in May, 1922. The first year was spent largely in acquainting the people of the State with the nature of the work and in making a beginning in our program. Since that time the program has developed rapidly until at the present time we have several well-defined objectives. At the outset it was admitted that we could not get very far with our maternity and infancy program without proper vital statistics as upon satisfactory registration depends our accurate knowledge of mortality rates. We have made it a part of our program to aid in every way possible the registration of births and deaths in Montana. Secondly, we have felt that it is impossible to do any sort of permanent work in the maternity and infancy field without county public-health nurses. To this end we have aided in the establishment of county nursing services wherever possible. The third feature of our work has been an intensive campaign of educational health conferences carried on through our field staff and of educational propaganda through our office.

Our State field staff at the present time consists of four nurses. This staff is maintained in cooperation with the Montana Tuberculosis Association, and one field nurse is maintained by the tuberculosis association and three by the board of health. Our nurses hold baby and prenatal conferences and give lectures and demonstrations. In addition to our State field staff, we are carrying on the policy of aiding in county nursing services.

The following counties have received aid in their nursing services to the extent of one-fourth of the nurse's salary during the year:

Daniels County, one year.
Pondera, one year.
Beaverhead, one year.
Fergus, one year.
Wibaux, one year.
Fallon, one year.
Prairie, one year.
Cascade, one year.
Lewis and Clark, three years.
Missoula, three years.
Dawson, one year.
Gallatin, one year.
Powell, one year.
Flathead, one year.

* * * * * * *

It is not possible to convey to you an adequate idea of the amount of work that is carried on in Montana under the provisions of the Sheppard-Towner Act without giving some figures. From the beginning of our active field work in the autumn of 1922 to June, 1925, the following work has been done:

Baby and prenatal conferences	1,639
Children examined	20,996
Prenatal cases personally advised	1,669
Prenatal cases which have received our sets of 9 letters	1,500
Mothers advised at clinics, mothers' classes, etc	10,822
Little mothers' classes held with an average of 10; 12 lessons given to each class	59
Baby birth registration cards	30,000
Ampoules of silver nitrate distributed	6,686
Laboratory examinations (maternity and infancy only)	4,620
Literature distributed through our office, including diet cards, height and weight cards, pamphlets on prenatal, infant, and child care, etc	60,000

It is very difficult to evaluate the results of our educational program, as we have no exact scientific measure of the accomplishments. We have ample indirect evidence of the good resulting from the work in the increased interest in maternity and infant hygiene shown all over the State. We have considerable correspondence in our office concerning these matters with women who have become especially interested. Our nurses report that the work is being more and more favorably received, and, best of all, we know that the children who are being seen for the second, third, or fourth time are showing marked improvement in health and parents are having defects corrected in a most gratifying manner.

While we can not draw any very definite conclusions concerning our maternity and infancy mortality rates because of the short time the Sheppard-Towner work has been under way, yet I think that we may say that we have already been able to lend some influence to the favorable trend of these rates in Montana:

Maternal mortality		*Infant mortality*	
1915	8.2	1915	73.3
1916	9.5	1916	85.4
1917	12.3	1917	94.0
1918	15.6	1918	87.0
1919	11.7	1919	80.0
1920	8.7	1920	72.7
1921	7.4	1921	67.0
1922	7.8	1922	68.7
1923	7.5	1923	71.4
1924 (provisional figures)	7.1	1924	65.6

NEBRASKA

STATE OF NEBRASKA,
Lincoln, March 2, 1926.

Mr. MORRIS SHEPPARD,
Committee on Irrigation and Reclamation,
United States Senate, Washington, D. C.

MY DEAR MR. SHEPPARD: It gives me pleasure to comply with your request of February 23.

Nebraska had no work in maternity, infancy, or child hygiene until the maternity and infancy act was accepted by our legislature in 1922. This division of child hygiene, in the State bureau of health, was created then to administer the funds in educational work for the health of mothers and little children in Nebraska. During these years past there have been many thousands of children examined by our competent local physicians, and fathers and mothers have been instructed in the care of the child, and many physical defects found have been corrected. "Follow-up" home calls are made by the field nurse to further instruct and guide these parents in the better health of mothers and children. This work is highly appreciated, and often expectant mothers are found in these homes who need instruction and encouragement.

The prenatal instruction to expectant mothers has been much appreciated, as the accompanying letters show.

Mothercraft classes have been held in various parts of the State, in which prenatal care and care at confinement has been stressed, as well as the physical care of the body.

The bulletins Prenatal Care, Infant Care, Child Care, and Child Management have been distributed in large numbers—during 1924, 73,188, and 1925 (one-half year), 19,246.

A trained Indian nurse has done splendid educational work with the Indian mothers and little children. More mothers are coming to the agency hospital and doctor for care than ever before, and better conditions in the homes prevail.

* * * * * * *

Very truly yours, LOUISE M. MURPHY, R. N.,
Director, Division Child Hygiene.

NEVADA

NEVADA STATE BOARD OF HEALTH,
CHILD WELFARE DIVISION AND
UNITED STATES DEPARTMENT OF LABOR AND
CHILDREN'S BUREAU COOPERATING,
March 10, 1926.

MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR MR. SHEPPARD: Am inclosing our first biennial report. We have continued along the same lines as originally planned, and at present have seven public-health nurses in the State.

* * * * * * *

There are 17 counties in Nevada, and we have divided the State into eight districts; up to date we have given some service to every county but one and will have a nurse in there for demonstration work within the next few weeks. You can readily see that this service is limited in some of the districts as it is impossible for the nurses to reach every place; distances are great, as well as the country sparsely settled. Dr. Russell Anderson, of the Children's Bureau, in Washington, has a copy of a letter written by one of our nurses that will give you an idea of our difficulties; she tells me that she does not know of a case parallel to this one in any other State. I am sure that she will be glad to let you have a copy of this if you wish it.

The nurses without doubt have been able to get closer to the people and have had better personal contact by being forced to make the home calls and give advice there.

This has gone a long way toward educating the public; it seems necessary to educate each individual to sell the maternity and infancy program to the masses.

Am inclosing a copy of the work done from September, 1925, to January, 1926.

At present we are starting an intensive piece of work among the preschool children of the State that will enter school in September, 1926.

The parents seem most interested in this piece of work.

Our plans are to have the first examinations in March and April and, if possible, another in August, before school starts; if this can not be done in August, we will have a second examination as soon after school opens as convenient.

We are following along the line used by Dr. Ellen Stadtmuller, of California, during the time that she did the preschool work there last year, but in a much smaller way.

* * * * * * *

Sincerely yours,

MAUDE WHEELER,
Executive Secretary Child Welfare Division.

NEW HAMPSHIRE

NEW HAMPSHIRE STATE BOARD OF HEALTH,
DIVISION OF MATERNITY, INFANCY, AND CHILD HYGIENE,
CHILDREN'S BUREAU COOPERATING,
Concord, March 8, 1926.

MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: The maternity and infancy work brought about through the Sheppard-Towner Act in New Hampshire has been most gratifying, and we feel successful. We have been able to accomplish a great deal in an educational way through our pamphlets and leaflets which are sent to the mother of every newborn baby in the State from the time the child is registered until it reaches the age of one year, and our letters and books on the necessity of prenatal care which reach about 15,000 prospective and potential mothers yearly. Our nurses are able to give much valuable service not only in an educational way but in actual help in thousands of homes throughout the State. We have held over 200 child-health conferences which have been a splendid means not only in the correction of physical defects but a means of education to parents and physicians alike.

The work has been received by all concerned in a most satisfactory manner. There has been no complaint from the physicians and the work is highly thought of by the people in general.

Last year New Hampshire had the second greatest drop in infant mortality in the country. We hope that this splendid record will be continued this coming year.

There is very rarely a mail comes to the office but contains letters from mothers thanking us for the service that has been rendered for literature sent and either asking for additional information or for a call from one of our nurses. These letters are all answered, and whatever help the mother desires is given.

The State board of health feels that it is accomplishing a greatly needed piece of work in New Hampshire and sincerely hopes that the Sheppard-Towner funds will be continued for a longer period of time.

Very sincerely yours,

ELENA M. CROUGH, R. N.,
Director Division Maternity, Infancy, and Child Hygiene.

EXCERPTS FROM DESCRIPTION OF WORK IN NEW HAMPSHIRE

Seven nurses who are specialists in maternity and infancy work have been employed by the division during the past year. These nurses visit the homes of newborn babies in their territories to give each mother whatever help or advice she may desire. From the beginning of the work there has been hardly an instance where these health visitors have not been gladly received by the mothers, frequently sent for, and always welcomed as a greatly needed friend. Particularly is this true in the rural sections where distance is great and it is difficult to reach a physician. The nurse is able to help the mother with many problems, set her mind at rest on many subjects, give her proper intelligent prenatal care, take her if necessary to a physician for examination, and do many things to make her more comfortable in mind and body. If her baby needs a doctor's care, the nurse tells her so and sees that a visit is made to the physician's office or that the doctor comes to the home. Her duties are so diversified that it is impossible to enumerate them, but the important thing is she is the recognized friend and helper of mothers and children, both loved and respected wherever she and her work are known.

One of the important services rendered is the establishing of the obstetrical package. This is primarily a service for the physicians, particularly in rural communities, although the cities have also taken advantage of this service. Materials sufficient for three packages are given free of charge by the department. A group of women are instructed how to make and sterilize them. Each package is sold for $2, this money being used to purchase further supplies to continue the work. In a great many instances the prospective mother is too ill or too poor to properly prepare for her confinement, and this carefully made sterilized maternity package may be the means of saving her from puerperal septicemia. Much credit should be given to each group of women carrying on this service in 32 towns in the State.

More intensive and consistent health education is necessary if we are to lessen sickness and disease and if we are to lower maternal and infant mortality. One of the most effective ways to give the necessary information to the public is by means of free literature, lectures, moving pictures, poster display, and lantern slides. Close attention has been paid to all of these. Every mother in New Hampshire receives the latest and best pamphlets, booklets, diet slips, and letters on prenatal, infant, and child care from the time of her baby's birth until it reaches the age of 1 year.

All of our exhibit material is available to the public. Books by noted authorities on these subjects are in our loan library and will be loaned free of charge upon request.

We are encouraging our schools to institute home nursing and child-hygiene classes by loaning equipment necessary for the success of such classes.

Every request to speak on prenatal, infant, and child care is complied with, as we feel that this is one of the best methods of imparting information not only in connection with the maternity and child-hygiene program but on health matters in general.

Giving instruction in prenatal and infant care to groups of mothers and interested women is another important feature of our work. The full course consists of nine lessons concerning all phases of the hygiene of maternity and infancy, but in instances where it is unfeasible to give the full course, three lectures have been arranged that will be most helpful and give a great deal of valuable information. These courses will be given absolutely free of charge to any woman, club, or group of women in the State.

In sections where no nurse is employed, if a mother desires to secure the services of a nurse, a letter addressed to the director of the division, Concord, N. H., will meet with an immediate reply.

NEW JERSEY

STATE OF NEW JERSEY, DEPARTMENT OF HEALTH,
Trenton, March 3, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: Replying to your letter of February 23, would give you the following facts regarding the application of the Sheppard-Towner moneys in the State of New Jersey:

The Legislature of New Jersey passed the enabling act in 1922, and New Jersey participated in the benefits of the Sheppard-Towner Act

beginning 1922, when it received $12,000 and each year thereafter $31,284.55.

In addition, the legislature has appropriated directly to the health department for the child-hygiene work $60,000 each year from 1922, with the exception of 1925–26, when it was increased to $65,000.

* * * * * * *

As a result of the activities of this department, child-hygiene work is established in 258 communities, representing 100 field nurses. Of these nurses 68 are paid by the local communities, and in this way the State is left free to extend its demonstrations and efforts to develop the work throughout the State.

The infant-mortality rate since 1918 has declined from 112 to 69. The maternal mortality rate has been practically stationary. You may be interested in a series of maps which show a reduction of infant mortality by county.

Perhaps the results can be summarized by saying that in 1918, 15 counties were black, which means that the mortality rate was over 100 deaths per 1,000 live births; while in 1924 there were no black counties and but 1 county of the 21 in the State with a mortality rate between 90 and 100.

Trusting this is the desired information, I remain

Very truly yours,

H. B. COSTILL, M. D.,
Director of Health.

NEW MEXICO

STATE OF NEW MEXICO DEPARTMENT OF PUBLIC WELFARE,
BUREAU OF PUBLIC HEALTH,
Santa Fe, March 6, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Miss Margaret Reeves, director of the State bureau of child welfare, has handed to me your request for data on the operation of the maternity and infancy act in this State, as Miss Reeves's bureau no longer administers these funds.

We compiled recently a summary of statistics for the use of our Senators and Representative, and I am inclosing herewith a copy of these data.

The central State health agency in New Mexico was created in 1919. Naturally, because it was new and untried, its appropriations were exceedingly meager. I think I can safely say that no other contribution from the Federal Government has been productive of so much good as has the allotment for maternity and infancy work, for it made possible the extension to large numbers of rural mothers an educational program that could not have been supported in any other way. Part of this money is now going to the permanent maintenance of public-health nurses connected with full-time county health departments, and they are giving a large share of their time to special health work for mothers and babies.

You have doubtless been made aware of the opposition to a continuance of the Federal allotment on the part of some States and of some medical groups. I am disappointed that physicians should take this attitude and believe that it is chiefly due to a failure to understand the underlying motives of this program. At least in this State the physicians have given the most cordial cooperation to the maternity and infancy nurses, and one county medical society has elected one of our nurses to honorary membership. This seems to me to indicate that the doctors are fundamentally in sympathy with this program once it has been demonstrated to them, and that opposition arises from ignorance of its scope. At the meeting of the American Medical Association in Dallas next month I expect to read a paper in which some of these matters will be discussed. While I do not hope that this will in any way influence the opinions of those who have already made up their minds, I can at least go on record in favor of a continuance of the act and give a statement of our practical experience with it.

I sincerely hope that you will succeed in gaining a continuation of this extremely valuable cooperation.

Respectfully,

G. S. LUCKETT, M. D.,
Director State Bureau of Public Health.

Report on all Sheppard-Towner activities in New Mexico
(For the period from July 1, 1922, to July 1, 1925)

FIELD WORKERS

1.	Children's health conferences	287
	(a) Number examined	4,473
2.	Children seen individually	4,098
3.	Conferences for expectant mothers	7
	(a) Total examined	18
4.	Individual prenatal visits	599
5.	Visits to maternity cases	100
6.	Number classes for midwives	230
	(a) Number enrolled that received certificates	56
7.	Visits to midwives	280
8.	Little mothers' classes (schoolgirls)	8
	(a) Number enrolled that received certificates	59
9.	Health demonstrations	78
10.	Home demonstrations (nursing)	1,779
11.	Public talks	375
	(a) Attendance	4,396
12.	Press articles written	293
13.	Literature	12,816
14.	Patterns distributed	1,915
15.	Births registered	981
16.	Total miles traveled	23,827
17.	Communities visited	146
18.	Home visits, unclassified	6,370

STATE BUREAU

1.	By the Chief of Child Hygiene Division (from Feb. 1, 1925, to July 1, 1925):	
	(a) Talks to groups	9
	Attendance	617
	(b) Days in field	72
	(c) Boards of county commissioners visited	4
	(d) Child health conferences assisted	2
	Number examined	39
	(e) Counties visited	15
	(f) Communities visited	63
	(g) Miles traveled	4,300
2.	Instructions to mothers mailed out[1]	24,179
3.	Milk letters, with instructions to mothers[1]	6,005
4.	New teaching material, new report forms, and establishment of little mothers' classes were additional accomplishments during the period from Feb. 1, 1925, to July 1, 1925.	

NEW YORK

STATEMENT FILED BY DR. ELIZABETH GARDINER, ACTING DIRECTOR OF THE BUREAU OF MATERNITY, INFANCY, AND CHILD HYGIENE, STATE DEPARTMENT OF HEALTH, ALBANY, N. Y., WITH HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, JANUARY 14, 1926

The following is a brief statement of the work done in New York State under the provisions of the Federal maternity and infancy act during the fiscal year July 1, 1924, to July 1, 1925:

Administrative agency: Department of health, division of maternity, infancy, and child hygiene.

Staff: Director, associate director (physician), executive clerk (physician), 4 physicians, 23 staff nurses (and 24 part-time maternity and infancy community nurses employed from Sheppard-Towner and local funds), 3 county nurses, 2 midwife inspectors (nurses), 1 organizing field agent, 1 office manager, 4 clerks, 8 stenographers, 1 advance agent, 1 chauffeur.

Activities: Child-health conferences, 236, at which 4,895 children were examined. In addition to the conferences conducted by the State staff, 2,049 conferences were conducted in local communities where the staff was partly supported by maternity and infancy funds, with 17,694 children attending, and 6,027 physical examinations made. In selecting communities in which the State units were to conduct child-health conferences preference was given to those most likely to continue them on a local basis after one or two demonstrations by the State unit.

Prenatal conferences, 155, at which 525 examinations were made. The local staffs partly supported by maternity and infancy funds held 1,488 additional conferences, with 8,406 women in attendance, and 3,116 examined. The prenatal conferences conducted by the State unit were organized by a nurse who made the preliminary arrangements, called on prospective patients, obtained the permission of physicians for patients' attendance, and, if necessary, made the follow-up visits on patients who attended the conferences. If there was a local nurse, she generally did the follow-up work.

New permanent child health centers established, 30, making a total of 28 centers partly supported by maternity and infancy funds. In addition 108 were entirely supported by municipal or private funds. These were given advisory and supervisory service by the State division and report to it.

New permanent parental centers established, 10.

Mothers' classes, 154 class groups, with a membership of 2,217 taught by State staff, 236 taught by local staffs.

In 28 communities child-health consultations have been carried on by part-time physicians, who receive an honorarium from Federal funds. These consultations are held regularly either monthly or twice monthly throughout the year.

Sixteen specialists in obstetrics and pediatrics served as regional consultants for the division, they aiding in the progress of maternity and infancy work in various parts of the State by addressing medical societies and other groups of physicians, conducting graduate courses in obstetrics and pediatrics, and conducting pediatric clinics. These consultants received a small compensation on the per diem basis for their services. During the year two courses in obstetrics, consisting of six lectures on prenatal care, postpartum care, management of normal labor, pathology of pregnancy (two lectures), and pathology of labor, were given to county medical societies; and a clinical group of physicians on Long Island gave one course of pediatric clinics. The course in pediatrics covered natural feeding, artificial feeding, nutritional disturbances, tuberculosis and cardiac diseases in young children, posture or office orthopedics, and protective inoculations.

Six community demonstrations were made.

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[1] Items 2 and 3 cover entire period of Sheppard-Towner activities within the State.

NORTH CAROLINA

NORTH CAROLINA STATE BOARD OF HEALTH,
Raleigh, April 2, 1926.

Senator MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SENATOR SHEPPARD: Your letter of March 27, relative to what part the Sheppard-Towner Act plays in the maternity and infancy work of North Carolina, has been received.

The State, together with Federal funds derived from the Sheppard-Towner Act, participates financially on a 50-50 basis with every county in the State desiring to undertake maternity and infancy work in accordance with a plan jointly approved by the State board of health and the Children's Bureau of the Department of Labor. The county budget usually consists of $2,500, of which amount the State contributes $625; the Children's Bureau, $625; and the county, $1,250. It is expected that this basis of financial cooperation will be continued for a period of one or two years, after which there will be a gradual reduction of State and Federal funds and a gradual increase of county funds until a period is reached at which time the counties can assume their full responsibility.

Trusting this information is what you desire and that you will be successful in securing the continuance of the appropriation of the Sheppard-Towner Act in Congress, I am,

Very truly yours,

H. A. TAYLOR, M. D.,
Director Bureau of Maternity and Infancy.

SUMMARY OF WORK IN NORTH DAKOTA UNDER MATERNITY ACT

Administrative agency: Department of public health, division of child hygiene and public-health nursing.

Staff: Director, 1 nurse, 1 clerk.

Activities: Child-health conferences, 127, at which 2,817 examinations were made. Many of the conferences were return visits to communities in which conferences had been held last year. In these places it was found that an encouraging number of the defects noted by the examining physician at the conference of the previous year had been corrected. Prenatal conferences were held in conjunction with the child-health conferences. Mothers were advised concerning prenatal care, and any mother desiring an examination was given one. The State bureau received more requests to hold conferences in various communities of the State than it could fill.

Campaigns: Assistance was given in the birth-registration campaign in the first six months of the year. North Dakota entered the birth and death registration area in December, 1925, as a result of the campaign.

New permanent child-health centers established, 2.

New permanent prenatal centers established, 1.

Lectures and talks by staff members, 69.

Literature distributed, 15,846 pamphlets of various kinds.

Volunteer assistance was given by 22 physicians, 19 nurses, and 336 lay workers. The physicians have cooperated throughout the State, and much of the success of the conference work was due to their support in creating local interest, as well as their aid at the conferences. Local organizations have been helpful in preparing for the conferences.

The child-health conferences held annually in connection with the State fair have aroused so much interest that a special building was planned for the accommodation of future conference work at the fairs.

OHIO

STATE OF OHIO DEPARTMENT OF HEALTH,
Columbus, March 3, 1926.

Mr. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR MR. SHEPPARD: In answer to your letter of February 24 may I send you a copy of the last annual report as prepared by my predecessor? Our program for this year includes most of the items of the maternal and infant welfare program carried on by other States. We are demonstrating public-health nursing services in the counties by holding children's clinics, broadcasting information through talks, printed matter, and the healthmobile, organizing little mothers' leagues, giving radio talks, etc.

The reports of the State department of health on Sheppard-Towner activities, however, do not constitute a fair measure of the total amount of work done in our State. This is because of the unique organization of Ohio's health work in accordance with the Hughes-Griswold act, which tends to decentralize health work so that most of it is carried on not by the State department of health but by the local county health districts. We feel that our main function is to lead the way and to encourage our local health officers and nurses. It has been somewhat difficult to fit the provisions of the Sheppard-Towner Act into this scheme of organization, but I am quite certain that we have been successful and with very gratifying results.

Sincerely yours,

H. E. KLEINSCHMIDT, M. D.,
Chief, Division of Child Hygiene.

PLAN OF ADMINISTRATION OF THE SHEPPARD-TOWNER ACT IN OHIO, 1923–1925

For the furtherance of efficient and comprehensive health service and for the dissemination of knowledge as means to assist in the reduction of maternal and infant morbidity and mortality, the following plan is proposed:

1. Education.

A. Lectures before medical societies and local health organizations by obstetricians and pediatricians of national repute.

B. Institutes: Organized at convenient points for physicians, health commissioners, and nurses.

C. Clinics.

1. Prenatal.

2. Preschool.

3. Orthopedic: Purely diagnostic and educational in nature and always referring patients back to the family physician.

D. Instruction to nurses: By printed outlines or correspondence, or in small specially organized groups upon the specific problems of maternity and infancy.

E. Demonstrations: These demonstrations will be organized in order—

1. To assist the community in recognizing and practicing minimum standards for the hygiene and welfare of maternity;

2. To carry to potential and expectant mothers through conferences and demonstrations practical methods of personal and child care;

3. To cooperate with the medical profession in the educational and diagnostic phases of the management of pregnancy and infancy;

4. To stimulate a greater interest in the vital statistics of these periods of life;

5. To promote a coordination of effort among all agencies interested in maternity and infancy;

6. To emphasize these general public health measures which are essential to the success of any personal or public health program.

The general organization of these demonstrations will be under the direct supervision of the Ohio Department of Health. It is hoped that certain assistance will be furnished by local official and voluntary, professional and social agencies.

The local administration of these demonstrations should be arranged jointly by the general or city health districts and the Ohio State Department of Health. The demonstrations should continue for a reasonable period until the State Department shall have been furnished evidence that the work will or will not be continued by local effort. The following procedures are advisable before the actual work is begun:

1. The preliminary meetings with the county medical, dental, and other societies to present the objects and extent of the proposed demonstration.

2. Preliminary survey of the local problem and facilities.

3. Arrangements for office space and for cooperative assistance from professional and social groups.

4. Meetings, at various times, of public officials and representatives from official and voluntary organizations and societies to adopt plans for the permanent prosecution of the work.

It is very essential that the medical profession and laity both understand thoroughly that these demonstrations are solely educational and diagnostic in nature. In every instance the professional relationship between patient and physician will be preserved. The demonstration will in no instance assume actual corrective or treatment measures.

The home visitation and conference educational and demonstration work will be carried on by nurses and physicians. This work will be carried to prospective mothers and into homes where there are children, with the consent and approval of the family physician, and then only after he has been made familiar with the nature of the information to be given. It is not contemplated that such educational work should be limited to subjects pertaining solely to the hygiene of the maternal and infant periods. The subjects covered should include all those phases of public health which bear upon general health promotion of the mother during the important periods of pregnancy and delivery as well as the specialized applications of public health principles pertaining to the hygiene and welfare of infancy and the preschool period.

OKLAHOMA

STATE OF OKLAHOMA,
DEPARTMENT OF PUBLIC HEALTH,
Oklahoma City, March 3, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SENATOR: It gives me great pleasure to acknowledge receipt of your letter of the 24th ultimo and to try to advise you in a general way as to what has been accomplished by the act in our State. However, the thing you ask is indeed difficult, quite as difficult as to look at a boy of 4 and estimate his value at 60. The infancy act, looked at through my own eyes (although I admit I might be prejudiced), bids fair to be nothing short of an Abraham Lincoln, should its life be spared and its possibilities developed.

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Prior to the acceptance of the act, no appropriation had been made for the health and welfare of these groups, and Oklahoma being only 18 years old has had little time to develop anything in the way of instruction in maternal and infancy hygiene through volunteer and official organizations. Aside from our two largest cities, in each of which there is a very efficient but inadequate nursing organization, the only instruction available to the mother, aside from that through this bureau, is from the physician or the occasional unlicensed, untrained midwife.

The accomplishments of this bureau probably are best seen in the change of attitude shown by the general public and the professional groups. The mothers are beginning to sense their rights and responsibilities as regards proper prenatal care, proper care at the time of delivery, proper aftercare, proper care of the infant, and proper care of the preschool child. They are eagerly acquainting themselves with the accepted standards of excellence as regards prenatal, natal, and postnatal infant and child care, and are asking that the care they get approximate these standards. In turn they are beginning to sense their tremendous responsibilities of citizenship in giving to the community a superior people physically, mentally, and morally.

The medical profession, recognizing the part it plays in this new order of things, is rising to the need. This is evidenced by the number of doctors taking postgraduate work in obstetrics and pediatrics and in the number making changes of location. Just recently a three months' postgraduate course in pediatrics has been launched in seven counties of the State with 146 physicians enrolled. Other county societies are demanding the instruction, and they will be visited as soon as the extension department of the university, which is responsible for this work, can reach them. A number of new hospitals have been built, and each one has made, or is making, special provision for maternity work.

The dentists are cooperating with the bureau almost as a unit in furthering the subject of dental education, and the graduate private-duty nurses are showing such an interest that the bureau just at this time is outlining an intensive postgraduate course in maternal and infant hygiene, which will be available to them as well as to all senior pupils in the accredited nurse training schools.

So great is the interest being shown in the rural home-making clubs that at least one home demonstration agent remarks that if this interest in health continues, she will be unable to complete her own project. Probably the most revolutionary change of attitude is the interest in and the demand for special training in maternal and infant hygiene by the normal schools, the other schools of higher learning, the high schools, and even the grades. Since Oklahoma introduced child care and training in its public-school curriculum in 1923 and since the teachers of home economics have been getting theoretical with some practical training in these subjects for three or four years, it was an easy matter to work out a cooperative scheme whereby the special, technical skill, literature, and equipment of the bureau could supplement that of the instructors in home economics in both the teacher-training and the public schools, so that the maternity and infancy program may be standardized for the entire State.

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Something of the growth of the work can be sensed by a comparison of the following figures:

The number of county fairs visited upon our own initiative in 1924 was 32.

The number visited upon special request of the interested authorities in 1925 was 56.

The approximate number of mothers getting the prenatal and postnatal letters in 1924 was 2,000.

The exact number getting letters in 1925 was 6,751.

The number of talks and lectures given by the staff (exclusive of that of the director) upon the initiative of the staff in 1924 was 447.

The number given by the State staff (exclusive of the director) and upon special request of the interested organizations in 1925 was 1,505.

We are happy to advise that as soon as we could make our position clear to the various professions and the general public we have had nothing but the most hearty cooperation from all the official and non-official health and educational institutions in the State. The press, too, has been very helpful.

That the mothers appreciate this service is evidenced by the many letters of appreciation coming to us daily, copies of a few of which will be sent you. My own opinion is that the Sheppard-Towner Act promises to fulfill in our State everything that is expected of it by its authors and its friends, but more time is needed in which to "clinch" the program that shows such phenomenal promise.

Assuring you of our gratitude for your efforts in behalf of the mothers and infants, we are,

Yours very sincerely,

LUCILE SPIRE BLACHLY, M. D.,
Director.

OREGON

OREGON STATE BOARD OF HEALTH,
BUREAU OF PUBLIC HEALTH NURSING AND CHILD HYGIENE,
Portland, Oreg., March 6, 1926.

Senator MORRIS SHEPPARD,
United States Senate, Washington, D. C.

SIR: There is no doubt in the minds of those of us who have worked close to the bureau of child hygiene, through which the provisions of the Sheppard-Towner Act function in this State, of the success of this very splendid work. As Oregon was the fifth State to accept the provisions of the Sheppard-Towner Act, we have had time to measure some of the results of our program, and feel that at least we have succeeded in arousing a very great interest in better child health in every section we have contacted.

Our program for the first year, 1922, as outlined by Miss Cecil Schreyer, assistant director of the bureau of child hygiene, and further enlarged upon by Dr. Estella Ford Warner, who was appointed director upon Miss Schreyer's resignation, included:

1. The issuance of prenatal letters: A series of nine advisory letters sent out upon request to any expectant mother residing in the State.

2. Form letters were sent out advising physicians, clubs, and other organizations of these letters and asking their cooperation. Articles were sent to papers also.

3. Distribution of literature on prenatal care and child care.

4. Establishment of child-welfare clinics over the State.

5. Addresses and talks before clubs and other organizations telling them of the work of the bureau.

6. Supplying individuals and organizations with information and material on maternal and child welfare.

7. Affiliating with the University of Oregon School of Social Work for lectures and field service.

During the first year and a half the mailing list for the prenatal letters reached the 1,200 mark, and 82 clinics, at which 3,500 children were examined, were held. Out of 36 counties, 22 were reached during this period, some of the most interesting clinics held being in the most isolated sections of our State.

During the second year a series of three postnatal letters was added to the educational program, and certificates of birth, together with a letter to parents telling them of the services of the bureau, were sent to all parents with babies born outside of the city of Portland. This has brought in a satisfactory return in the way of requests for advice and literature as well as appreciation.

During the spring and fall of 1923 lectures on maternal and infant hygiene were given in connection with courses at the University of Oregon and the Oregon Agricultural College, and a series of lectures and class work was presented at the summer session of the university extension. Studies were made by the bureau statistician concerning the incidents and causes of stillbirth and the causes of infant and maternal mortality.

In 1924 a series of four prenatal clinics was arranged for in cooperation with the obstetrical department of the University of Oregon Medical School and the Portland Visiting Nurses' Association. These clinics offer services to those who could not otherwise afford prenatal care and also serve as a teaching center for the medical students.

In July of this past year one of the weekly letters of the State board of health called attention to the work of the bureau of child hygiene and asked that doctors, nurses, and people interested in prenatal letters send in names to this office for this service. This letter was reprinted in most of the county newspapers, and has resulted in a marked increase in the number of prenatal letters.

Relative to the prenatal letters, we frequently meet mothers out over the State who express their appreciation of the advice they have received in this way.

In the five counties where there is a full-time unit and where the nurses are paid from Sheppard-Towner funds, there has been a most intensive maternity and infancy program carried on during the past year. Three permanent infant and preschool clinic centers have been established, little mothers' classes have been organized, demonstrations have been made of the obstetrical kit for home deliveries, and infant and preschool clinics have been held in various parts of the counties. In one county a dental survey was made of all the school children which has resulted in the establishment of a permanent dental clinic. In two of these counties much work has been done in the schools relative to immunization for diphtheria and scarlet fever.

Owing to the resignation of Doctor Warner in January, the Children's Bureau kindly loaned us a clinician for state-wide clinics during the latter part of the summer. Eighteen clinics were held, covering the different sections of the State pretty thoroughly, and over 1,000 children were examined. Many of these clinics were held in most isolated sections and were very well attended, showing the results of the intensive clinic program held previously. In going over this territory with the clinician, one of the most hopeful indications of the good results of the Sheppard-Towner work that I observed is the intelligent interest the young mothers are taking in their children

and the desire expressed for more frequent clinics. They are very anxious that we come back again this year and plan for two or three day clinics in each place so that all the mothers may be benefited.

We find, too, that there are many more requests on the part of the young mother for information such as is given out through this bureau as to feeding, posture, habit training, etc. * * * The young mother is calling for later literature on child nutrition and development and is demanding the very best for her child in every respect.

We are very anxious in this section of the country to see the Sheppard-Towner work continued through another five-year period, which would place our work on a most substantial basis.

Very truly yours,

GLENDORA M. BLAKELY, R. N.,
Assistant Director, Bureau of Child Hygiene.

PENNSYLVANIA

STATEMENT OF DR. MARY RIGGS NOBLE, DIRECTOR OF ADMINISTRATION OF THE SHEPPARD-TOWNER ACT FOR THE STATE OF PENNSYLVANIA, BEFORE HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, JANUARY 14, 1926

Doctor NOBLE. Mr. Chairman and gentlemen of the committee, I want to say at the beginning that we have the very greatest latitude in making our plans in Pennsylvania.

I had the honor to be in the division work before any Federal money was available, and our plans were simply laid aside because there was no money to carry them on, and it was simply the matter of getting out those plans and starting them when the money was available.

The three points that I shall make are that we are starting permanent child-health work, going into communities, and making such a basis that if we were suddenly swept off the map, either in the central office or federally, that community would have a good deal within itself to keep going for its own babies and mothers.

We could not put our fingers on 25 child-health centers outside of Pittsburgh and Harrisburg when we started to interest the local committees in this work. We have now 418 permanent centers. A good many of those the State has not been directly responsible for, but outside of Harrisburg almost every single center uses something that our division supplies, either our advice, our organizing help, or our literature and record forms.

For example, in one county they have reduced their infant death rate to 46, where the State rate is 78, and I think it can be safely said that practically every child under 6 is under the supervision of the public health nurse and locally interested women. They only lost three mothers in that county, with a population of 40,000, last year.

In the second place, we are attacking, which is our worst problem, the deaths of the mothers, and I want to show you the map that we made out showing the deaths of mothers in Pennsylvania [showing map of Pennsylvania]. Each pin is a mother who died in 1924. We lost altogether 1,337 mothers. We have scarcely made a dent in that situation, and we admit that is one reason, and I think perhaps they very best argument, why we should have more time with money going on to help us out. Everybody is working on it. All scientists and physicians are more interested than they have ever been before.

In these two things the spontaneous interest of the physicians and the automatic response in the communities is something that, in contrast to three years ago, is almost more than we could have anticipated. Doctors were not understanding, and certainly not very much interested, in our preventive work, and we now have over 700 physicians interested in both the baby work and the other work. There are 12,000 physicians all told in the State, and a very large proportion of them are interested in this work. We look back over three years and we feel that we have their friendliness and their interest and their cooperation, and that they understand the program as they never did before.

The most spectacular thing we have done, perhaps, is to interest the midwives. In nine counties we have full-time women physicians supervising, controlling, and instructing midwives. Midwives to the number of 666 are being controlled and supervised. There the infant death rate just after birth—what we call the "neonatal," new-born death rate—was 23.7, where the rate for the State is very much higher. And their maternal death rate in 11,000 deliveries was only three as against a rate for the State of six point something. We feel that if we can control the midwives as we are doing now through the whole State, and particularly in the rural areas, in the coal region, where there were more foreigners and where it is the most pressing problem, that we can be doing the best work.

RHODE ISLAND

(Rhode Island accepted the benefits of the act in April, 1925. The report submitted covers the work done in the remainder of the fiscal year (May and June) 1925)

Administrative agency: State board of health, division of child welfare.

Staff: Director, 4 nurses, 1 field secretary, 1 stenographer.

Activities: Child-health conferences, two each week. The number of children examined was not reported.

Home visits, 4,164. These were made by the staff nurses.

Lectures by staff members, three.

SOUTH CAROLINA

SOUTH CAROLINA STATE BOARD OF HEALTH,
Columbia, S. C., March 13, 1926.

Senator MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: In response to your inquiry as to what has been accomplished in South Carolina by the infancy maternity act I can cite the following:

Two thousand six hundred and thirty midwives have been given a course of instruction in the proper care of mothers and babies. This course has consisted of 10 lectures and as many practical demonstrations. At the conclusion of it those women who have shown an understanding of the teaching are given permission to practice for a year under the supervision of the State field nurses. As half the women in South Carolina are cared for at childbirth by midwives, it is evident how important this work is.

Nine hundred and twenty mothers have been given a course of 22 lessons in the hygiene of the home and the care of infants and young children, and over 3,000 others have had 10 or more lessons in child care.

One thousand one hundred and eighty-three girls have joined Little Mothers' League groups to learn how to care for babies. As these are generally seventh and eighth grade girls who will before many years marry and have children of their own this is certainly a thing of value to the community as well as to the students themselves.

One thousand eight hundred and twelve baby conferences have been held, at which 28,947 infants and preschool children were examined and the mothers advised as to their care and treatment.

We have been able to do a great deal of educational work leading toward the establishment of prenatal clinics and better care for women before and at the time of confinement.

Our infant-mortality rate has been lowered to 91.4 this past year, but we consider that the fact that these children who do not die are also being cared for in a more intelligent way, so they will grow up to be more useful and efficient citizens, is of equal importance.

Much remains to be done, especially along the line of prenatal care. This most important branch of the work is always the most difficult to put across because of the hesitancy of expectant mothers about coming to clinics, so that the nurse must bring about the education of these women by repeated home visits.

We do feel now, however, that a beginning has been made and that a few more years will enable us to reach every part of our State with an educational program that will result in a permanent lowering of our maternal and infant death rate.

I am inclosing a letter just received asking for help from us. This letter is fairly typical. We seldom get letters from women acknowledging our help, because when we receive such a letter as this we refer it to our nearest public-health nurse and ask her to visit the woman and keep in touch with her as long as she needs advice and assistance. Our reports then come in through the nurse.

Frequently women who have brought a sickly baby to a child-health conference return the next year with a healthy child and tell us quite proudly that they have followed the doctor's instructions to the letter and are more than pleased with the result.

If there is any more information that I can give you that would be of value or interest, I will gladly furnish it.

Sincerely yours,

ADA TAYLOR GRAHAM, *Director.*

SOUTH DAKOTA

STATE BOARD OF HEALTH,
DIVISION OF CHILD HYGIENE,
Waubay, March 2, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR MR. SHEPPARD: Complying with your request of February 25, I am very glad to forward to you a copy of the report of the work of the South Dakota division of child hygiene, cooperating with the United States Children's Bureau under the provisions of the Sheppard-Towner Act. The report covers the period from the time the Sheppard-Towner appropriation became available to December 31, 1925, but is only a brief summary and is listed as a reference in the program of study for the child welfare department of the South Dakota Federation of Women's Clubs.

Inclosed also, as requested, are copies of a number of letters from individuals who have received or observed some benefit from our work.

It is my sincere hope that the Members of Congress will feel that the work under the Sheppard-Towner Act throughout the States has been of sufficient value to justify its continuance.

I should like to take this opportunity to express to you my personal appreciation of your efforts in this field. Working among the people, as I do, I can see the great benefit that it has been to thousands of people throughout the United States, directly and indirectly.

Very truly yours,

STATE BOARD OF HEALTH,
CLARA E. HAYES, M. D.,
Director, Division of Child Hygiene.

WORK OF THE SOUTH DAKOTA DIVISION OF CHILD HYGIENE

The division of child hygiene administers the United States Sheppard-Towner fund for maternity and infancy, the State appropriation to match that fund, and the appropriation made by the last legislature for crippled children.

A budget of both State and Federal funds for maternity and infancy is submitted annually to the United States Children's Bureau for approval. The privilege of rebudgeting semiannually is granted in case the year's work can not be carried out as planned. In addition to the entire State appropriation, a large amount of the Federal allotment remaining after deducting the cost of administration is used for actual work within the State.

The best information on the purpose and duties of the division of chield hygiene I believe is a report of the work done since it began operation. Following is a summary of the work up to December 31, 1925.

NURSING

The division of public-health nursing has been maintained. The supervisor of public-health nursing secures properly qualified nurses for county and school work and supervises and helps all public-health nurses in the State. She makes advance arrangements in the field for mother and baby clinics, assists the director of the division with such clinics, and conducts mothers' classes. For the past eight months a field nurse has been employed. She makes arrangements for and assists with the mother and baby clinics and arranges for and conducts classes for mothers.

Financial assistance has been given to Harding, Perkins, Corson, and Dewey Counties in the employment of county nurses who have carried out special programs of maternity and infancy work in addition to the general public-health nursing. Whole-time county health departments have been organized in Pennington and Yankton Counties with financial aid from the international health board. These departments, together with Brown County whole-time health department, have received some financial help. Each department employs two or three public-health nurses who carry out intensified maternity and infancy programs.

All arrangements have been made for more than a year to give Harding County further help with the maintenance of a public-health nursing program, but no nurse can be found to take the work.

MATERNITY AND PRESCHOOL CLINICS

These clinics give opportunity to expectant mothers for physical examination and advice and for physical examination of children of preschool age and advice to their parents regarding the correction of physical abnormalities and proper care. In the clinics conducted by the director of the division and State supervising nurse, the field physician and nurse working five months in 1924 and 1925, and the physicians and nurses of counties helped financially 8,135 children and 122 expectant mothers have been given examination. Clinics were held in 62 counties and 159 towns once and in 40 counties and 91 towns twice. In the whole-time county health departments, 145 expectant mothers and 735 infants have been under supervision.

EDUCATIONAL WORK

The South Dakota Mother's Book has been revised. A copy is sent to the mother of each child whose birth is reported to the State board of health. In all phases of our work the importance of birth registration is emphasized. Although South Dakota is not in the United States birth registration area, for the past four years the rate of births reported has been slightly higher than the average rate of reporting in the birth registration area.

A small publication on infant feeding has been prepared and many copies are sent out upon request.

Special instructions on prenatal care have been sent out upon request to 1,941 expectant mothers.

Four hundred and ten lectures have been given on maternity and child-health subjects, most of which have been illustrated with special films.

The last phase of educational work to be developed is the mothers' classes, consisting of eight lessons covering the whole period of pregnancy. The last two lessons are demonstrations of the preparation of materials for confinement and things necessary for the baby. With each of the first six lessons an additional demonstration of some phase of the care of the baby during the first month of life is given. Several county nurses have conducted mothers' classes. The State supervising nurse and the field nurse have just completed 10 courses in Jackson, Jones, Lyman, Brule, McCook, and Division Counties, with a total enrollment of 169 members. The attendance at these classes increased with each lesson. Many of the members walked over a mile and several as far as two miles and a half to attend. There have been numerous expressions of gratitude for the work and of the benefit which it has already been to the members. The classes are usually held in the home of one of the members. All materials, including typed outlines for each member, is provided by the division of child hygiene. Twelve more classes have been planned to begin in January. Six of these will be in Butte, Lawrence, and Meade Counties, and six in Deuel, Hamlin, and Clark Counties.

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TENNESSEE

STATE OF TENNESSEE, DEPARTMENT OF PUBLIC HEALTH,
Nashville, March 13, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SIR: Dr. W. J. Breeding has asked me to make a general statement on the accomplishments as a result of the expenditure of money in Tennessee under the Sheppard-Towner Act. The statement can be quite brief, for definite statistical evidence can be presented.

Two types of work in this field are in progress in Tennessee. The first is a generalized program for counties in which there are no full-time local health organizations. Obviously, work of this kind will not lend itself to any definite statement as to its value until after a considerable period of time. We believe its principal value at present is that resulting from general educational activity; that is, a shortening of the lines of communication between the sources of health information and the individual mother who must profit by our knowledge of health principles if these principles are to have practical value. We think that our activities in this field have had considerable value and present as evidence a better understanding of health problems, which is quite apparent to our field workers.

The second form of activity in which we are engaged is specific in nature and principally performed by nurses attached to local full-time health organizations, mainly consisting of full-time county health departments. In addition to the work being done in cooperation with county health departments, some counties are maintaining county nursing units without full-time health departments. Evidence of the improvement of conditions in these areas is definitely shown by the slow but sure and consistent decline in the infant-mortality rate, which is a very sensitive index. If the infant-mortality rate for the State as a whole had been as low as the rate in the areas where this work is being done, Tennessee would have lost 167 fewer babies than it actually lost in 1924. Needless to say, we are extending this plan of activity to our counties as rapidly as possible. A statistical study of maternal-mortality rates has not yet been possible, but I feel confident similar results would be shown.

Very truly yours, E. L. BISHOP, M. D.,
Commissioner of Health.

TEXAS

TEXAS STATE BOARD OF HEALTH,
Austin, Tex., March 5, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: Your letter of February 25 received. I am inclosing letters for your use. I am sending originals, as we are taking these out of our files to throw away. We have thousands of letters of this type, and only one letter in our six years of operation in Texas condemning our work.

* * * * * * *

The one complete file that I am sending—the Spur, Tex., file—is in regard to laboratory tests made on a case, the result of which probably saved the mother's life. Where we have a nurse in the county, this is handled through the county nurse.

We have 28 maternity and infancy nurses in Texas, doing full-time work and putting on a county-wide program. We have one itinerant nurse, one negro nurse, and a supervisor with one assistant, who is also an advisory nurse. We have a maternity home inspector, which is required by the State law. The State law also requires that we furnish prophylactic drops for indigent cases, and we supply silver nitrate.

We have located 2,576 midwives, each one of whom is supplied with birth-certificate blanks and silver nitrate. Midwife classes are held in counties where we have a maternity and infancy nursing service.

We send a letter to the mother of every baby whose birth is registered. Copy of this letter is included, with reply attached. With this letter is inclosed a card, listing pamphlets for mothers of young chil-

dren. On requests through these cards we send out between two and four thousand pamphlets a month.

These pamphlets are secured from the Children's Bureau at Washington.

I am sending you a copy, one month's issue of the Gleaner, which gives you the report of the field work for that month, statistical and narrative. This goes out monthly to the nurses, and will give you an idea of our field work.

Our prenatal files carry an average of 2,000 names a month, of mothers asking for literature on prenatal care. The nurses in the counties hold classes for expectant mothers and mothers of young children.

Every woman's organization in Texas has a child hygiene division which is working in connection with the Department of Health to make the child-hygiene program as general as it is possible.

We are not in the birth-registration area, but we have estimated a loss of 9,000 babies a year in Texas under 1 year of age, and 900 mothers who die in childbirth. We are working to decrease this very high percentage, most of which is due to lack of prenatal care.

If I can give you further information, I shall be glad indeed to do so.

Very truly yours,

H. N. BARNETT, M. D.,
Director, Bureau of Child Hygiene.

UTAH

UTAH STATE BOARD OF HEALTH,
BUREAU OF CHILD HYGIENE,
Salt Lake City, Utah, April 3, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SIR: Response to yours of recent date has been delayed by my absence in the field and other interferences. I trust the following information may not be too late for your purpose:

The bureau of child hygiene of the State board of health, which was designated to direct the work of the Sheppard-Towner activities in Utah, has organized health centers in all of the counties of the State. To date 121 centers have been established in charge of local committees, at which well-baby clinics or conferences have been held at intervals. Examinations of the children have been made by the director of the bureau, supplemented by local physicians where available. Maternity welfare has been stressed at the centers and through literature sent from the office of the board of health. Follow-up work to secure the correction of defects discovered has been carried on by public-health nurses as far as possible.

During the period from January 23, 1922, to December 31, 1925, 26,105 examinations have been made at the health centers. Of these, 6,115 were reported normal, while the balance of 19,990 had one or more physical defects, totaling 38,719, thus showing an average of 1.48 defects per child examined. As a result of these examinations we have been able to have a great many defects corrected, underweight children have been brought to normal, tonsils and adenoids have been removed, teeth filled, and other conditions remedied too numerous to mention, while thousands have been immunized against diphtheria and smallpox. The prevention of goiter has been stressed to the expectant mother and the parents of little children, with the result that many are now taking preventive treatment for this condition. Mothers everywhere have expressed their great appreciation of the assistance thus given them, while many of the grandmothers have said, "How I wish I could have had such help when I was raising my family."

The work has proved of very great value. The promotion of maternity and infancy welfare has been farther advanced in Utah than would otherwise have been possible in many years. The discontinuance of the work at this time would be disastrous, because the demonstration of its benefits has not reached a stage of completion that will insure its permanency.

Respectfully yours,

H. Y. RICHARDS, M. D.,
Director, Bureau of Child Hygiene.

SUMMARY OF WORK IN UTAH

Administrative agency: State board of health, bureau of child hygiene.

Staff: Director (physician), 1 physician (part time), 1 staff nurse, 3 county nurses (part time), 2 clerks.

Activities: Child-health conferences, 234, at which 7,972 examinations were made.

Prenatal conferences, 54, with an attendance of 130. These were held in conjunction with child-health conferences. Expectant mothers were given instruction in prenatal care only.

Mothers' classes, 55 class sessions. A total attendance of 1,112 women was reported at the classes held during the last half of the year. The number in attendance at classes held during the first half year was not reported.

Little mothers' classes, 4.

Home demonstrations, 123. These included demonstration of layettes, infant care, and the preparation of infant and child diets.

Home visits, 2,296.

Maternity homes inspected, 7.

Infant homes inspected, 1.

Surveys made in two counties to secure information on such points as existing sanitary conditions, health resources, social agencies, etc., of each town in the county. This information was used in formulating plans of work in these two counties.

New permanent child-health centers etsablished, 50.

Lectures and talks by staff members, 241.

Literature distributed, 13,594 Federal and State bulletins.

Exhibits: Charts, posters, slides, and other exhibit material have been prepared for fairs and meetings of various organizations. New graphs have been made showing the trend of infant mortality and morbidity rates in the State. These have been exhibited in the State offices and at other places where they might be of interest to the public.

Volunteer assistance was given by 75 physicians, 20 dentists, 28 nurses, and 722 lay workers. In so large a State the best method of work for the comparatively small staff has seemed to be to have one of the staff nurses go into a community, and after noting general health conditions and other relevant facts confer with the various clubs, churches, and other organizations, to interest them in the establishment of a health center. The next step was to have them appoint a temporary committee to prepare for the later arrival of a member of the medical profession, or a nurse, to give a demonstration of child-health work. These demonstrations were given good publicity in advance and the attendance was excellent. The visitors then were asked whether the examinations of their children were of value and whether they cared to make the organization permanent. The term "permanent organization" serves merely to indicate that some one is responsible for keeping the work going in the long intervals which must elapse between the visits of members of the State staff. The local physicians were expected to conduct the conferences and were requested to report the number of children examined, types of defects found, etc. If possible, the conferences were held in public-school buildings.

As a result of this work done by the State bureau, 50 new permanent health centers have been established this year, at which periodic child-health conferences are conducted by local personnel.

Tabulations were made of the results of the 11,562 examinations made at 386 child-health conferences held in 25 counties by the State staff or by local forces. These tables showed such points as number of children coming to the conferences for the first time, number of children returning for examination, and number and kind of defects found. Correction was recorded of 1,409 of the 14,681 defects noted.

VERMONT

STATE OF VERMONT,
DEPARTMENT OF PUBLIC HEALTH,
Burlington, Vt., March 18, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your request for information regarding the working of the Sheppard-Towner maternity act in this State, I beg to say that our work has been in progress for so short a time that it is as yet impossible to state results. However, so far as we have gone with the work, it promises well.

Our field nurse is already beginning to see results of her efforts, and the people are increasing their interest. Further than this, our progress in obtaining increased accuracy in vital statistics has been very satisfactory, and I feel that if the Sheppard-Towner work had accomplished no other result in this State than that shown in vital statistics it would still be thoroughly worth while.

Yours very truly,

CHAS. F. DALTON, *Special Agent.*

VIRGINIA

COMMONWEALTH OF VIRGINIA,
STATE BOARD OF HEALTH,
BUREAU OF CHILD WELFARE,
Richmond, March 9, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: I regret the delay in replying to your letter of February 25, in which you ask for information regarding the accomplishments in Virginia under the acceptance act for Sheppard-Towner funds. I have been out in the field, and your letter has just come to my attention.

The bureau of child welfare was established in 1918, though without direct appropriation until 1920. During the four years to 1922 the principal emphasis was laid on the healthy school child, and health education in the schools was the greatest activity. However, the need for maternity and infancy work was clearly seen, and during

the summer months some attempt was made to reach mothers through child-welfare conferences. Also in order to stimulate public-health nursing to safeguard the health of school children in rural districts a small amount of money was set aside to aid in establishing such nursing service. It was not until 1922, when through the acceptance act Virginia received Sheppard-Towner funds, that a definite program for maternity and infancy work could be inaugurated.

From this time on various activities were gradually put into operation as the need became apparent and funds were available. With the assistance of this Federal appropriation, we have been enabled to help to support on an average 40 nurses a year in as many communities. We give from $200 to $500 a year toward a nurse's salary, and she is required to devote one-fourth of her time to maternity and infancy welfare work, including prenatal and postnatal instruction to mothers, and teaching midwife, home nursing, and mothers' classes.

We were enabled to put on an intensive study of the midwife situation in Virginia. There are 6,000 midwives in Virginia, most of them illiterate, ignorant, and superstitious. A large majority of these are negroes, and many of these attend white women. One-third of the mothers in Virginia are attended by midwives. Midwife classes have been organized in 34 counties where there are no public-health nurses and in 32 where there are nurses.

We give a course of eight lessons. Efforts are being made to eliminate the most ignorant and superstitious of these midwives, and to train a better class of women to take up this work under the supervision of doctors. Such women will be called doctors' helpers rather than midwives.

Child-welfare conferences have been held wherever requested. These conferences are of two kinds, permanent where there are health stations to which mothers are encouraged to bring their children regularly for instruction, and itinerant where the mothers come in groups to appointed places with their babies and preschool children for examination and instruction. In the past three years 6,385 children have been examined in the itinerant conferences alone.

One of the most far-reaching educational pieces of work put on by the Sheppard-Towner funds is the correspondence course for mothers. In this course mothers are trained through 12 regular lessons, including questions to be answered in writing and sent to the director for correction and additional information if needed. The course was written as simply as possible in order to reach even those who have poor educational background and who especially need instruction in maternal and infant care. It is given free to all mothers, fathers, and guardians of children. The course is in charge of a woman who is herself a nurse and a mother and has had many years' experience in training mothers through visiting nursing service.

During the two and one-half years this course has been in operation over 2,100 women have enrolled for instruction, and as a result of this teaching many of them have been induced to consult a physician rather than a midwife during the early months of pregnancy.

We all realize that without the Federal aid through the Sheppard-Towner fund it would have been impossible to accomplish what has been accomplished in maternity and infancy work in Virginia through the activities of its field workers and instructors.

According to your request I am inclosing some expressions of appreciation from those who have taken the correspondence course for mothers.

Very sincerely yours,

MARY EVELYN BEYDON,
Director, Bureau Child Welfare.

WASHINGTON

STATE OF WASHINGTON, DEPARTMENT OF HEALTH,
Seattle, March 29, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SIR: No money was available in this State for maternity and infancy work before the Sheppard-Towner Act became effective, and although several of the larger cities were carrying on some form of child-health activity, nothing on a state-wide basis had been done.

Through the avenues of child-health conferences, mother and baby health schools, and a correspondence course in the hygiene of maternity and infancy there is now available to the mothers of this State knowledge she should have relative to her own care during pregnancy and information regarding the care of her baby.

Physicians, public-health nurses, women's clubs, and other lay organizations have become keenly interested in these activities and the success of the State's program is due mainly to the cooperative efforts of these individuals and organizations.

One of the greatest assets which the division boasts is the deep interest in and the splendid attitude of the physicians throughout the State toward its child-hygiene program.

The death rate per 1,000 live births for infants under 1 year in this State has decreased from 59.09 in 1922 to 55.2 in 1924. The tabulations for the year 1925 have not yet been completed.

Inclosed is a brief summary of the activities of the division for the year ending December 31, 1925.

Very truly yours.

ELLA S. ERIKSON,
Advisory Nurse.

SUMMARY OF ACTIVITIES OF CHILD HYGIENE DIVISION OF STATE OF WASHINGTON, DEPARTMENT OF HEALTH, 1925

The division has for its object the education of the mothers of the State regarding their own care during pregnancy and the care of the infant and young child, so that morbidity and mortality during pregnancy, confinement, and infancy may be reduced.

Through cooperation with all public-health, medical, and lay organizations now conducting state-wide child welfare programs, the division is attempting to correlate all child-welfare activities now being carried on in the State.

The avenues through which this program is being promulgated are—

(1) CHILD-HEALTH CONFERENCES

During the past year child-health conferences have been conducted in 63 different communities of the State. Four thousand, five hundred and thirty-six examinations of infants and small children were made in these conferences. In each instance the significance of the findings were explained to the mother, need of medical and dental care pointed out, diet and general care discussed and questions answered. The conferences were all held under the auspices of some lay group in the community and with the cooperation of representatives of the medical profession.

(2) MOTHER AND BABY HEALTH SCHOOLS

Mother and baby health schools featuring lectures and demonstrations in prenatal and infant care have been held in many communities. The health schools consist of series of lectures and demonstrations by physicians, nutrition specialists, nurses, and other experts in child care. Mothers have been very greatly interested and attendance at the lectures has been most satisfactory. The health school idea is adaptable to communities of all sizes, anywhere from two to six lectures being given. Demonstrations depend upon material and assistance available.

(3) CORRESPONDENCE COURSE

A correspondence course in the hygiene of maternity and infancy given by the division has been highly successful. The course has a wide range of application and is being undertaken by groups of mothers as well as by individuals. Physicians and nurses have utilized this course as a means of instructing mothers. At the present time 273 mothers are enrolled in this course.

(4) LITERATURE AND RECORD FORMS

Physical examination forms and instructions for conference conduct have been prepared. Ten thousand two hundred and sixty copies of literature on child-health conservation have been distributed. The greater part of this literature is supplied by the Children's Bureau of the United States Department of Labor.

(5) FILMS, SLIDES, AND POSTERS

Films, slides, and posters owned by the division have been utilized by both lay and professional groups in promoting their child-hygiene programs.

For 1926 expansion of activities into the counties where comparatively little work in child hygiene has been done is planned. The coming year should see interest in child and maternal health manifest itself in some form in every county in the State.

WEST VIRGINIA

STATE OF WEST VIRGINIA, DEPARTMENT OF HEALTH,
DIVISION OF CHILD HYGIENE AND PUBLIC HEALTH NURSING,
PROMOTION OF THE WELFARE AND HYGIENE
OF MATERNITY AND INFANCY,
Charleston, W. Va., March 11, 1926.

Hon. MORRIS SHEPPARD,
Committee on Irrigation and Reclamation,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: It is a great pleasure to give all information possible to you concerning what has been accomplished in our State through the passage of the Sheppard-Towner Act.

Previous to the passage of this act in 1919 the Legislature of West Virginia created a division of child hygiene and public-health nursing, but funds were so limited that the work of the division was greatly handicapped. When Federal funds became available to us in May, 1922, it made possible added personnel and increased activity in our maternal and child-health program.

We are financing in the State department now, through Federal funds, one-half the salary and travel expense of the division director, the salary and travel expense for one white field advisory nurse and one colored field advisory nurse, two clerical workers, one clerk and one field worker in the vital statistics division. The remainder of our funds is used to supplement the budget for the employment of public-health nurses in local territory as a stimulus and encouragement toward establishment of a permanent health-protection program for the county or community. In a number of instances the successful demonstration of the public-health nursing program over a period of one or two years has resulted in the establishment of a full-time health department. This, we believe, is fulfilling the ultimate objective you had in mind in your heroic fight for the passage of the Sheppard-Towner bill.

If through the demonstration made by means of Sheppard-Towner funds in behalf of health protection and promotion for mothers and little children, permanent health organizations result in local territories in most of the States, you will have made a tremendous contribution to the country; indeed, we feel you have already done so.

Our State department of health is now contributing from $600 to $1,500 toward a budget for the employment of a public-health nurse in 11 counties of our State.

Besides the active nursing program and the activities related to birth registration, we are carrying on what, for want of a better term, we call a motherhood correspondence course. The inclosed copy of an article on this phase of the work which has just been prepared for the quarterly bulletin will be of interest. We are also inclosing copies of excerpts from mothers' letters which constantly come in.

If we can give you any further information, it will be our pleasure to do so.

Sincerely yours,

Mrs. JEAN T. DILLON, *Director.*

STUDY OF MOTHERHOOD CORRESPONDENCE COURSE IN WEST VIRGINIA

One of the methods used in several States to reach expectant mothers and mothers of young children, with health education as one means of reducing the maternal and infant sickness and death rate, is a series of letters and literature, grouped for convenience of expression under the title "Motherhood Correspondence Course."

West Virginia has been making a modest effort along this line since July, 1922. The course consists in our State of a series of five prenatal letters sent at short intervals, and accompanied by other material such as may be secured through the Children's Bureau and our own department, supplementary to the letters. The letters emphasize the importance of medical supervision from the beginning of pregnancy, of suitable diet, exercise, proper clothing, etc., for the expectant mother for the safeguarding of her own comfort and health as a means toward giving her child a fair chance to be well born. During the first six months over 800 women enrolled for this information, and by the end of the first year the number had grown to 1,675; by the end of the second year the enrollment had increased to 3,931, and at present the number is approximately 6,000.

The clerical work entailed has grown very heavy, and it was decided to make a test in order to find out whether results obtained were really commensurate with expense involved.

A simple questionnaire was sent out to 2,000 of the mothers who had been enrolled for a period of two years or longer.

It is interesting to note in connection with the above that the death rate under 1 year is 4.8 per cent, while for the State as a whole the figure stands at 7 per cent.

* * * * * * *

WISCONSIN

WISCONSIN STATE BOARD OF HEALTH AND UNITED STATES DEPARTMENT OF LABOR, CHILDREN'S BUREAU,
Madison, March 1, 1926.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am very glad indeed to submit a very short account of the work which has been carried on in Wisconsin under the Sheppard-Towner Act.

* * * * * * *

The bureau has established a prenatal letter service, through which one letter each month is sent out to every expectant mother whose name is sent to us, and their letters of appreciation have placed a distinct value upon this branch of our service. We quote a few of these letters, as follows:

"You can never know how much your wonderful letters and bulletins meant to me. * * * I wish more of the prospective mothers knew of the splendid help your department gives."

"Thank you for the helpful literature. * * * It has helped me so much, as I knew nothing about motherhood.

"* * * I find your letters of great help; thank you for interest and kindness."

* * * * * * *

"Thank you for the helpful service. I saved your letters and bulletins and reread them from time to time. Sincerely believe that I can nurse my third baby for a longer period than the other two because of your information. I am taking care of myself the way you told me to do. * * *"

* * * * * * *

"I feel that it is due to your letters that my second baby lived. The first one did not live many hours, and I realize now that it was because I knew nothing about caring for myself."

"Every mother in Wisconsin ought to have your letters, which have been a wonderful help to me. * * *"

"The letters tell me everything I wish to know."

We could quote many more on this subject, but as these come from various parts of the State, it will show somewhat the appreciation which our mothers have.

In addition, Wisconsin has been able, through the cooperation of the board of normal regents and the board of education, to incorporate our infant-hygiene classes in the seventh and eighth grades of almost every school in the State. The plan for this has been worked out by Mrs. Gertrude Hasbrouck, organizer of the infant-hygiene classes in the public schools of Wisconsin, and is meeting with very wonderful success.

We have sent the inclosed bulletins of the child-welfare special and the six-year summary to each one of our United States Senators and Representatives; also to each counselor of the State medical society, besides sending a number of these to our various women's clubs, including the League of Women Voters, with headquarters at Chicago.

If we can send you any further information, or if there are any suggestions you can make as to how we could better reach or interest more people in this work, we will be very glad to accept anything offered.

Sincerely yours,

CORA S. ALLEN, M. D.,
Acting Director Bureau of Child Welfare.

Statistical summary of field and office work in Wisconsin, September, 1919, to September, 1925

Number of talks to groups	1,162
Number of home visits by field nurses	5,489
Number of child-health and prenatal conferences—days	1,357
Number of infants and preschool children examined	34,354
Number of prenatal patients received at health centers	958
Number of counties in which service was given	71
Number of cities in which service was given	710
Number of training schools for teachers visited and instructed	47
Number of advisory visits to public-health nurses	639
Number of district meetings of public-health nurses	31
Number of annual institutes	6
Sets of posters loaned	739
Sets of slides loaned	68
Films loaned	48
Number of circular letters sent out	73,288
Number of individual letters written	20,260
Number of prenatal letters issued	30,204
Number of publications distributed	480,492

The results of the work in Wisconsin have thus far exceeded expectations. Nevertheless the greatest results will appear in the next 10 or 20 years, when the children examined or the children of mothers having had this health service reach maturity.

WYOMING

THE STATE OF WYOMING,
DEPARTMENT OF PUBLIC HEALTH,
Cheyenne, March 29, 1926.

Hon. MORRIS SHEPPARD,
Committee on Irrigation and Reclamation,
United States Senate, Washington, D. C.

MY DEAR MR. SHEPPARD: I am inclosing a summary of the work done during 1925 in the State division of child hygiene in cooperation with the Children's Bureau, of Washington, D. C., under the Sheppard-Towner Act.

* * * * * * *

Our work has consisted of itinerant mother and child health conferences. At these conferences babies and children were examined by the local physician in the community in which the conferences were held. Defects were pointed out and advice was given. In all cases the baby or child was referred to its family physician. We furnish neither medicine nor prescriptions.

The mothers were instructed as to prenatal care, natal care, infant feeding, and child care. We also conducted permanent health conferences or centers. The field nurses also made home visits. This work consisted of instructing the mother in prenatal care and also in child care. Home visits were also made to see if any suggestions made at the conferences had been followed out.

There was also organized mothers' circles or groups, in which instruction in prenatal care was given.

There were 1,484 prenatal visits made, 6,615 children visited; there were 50 itinerant child and mother's health conferences held, at which

1,196 children were examined. There were 66 permanent health conferences conducted, at which 1,329 children were examined. There were 197 prenatal conferences conducted, at which there were 1,337 mothers in attendance. At the prenatal conference the mothers were instructed and demonstrations were made, but there were no physical examinations made.

Considering the great distances in Wyoming and the sparseness of the population the task of conducting these conferences and making these visits is considerable. We are sorry that we can not make a better showing, but I believe our work will compare reasonably well with other States when these factors are taken into consideration.

Very truly yours,

G. M. ANDERSON, M. D.,
State Health Officer.

CLAIMS AGAINST THE GERMAN GOVERNMENT

Mr. KING. Mr. President, a few days ago I offered a number of resolutions, three of which I desire to have taken up to-day.

One of those resolutions is Senate Resolution 198, calling upon the Secretary of State to transmit to the Senate certain information, if not incompatible with the public interest. I have submitted it to the chairman of the Committee on Foreign Relations, the Senator from Idaho [Mr. BORAH], and he has no objection to it. I shall have it read if Senators desire.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Utah yield to his colleague?

Mr. KING. I yield.

Mr. SMOOT. Do I understand that this is agreed to and will lead to no debate?

Mr. KING. Yes.

Mr. SMOOT. In that case I have no objection to its present consideration.

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

There being no objection, the Senate proceeded to consider Senate Resolution 198, submitted by Mr. KING on the 10th instant, which was read, as follows:

Resolved, That the Secretary of State transmit to the Senate, if not incompatible with the public interest, copies of all correspondence, notes, exchanges, and communications which have passed directly or indirectly between the Secretary of State and the Government of Germany respecting the settlement and payment of claims against the German Government for indemnification on account of destruction of life and property of American nationals subsequent to August 1, 1914, including the instructions given to Ambassador Kellogg, who represented the Department of State at the Paris Finance Conference, and also advise the Senate as to whether the State Department at the Paris conference, or otherwise, agreed that the United States should assume the burden of the payment of awards made in favor of American nationals against Germany and accept from Germany, in subrogation of the rights of its own nationals, annual installments of $11,000,000 for the payment of private American awards and annual installments of $12,000,000 in reimbursement of the costs of the American Army of Occupation of the Coblenz area on the Rhine and in payment of other Government claims, as representing the entire obligation of the German Government to the Government of the United States in the premises, and if the Secretary made such an agreement, to advise the Senate of the considerations which induced him to make the same.

Mr. CURTIS. Mr. President, has the Senator taken up the resolution with the chairman of the Committee on Foreign Relations?

Mr. KING. I submitted this resolution, as well as the companion one asking the Secretary of the Treasury to furnish similar information if he had any, to the chairman of the committee; and he advised me that it is all right, that he has no objection to it.

Mr. CURTIS. I have no objection.

Mr. SMOOT. I understand that the Secretary has no objection.

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

The resolution was agreed to.

Mr. KING. Mr. President, the companion resolution calls upon the Secretary of the Treasury to furnish the correspondence which he may have had respecting the same matters mentioned in the resolution just passed. That resolution is numbered 199; and I ask to have it considered and acted upon at this time.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read Senate Resolution 199, submitted by Mr. KING on the 10th instance, and it was considered and agreed to by the Senate, as follows:

Resolved, That the Secretary of the Treasury transmit to the Senate all correspondence, notes, exchanges, and communications which have passed directly or indirectly between the Secretary of the Treasury and representatives of the German Government respecting the settlement and payment of American claims against Germany, together with a statement concerning all conferences and negotiations on the subject of such claims, to which he directly or indirectly has been a party, and to advise the Senate whether representatives of the Department of the Treasury, with his authorization, have carried on negotiations in Germany respecting the settlement and payment of such claims, and to report to the Senate any and all arrangements, recommendations, or agreements, which he has made in the premises, and the considerations which induced him to make the same.

PROPOSED PHILLIPINE MISSION

Mr. KING. I also ask unanimous consent to take up Senate Resolution 196 and have it acted upon.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read Senate Resolution 196, submitted by Mr. KING on the 9th instant, as follows:

Whereas it is reported that Carmi Thompson, Esq., of Ohio, has been appointed by the President, without authority of Congress and without the advice and consent of the Senate, to go to the Philippine Islands, accompanied by a staff and retinue of experts, investigators, and clerks, to make an investigation of conditions in the Philippine Islands and of the affairs of the Philippine Government and to report to the President upon the policy of the United States as affecting the political independence of the Philippine Islands; and

Whereas it is the exclusive function of Congress, under the Constitution, to determine the policy of the United States with respect to the Philippine Islands, and to make such investigations and visitations as it may deem advisable of the Territories and dependencies of the United States; and

Whereas Congress has made no provision for the payment of the expenditures of said Thompson and of his staff: Now, therefore, be it

Resolved, That the Secretary of the Treasury advise the Senate as to whether or not any funds in the Treasury are available for the payment of the expenses of said Thompson and his staff under any existing appropriation act; and if not, what funds of the Government are to be advanced or made available for the use of said Thompson and his staff in the premises?

Mr. CURTIS. Mr. President, if the Senator will eliminate the whereases, I have no objection to the adoption of the resolution.

Mr. KING. I shall defer to the wishes of my good friend, and the whereases may be stricken from the resolution as adopted.

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

The PRESIDING OFFICER. With the whereases eliminated, the question is on agreeing to the resolution.

Mr. KING. Of course, the whereases will appear in the RECORD.

The PRESIDING OFFICER. Without objection, the preamble will be stricken out.

Mr. KING. Of course, the preamble will appear in the RECORD of to-day's proceedings.

The PRESIDING OFFICER. It was read and will appear in the RECORD.

Mr. KING. As striking out the preamble necessitates a change in the resolution, I submit it in an amended form and ask for its adoption.

The resolution in its amended form was agreed to, as follows:

Resolved, That the Secretary of the Treasury advise the Senate as to whether or not any funds in the Treasury are available under any existing appropriation act for the payment of the expenses of an investigation of conditions in the Philippine Islands by Carmi Thompson, Esq., of Ohio, recently reported to have been appointed by the President of the United States to make such investigation, and his staff; and if no funds are available, what funds of the Government are to be advanced or made available for the use of said Thompson and his staff in the premises.

AMERICAN LEGION MUSEUM

Mr. BLEASE. Mr. President, on yesterday I objected to the consideration of a joint resolution of the Senator from Indiana [Mr. ROBINSON]. He had to go away this morning, and I told him that I would call up the joint resolution and withdraw my objection. It is important to him; and I request that the joint resolution be taken up at this time and passed.

The PRESIDING OFFICER. The Secretary will read the joint resolution.

The Chief Clerk read the joint resolution (S. J. Res. 91) directing the Secretary of War to allot war trophies to the American Legion Museum, as follows:

Resolved, etc., That the Secretary of War be directed to allot and deliver without cost to the United States, to the National Museum of the American Legion at its national headquarters, a representative collection of captured and surrendered war devices and trophies of the World War, to be selected from those war devices and trophies not otherwise allotted and accepted for distribution in accordance with law: *Provided*, That acceptance, shipment, and delivery shall be made within a reasonable time and under the laws and regulations, except as herein provided, that are now applicable to acceptance, shipment, and delivery of war devices and trophies to the States, Territories, possessions of the United States, and the District of Columbia.

Mr. BLEASE. It is just a little local matter.

The PRESIDING OFFICER. Is there objection to 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.

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

THE CALENDAR

Mr. SMOOT. Mr. President, I had intended at this time to ask for a unanimous-consent agreement to vote upon the Italian debt settlement bill. I have been informed that the senior Senator from Missouri [Mr. REED] is engaged at some of the departments, and that it will be about 3 o'clock before he returns, and that he desires to be here when a unanimous-consent agreement on this subject is submitted. Of course, I shall respect that request. I now ask unanimous consent that the unfinished business be temporarily laid aside until 3 o'clock, and that we take up the calendar under Rule VIII and consider bills to which there is no objection until that time.

The PRESIDING OFFICER. Is there objection to the request?

Mr. JONES of Washington. Beginning where, Mr. President?

Mr. SMOOT. Beginning where we left off the last time.

Mr. JONES of Washington. No; we got through with the calendar the other day. Why not begin with the calendar under Rule VIII, and, if there is an objection, take up the bill under Rule VIII?

Personally, I have no objection to the Senator's request, though I know that several Senators would prefer the course I have suggested. However, I will make no objection.

The PRESIDING OFFICER. Without objection, the request of the Senator from Utah is agreed to.

Mr. SMOOT. Mr. President, I now ask that Orders of Business 3, 4, 5, 6, 7, 8, and 30, being Senate bills 1134, 1135, 1136, 1137, 1138, and 1139, and House bill 6559, be passed over.

The PRESIDING OFFICER. Those measures will be passed over. The Secretary will state the next bill on the calendar.

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

The PRESIDING OFFICER. The absence of a quorum having been suggested, the Secretary will call the roll.

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

Ashurst	Ferris	McKellar	Shipstead
Bayard	Fess	McKinley	Shortridge
Bingham	Fletcher	McLean	Simmons
Blease	Frazier	McMaster	Smith
Borah	George	McNary	Smoot
Bratton	Gerry	Mayfield	Stanfield
Broussard	Gillett	Metcalf	Stephens
Bruce	Goff	Moses	Swanson
Cameron	Hale	Neely	Trammell
Capper	Harreld	Norbeck	Tyson
Caraway	Harris	Nye	Wadsworth
Copeland	Harrison	Oddie	Walsh
Couzens	Heflin	Overman	Warren
Cummins	Howell	Phipps	Watson
Curtis	Johnson	Pine	Weller
Dale	Jones, N. Mex.	Pittman	Wheeler
Deneen	Jones, Wash.	Ransdell	Williams
Dill	Kendrick	Reed, Pa.	Willis
Edge	Keyes	Robinson, Ark.	
Ernst	King	Sackett	
Fernald	Lenroot	Sheppard	

Mr. PHIPPS. My colleague [Mr. MEANS] is absent on account of illness.

The PRESIDING OFFICER. Eighty-one Senators having responded, a quorum is present. The clerk will call the next number on the calendar.

The bill (S. 1824) for the relief of R. E. Swartz, W. J. Collier, and others, was announced as next in order.

The PRESIDING OFFICER. The bill will go over.

REFUND OF TAXES

The bill (S. 2526) to extend the time for the refunding of taxes erroneously collected from certain estates was announced as next in order.

Mr. KING. Mr. President, if I may have the attention of the Senator from Missouri, I should like an explanation from the Senator as to what the effect of the bill would be, and what amount would probably be required to be paid from the Treasury to meet the claims which would be presented under this bill.

Mr. WILLIAMS. It is the purpose of the bill to extend the statute of limitations so as to cover this particular claim. About 95 per cent of these claims have already been paid. The reason the statute of limitations expired as to this claim was that a case was pending in the Supreme Court of the United States testing out the question, and during that test period, and before the Supreme Court had decided in favor of the contesting claimants, the statute of limitations was about to expire as to these claims. About 95 per cent of the claims have already been paid, and the report of the department shows that the claim ought to be paid. The only objection is that it ought to be covered by general legislation. By the same token, however, there are a great many individual claims which ought to be covered by general legislation to which such claims could be referable. I am satisfied of the propriety and the legality of the claim.

Mr. REED of Pennsylvania. The question that is raised by this bill is exactly the same question we were confronted with in two or three cases in the enactment of the tax bill which passed earlier in the session. In some of those cases the Senate declined to put in provisions similar to this, to allow persons to come in and bring suits for refunds who had slept on their rights until somebody else had succeeded in getting a favorable decision. I think the Senate ought to stop and consider whether it is wise to do this in particular cases of this sort, and not wipe out the whole statute of limitations in the tax bill.

Mr. WILLIAMS. I quite agree with the Senator from Pennsylvania that a serious question is raised by a bill like this; but I should like to ask the Senator from Pennsylvania a question—that is, when the Government of the United States obtains possession of money which does not belong to it, but does belong to an individual citizen of the United States, should it be permitted to keep that money?

Mr. REED of Pennsylvania. If it is not to be permitted to keep the money, then we ought to repeal all statutes of limitation.

Mr. WILLIAMS. I think the circumstances of this particular case make it one which is entitled to consideration, if any are to be considered.

Mr. REED of Pennsylvania. I do not believe we ought to act on particular matters of this sort without determining the general policy. At any rate, I think the bill had better go over for further consideration.

Mr. WILLIAMS. It has gone over so frequently I am very fearful that if it continues to go over we will never get any action either in this or in the other body. Bills similar to it were passed in the Sixty-sixth, the Sixty-seventh, and the Sixty-eighth Congresses.

Mr. REED of Pennsylvania. Provisions similar to it were stricken out of the tax bill which we passed earlier in the session.

Mr. WILLIAMS. The statute of limitations has been extended as to claims in like cases to enable the parties to bring claims of this kind to the only place where they can get relief.

Mr. REED of Pennsylvania. I know that; and yet there are dozens of other cases just as meritorious.

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

Mr. REED of Pennsylvania. I object.

The PRESIDING OFFICER. The bill will be passed over, under the rule.

BILLS PASSED OVER

The bill (S. 2336) to reimburse Commander Walter H. Allen, civil engineer, United States Navy, for losses sustained while carrying out his duties was announced as next in order.

Mr. JONES of Washington. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1859) for the relief of Patrick C. Wilkes, alias Clebourn P. Wilkes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

DEPENDENT CHILDREN IN THE DISTRICT OF COLUMBIA

The bill (S. 1929) to provide home care for dependent children in the District of Columbia was announced as next in order.

Mr. WADSWORTH. Mr. President, I ask unanimous consent that instead of proceeding to the consideration of this bill we consider House bill 7669, which is Order of Business No. 495. The House bill deals with exactly the same subject, and it

would save time if we were to deal with the House bill on the calendar rather than the Senate bill.

Mr. KING. Is there any difference between the bills?

Mr. WADSWORTH. There is no difference in the object to be achieved by the bills, if the Senator will permit me just a moment, but the House bill has been amended by the Committee on the District of Columbia to make it conform with the Senate bill.

Mr. LENROOT. The recommendations of the committee are the same in both cases?

Mr. WADSWORTH. The report of the committee is the same as to both bills.

Mr. KING. Let me see if I understand the Senator. The House passed a bill known as the Wadsworth bill?

Mr. WADSWORTH. No; the Keller bill. It is a bill in which I have been interested, but it is Mr. KELLER'S bill.

Mr. KING. Textually it is the same as the bill introduced by the Senator from New York?

Mr. WADSWORTH. Yes; practically.

Mr. KING. The Senate committee has reported out a bill desired by the people of the District of Columbia and known as the Capper bill.

Mr. WADSWORTH. The Senate committee has reported the so-called Capper bill, and now has reported the Keller bill, amended to conform in its objective with the Senate bill.

Mr. COUZENS. What are the differences between the bill as originally passed by the House and as amended by the Senate committee?

Mr. KING. It is apparent that this bill will lead to considerable discussion——

Mr. WADSWORTH. I hope an objection will not be raised. I think the discussion may take place under the five-minute rule.

Mr. BRUCE. Mr. President——

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

Mr. WADSWORTH. I yield to the Senator from Maryland, if he desires to ask a question.

Mr. BRUCE. I have just come into the Chamber, and I simply wanted to say to the Senator from New York that if this matter involves a discussion of that special board which I understand to be treated by the bill of the Senator, I am very strongly opposed to the passage of the bill, and I would like to have an opportunity not only to discuss it but to discuss it most fully.

Mr. WADSWORTH. Does the Senator, then, intend to object to the consideration of the proposed legislation during this call of the calendar?

Mr. BRUCE. I do not care to do so, but I am bound to object.

The PRESIDING OFFICER. The bill will be passed over under the rule. Order of Business 188, Senate bill 1929, is still before the Senate for disposition.

Mr. KING. It is the same proposition. Let them both go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS, ETC., PASSED OVER

The bill (S. 2607) for the purpose of more effectively meeting the obligations of the existing migratory-bird treaty with Great Britain by the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the provision of funds for establishing such areas, and the furnishing of adequate protection of migratory birds, for the establishment of public shooting grounds to preserve the American system of free shooting, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over under the rule.

The bill (S. 1459) for the relief of Waller V. Gibson was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 51) providing for the completion of the Tomb of the Unknown Soldier in the Arlington National Cemetery was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

PENSIONS TO SURVIVORS OF INDIAN WARS

The bill (H. R. 306) to amend the second section of the act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917, as amended, was announced as next in order.

Mr. KING. My colleague is necessarily absent from the Chamber for a few moments. I ask that the bill be temporarily passed over. He has some amendments he wishes to offer.

The PRESIDING OFFICER. The bill will be temporarily passed over.

BILLS PASSED OVER

The bill (S. 756) directing the Secretary of the Treasury to complete purchases of silver under the act of April 23, 1918, commonly known as the Pittman Act, was announced as next in order.

Mr. WILLIS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2808) to amend section 24 of the interstate commerce act, as amended, was announced as next in order.

Mr. BRUCE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2098) for the relief of M. Barde & Sons (Inc.), Portland, Oreg., was announced as next in order.

Mr. KING. The Senator who introduced that bill is not here. Let it be passed over until he returns to the Chamber.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1897) to reinstate John P. Gray as a lieutenant commander in the United States Coast Guard, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

HENRY T. WILCOX

The bill (S. 1747) for the relief of the estate of Henry T. Wilcox, was announced as next in order.

Mr. KING. Mr. President, I shall not object to this bill, but with my present information I shall feel constrained to vote against it, because I think it would set a very bad precedent. I shall ask the Senator to explain it.

Mr. EDGE. Mr. President, I appreciate the courtesy of the Senator from Utah in withholding his objection. This bill, as can be seen by the report submitted by the Senator from Nebraska [Mr. HOWELL], cuts down a claim of $18,559, made by Henry T. Wilcox, in the Consular Service of the United States, to $5,000, covering the full claim. The circumstances are, briefly, these:

Consul Wilcox during the war was ordered, on very short notice, to go to France. His household goods were taken over in a United States transport, as was frequently done and has been the custom for many, many years. A large proportion of those household effects were lost. They were valued, as I indicated, at over $18,000. The officials of the State Department and other officials, as appears in the report, have all, without qualification, indorsed the claim. The Committee on Claims, however, after considering all the facts, decided to cut the figures from $18,000 to $5,000, which is less than one-third of the original claim. Upon the report of the committee I ask favorable action.

It does not seem to me that this would set a precedent. Such claims have been paid many times in cases of Government officials ordered on duty by the Government, and who had the privilege of using transports for the carriage of their furniture. In cases where the furniture has been lost or destroyed reimbursement has regularly been permitted. I recall that last year I introduced a bill to reimburse Admiral Jayne, whose goods were lost in circumstances exactly like those in this case.

The Senate passed it because there seemed to be no real fair reason why Admiral Jayne personally should suffer the loss. That is all the bill proposes to do in the present instance.

Mr. KING. Mr. President, I shall vote against the passage of the bill. I think it is a very unwise precedent, or, if it is not a precedent, it is a very unwise policy for the Government to adopt. There are hundreds of officers and officials and agents of the United States gallivanting around the United States and throughout the world. We have terrestrial peregrinations by hundreds of Government officials and officers and agents. If they may embark upon ships and boats and railroads with their household effects of the value of $20,000 or $30,000—the claimant asks $18,000 in this case—and the Government be responsible for losses, for thefts, for the negligence, if there be negligence, upon the part of those transporting the same, then it seems to me we are introducing a very dangerous practice into the policies and administration of the Government.

Mr. EDGE rose.

Mr. KING. I anticipate what the Senator is about to say, and it does not change the rule because the Government orders a man who is in the Consular Service to go to a given point. Senators are ordered to come to Washington when the President convenes us. If a Senator were to send here $20,000 worth

of furniture and it was lost by the railroads, should the Government be called upon to pay for it? So, manifestly, officials who go abroad under orders, being in the service of the Government, under the civil service, perhaps, taking household goods and jewels and property of great value, should not, if the ship sinks or theft occurs, call upon the Government to pay for the loss.

A prudent man would have his goods insured, and it is no excuse to say, "I was on a Government boat." The property carried upon Government boats is usually insured. Insurance companies are for that purpose. If individuals ship abroad $20,000 or $30,000 worth of furniture, I submit that the Government ought not to be called upon to meet the obligation in the event of theft or loss.

Mr. EDGE. Mr. President, I concede there is some justification for the opinion expressed by the Senator. I do not believe, however, that the officials should be the ones to suffer. I think the practice should be discontinued. The State Department is empowered to order him to go, and arranges the specific transportation, and his furniture naturally has to go with him. If it is a bad practice, and that is a debatable question, then instructions should go from the Congress to the heads of the Departments of State and War that they should not issue such orders.

Mr. KING. If I should take an examination and be made a consul and I should be ordered from place to place, does the Senator believe that I should understand that the Government was to be responsible for the furniture which I took with me? Many consuls take no furniture with them. The great majority of them take none. If rich men are appointed as ambassadors or ministers or consuls and elect to take their furniture from the United States, then they take the same at their own risk. The Government, I think, is too generous in permitting them to take it and not to pay freight for having the same carried, but theirs is the risk, and it is unjust to the Government to ask it to assume the risk.

Mr. EDGE. That has been the practice for many years, and just why this particular consul should in any way be punished would be rather inconsistent.

Mr. KING. I might add that if it is a just rule, then the man ought to be paid for his furniture even if it cost him $100,000.

Mr. EDGE. I think he should; but in this case he will take what the committee allowed.

Mr. KING. Manifestly the committee did not find it was just, but as a sop to him, in violation, it seems to me, of every principle of justice, they gave him $5,000. We have to consider these things as custodians of the public funds. We represent the public and not a mere official.

The bill was considered as in Committee of the Whole, which had been reported from the Committee on Claims with an amendment, on page 1, line 7, to strike "$18,559" and insert in lieu thereof "$5,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the estate of Henry T. Wilcox, American consul, Paris, France, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, for loss and damage to household effects while in transit to Brest, France, and Antwerp, Belgium, on board United States transports *Antigone* and *Mercury*.

The amendment was agreed to.

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

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

BILLS PASSED OVER

The bill (S. 3321) to increase the efficiency of the Air Service of the United States Army was announced as next in order.

Mr. WADSWORTH. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2306) to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes, was announced as next in order.

Mr. COUZENS. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3624) for the relief of Hannah Parker was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7906) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2043) to authorize the opening of a street from Georgia Avenue to Ninth Street NW., through squares 2875 and 2877, and for other purposes, was announced as next in order.

Mr. SACKETT. I will ask for the committee that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ELIMINATION OF MICHIGAN AVENUE GRADE CROSSING

The bill (S. 2322) to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 2, line 11, after the word "company" to strike out the following proviso: "*Provided further*, That the said railroad company shall pay the District of Columbia for the lighting of the viaduct under which the tracks of the said railroad company will pass, in accordance with the provisions of existing law," so as to make the bill read:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to construct a viaduct and approaches to carry Michigan Avenue over the tracks and right of way of the Baltimore & Ohio Railroad Co. in accordance with plans and profiles of said works, to be approved by the said commissioners: *Provided*, That one-half of the total cost of constructing the said viaduct and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia, to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company.

SEC. 2. That no street railway company shall use the said viaduct or any approaches thereto herein authorized for its tracks until the said company shall have paid to the collector of taxes of the District of Columbia a sum equal to one-fourth of the cost of said viaduct and approaches, which sum shall be deposited to the credit of the District of Columbia.

SEC. 3. That for the purpose of carrying into effect the foregoing provisions the sum of $275,000 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia, and the said commissioners are authorized to expend such sum as may be necessary for personal services and engineering and incidental expenses. The said commissioners are further authorized to acquire, out of the appropriation herein authorized, the necessary land or any portion of same within the limits of Michigan Avenue as shown on the recorded highway plan, by purchase at such price or prices as in their judgment they may deem reasonable and fair, or, in the discretion of the commissioners, by condemnation, in accordance with the provisions of subchapter 1 of Chapter XV of the Code of Law for the District of Columbia under a proceeding or proceedings in rem instituted in the Supreme Court of the District of Columbia: *Provided, however*, That of the entire amount found to be due and awarded by the jury as damages for, and in respect of, the land to be condemned to carry the provisions of this act into effect, plus the costs and expenses of the proceeding or proceedings taken pursuant hereto, not less than one-half thereof shall be assessed by the jury as benefits, the amounts collected as benefits to be covered into the Treasury of the United States, to the credit of the District of Columbia.

SEC. 4. That from and after the completion of the said viaduct and approaches the highway grade crossing over the tracks and the right of way of the said Baltimore & Ohio Railroad Co. at Michigan Avenue, in the District of Columbia, shall be forever closed against further traffic of any kind.

The amendment was agreed to.

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

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

CONDEMNATION OF LAND FOR HIGHWAY SYSTEM, DISTRICT OF COLUMBIA

The bill (S. 2537) to provide for the condemnation of land for the opening, extension, widening, or straightening of streets, avenues, roads, or highways in accordance with the plan of the permanent system of highways for the District of Columbia,

and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That in all condemnation proceedings instituted by the Commissioners of the District of Columbia in accordance with the provisions of subchapter 1 of Chapter XV of the Code of Law for the District of Columbia for the acquisition of land for the opening, extension, widening, or straightening of Piney Branch Road between Thirteenth and Butternut Streets; Thirteenth Street, extended, except through the Walter Reed Hospital Reservation; Concord Avenue; Nicholson Street, or any street, avenue, road, or highway, or a part of any street, avenue, road, or highway in accordance with the plan of the permanent system of highways for the District of Columbia, all or any part of the entire amount found to be due and awarded by the jury in said proceedings as damages for, and in respect of, the land condemned for such streets, avenues, roads, or highways, or parts of streets, roads, avenues, or highways, plus all or any part of the costs and expenses of said proceedings, may be assessed by the jury as benefits: *Provided, however*, That if the total amount of damages awarded by the jury in any such proceedings, plus the costs and expenses of said proceeding, be in excess of the total amount of benefits, it shall be optional with the Commissioners of the District of Columbia to abide by the verdict of the jury or, at any time before the final ratification and confirmation of the verdict, to enter a voluntary dismissal of the cause.

SEC. 2. That there is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary from time to time to pay the costs and expenses of the condemnation proceedings instituted under the authority of this act and for the payment of the amounts awarded as damages, the amounts collected as benefits to be covered into the Treasury of the United States to the credit of the revenues of the District of Columbia: *Provided, however*, That if the total amount of damages awarded by the jury in any such proceeding, plus the costs and expenses of said proceedings, be in excess of the total amount of assessments for benefits, such excess shall be paid out of the appropriation herein authorized.

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

ALICE M. DURKEE

The bill (S. 44) for the relief of Alice M. Durkee was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Alice M. Durkee, of Lynn, Mass., out of any money in the Treasury not otherwise appropriated, the sum of $2,000, in full settlement for injuries received by being struck by a United States mail truck in the city of Boston April 29, 1921.

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

YVONNE THERRIEN

The bill (S. 45) for the relief of Yvonne Therrien was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Yvonne Therrien, of Lynn, Mass., out of any money in the Treasury not otherwise appropriated, the sum of $300 in full settlement for injuries received by being struck by a United States mail truck in the city of Boston April 29, 1921.

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

BILL PASSED OVER

The bill (S. 491) for the allowance of certain claims for extra labor above the legal day of eight hours at certain navy yards certified by the Court of Claims was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

FERRYBOAT "OREGON"

The bill (S. 111) for the relief of the owners of the ferryboat *Oregon* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owners of the ferryboat *Oregon* against the United States of America for damages alleged to have been caused by collision between the U. S. S. *Canby* and said ferryboat *Oregon* in the East River, at New York, N. Y., on or about the 24th day of February, 1916, may be sued for by the said owners of the ferryboat *Oregon* in the District Court of the United States for the Southern District of New York sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of the said ferryboat *Oregon*, or against the owners of the said ferryboat *Oregon*, in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months from the date of the passage of this act.

Mr. KING. Mr. President, I ask the Senator from Missouri [Mr. WILLIAMS] whether this is the bill to which his attention was called a few days ago and whether he has any amendment to offer to it.

Mr. WILLIAMS. I have no amendment to offer. The only suggestion I have to offer with reference to the bill is that the War Department contends that the accident was unavoidable on the part of the Government steamer.

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

AMERICAN STEAM TUG W. S. HOLBROOK

The bill (S. 116) for the relief of the owners and/or receiver of the American steam tug *W. S. Holbrook* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owners of the American steam tug *W. S. Holbrook*, and/or the receiver of said property, against the United States of America for damages alleged to have been caused by collision between said vessel and the United States Navy steam tug *Pentucket* on or about the 1st day of November, 1917, at the navy yard, Brooklyn, N. Y., may be sued for by the said owners and/or receiver in the District Court of the United States for the Eastern District of New York sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of the said American steam tug *W. S. Holbrook* and/or receiver aforesaid, or against the owners of said American steam tug *W. S. Holbrook* and/or receiver of said vessel, in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

WILLIAM WOOSTER

The bill (S. 465) for the relief of William Wooster was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Wooster, out of any money in the Treasury not otherwise appropriated, the sum of $1,806.53, for the payment in full of the claim of the said William Wooster, of Holbrook, Ariz., under a certain transportation contract of April 17, 1905, between the said William Wooster and the United States, for losses sustained by the said Wooster by reason of the negligence of the Government in the failure to deliver the goods for shipment.

Mr. KING. Mr. President, I would like to have an explanation of the bill from the Senator from Arizona.

Mr. CAMERON. A similar bill has passed the Senate and the House at various times. The man William Wooster had a contract with the Government of the United States to deliver a certain amount of tonnage of goods in August and September at Holbrook, Ariz., to be transported to Fort Apache.

Mr. KING. Will the Senator tell me the branch of the Government with whom the contract was made and whether the contract was in writing?

Mr. CAMERON. The contract was with the Quartermaster General's Department for the hauling of supplies for the troops at Fort Apache. As the Senator probably knows, the contract was let at 92 cents per 100 pounds, but the Government did not deliver the goods until wintertime, and it cost Mr. Wooster, the contractor, something over $2 per hundred pounds to deliver the goods. He lost in the transaction, according to the statement of the War Department, over $6,000. We have been

trying for a number of years to get the bill passed. It has passed the House on one or two occasions, but did not then pass the Senate. It passed the Senate last session, but did not pass the House. I think it is about time that the Government should pay Mr. Wooster the small amount of money which is carried by the bill, being only $1,800, when as a matter of fact his loss was almost $7,000 and occurred away back in 1895.

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

Mr. CAMERON. Gladly.

Mr. KING. Was there any limitation as to the time within which the goods were to be delivered to him for hauling?

Mr. CAMERON. Yes; they were to be delivered to him in August and September. There is a long report from the War Department. They recommend payment of the claim, but say they have not the money with which to pay it and that the only way he can be paid is for the Congress to appropriate the money.

Mr. KING. There was a breach of contract upon the part of the War Department?

Mr. CAMERON. Absolutely.

Mr. KING. It employed this man to haul certain merchandise at a certain time and then failed to deliver the merchandise at that time, but months later delivered the merchandise, and at the time they did deliver it the weather conditions were such that it made the transportation very much more costly than if it had been transported in August and September at the time the contract provided. Are those the facts?

Mr. CAMERON. Yes; those are the actual facts.

Mr. KING. I have no objection to the passage of the bill.

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

HENRY A. KESSEL CO. (INC.)

The bill (S. 2848) to extend the time for institution of proceedings authorized under private law No. 81, Sixty-eighth Congress, being an act for the relief of Henry A. Kessel Co. (Inc.), was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That an extension of not more than four months from the date of the passage of this bill, for the time for institution of the proceedings authorized under private law 81, Sixty-eighth Congress, being an act for the relief of Henry A. Kessel Co. (Inc.), be, and is hereby, authorized.

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

CREDITS ALLOWED CERTAIN GOVERNMENT CONTRACTORS

The joint resolution (S. J. Res. 47) authorizing the Comptroller General of the United States to allow credit to contractors for payments received from either Army or Navy disbursing officers in settlement of contracts entered into with the United States during the period from April 6, 1917, to November 11, 1918, was considered as in Committee of the Whole and was read, as follows:

Resolved, etc., That the General Accounting Office is hereby authorized in the discretion of the Comptroller General of the United States to allow credit to contractors for payments received from either Army or Navy disbursing officers in settlement of contracts entered into with the United States during the period from April 6, 1917, to November 11, 1918, and where said payments have been credited in the accounts of the respective disbursing officers pursuant to the provisions of an act entitled "An act authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing officers of the War and Navy Departments in the settlement of certain accounts," approved April 21, 1922 (42 Stat. L. p. 497), as extended by the act approved February 11, 1925 (43 Stat. L. p. 8607).

Mr. KING. Mr. President, will the Senator from Connecticut [Mr. McLEAN] make an explanation of the joint resolution?

Mr. McLEAN. When we declared war, the War Department found itself in need of large quantities of Cavalry equipment—harness, saddles, and so forth. The War Department made contracts with the manufacturers, but shortly after some of the contracts were entered into the organized leather workers demanded a raise in wages. A commission was appointed to settle the question as to raise of pay or change in wage scale. An adjustment was made. Senators will find a copy of the adjustment printed on pages 1 and 2 of the report. Paragraph 5 of the adjustment reads as follows:

In the event that any changes in wage scale are made or approved by the commission—

That is, the commission appointed to adjust the matter—

in carrying out its functions under this agreement, compensatory adjustments shall be made by the United States in accordance with the recommendations of the commission.

This adjustment was printed in some contracts and in some of them it was not. Some of them were entered into before the demand for the increase in wages was made. The department settled the claims in accordance with this provision. These claimants already have their money. The bill merely provides that they shall keep it. It is declared by the Comptroller General, Mr. McCarl—in fact, he is the author of the bill—that, as all of these contractors are precisely on the same basis, there seems to be no possible reason why they should not be treated alike.

Mr. KING. Mr. President, what amount is involved?

Mr. McLEAN. About $15,000. They already have their money; but the Comptroller General says that unless this bill shall be passed he will have to start some proceedings to get it back. He thinks, however, that they ought to keep the money, and he approves of this bill.

Mr. KING. The bill does not relate to any cases in future?

Mr. McLEAN. No; the cases are all stated in the report.

Mr. KING. It simply legalizes illegal payments which have heretofore been made?

Mr. McLEAN. I do not agree with the Senator with regard to that.

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

J. W. NEIL

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 179) for the relief of J. W. Neil, which had been reported from the Committee on Claims, with amendments on page 1, line 4, after the word "pay," to insert "out of any money in the Treasury not otherwise appropriated, to"; and in line 6, after the words "sum of," to strike out "$8,537.48" and to insert "$7,947.53," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. W. Neil, of Ogden, Utah, the sum of $7,947.53 as compensation for and in full satisfaction of any claim such J. W. Neil may have for losses suffered by reason of the libel of a carload of sugar belonging to him on May 21, 1920, by a United States marshal under color of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, as amended.

The amendments were agreed to.

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

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

HELEN M. PECK

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 466) for the relief of Helen M. Peck. It proposes to pay Helen M. Peck $230.50 in full satisfaction of all claims for damages sustained on January 20, 1921, through the loss of two horses and two packsaddles while in the use of the National Park Service at Grand Canyon National Park.

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

JOSEPH B. TANNER

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 467) for the relief of Joseph B. Tanner, which had been reported from the Committee on Claims with an amendment on page 1, line 3, to strike out the words "That the sum of $250 be paid to Joseph B. Tanner, of Shiprock, N. Mex.," and to insert "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph B. Tanner, of Shiprock, N. Mex., out of any money in the Treasury not otherwise appropriated, the sum of $250," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph B. Tanner, of Shiprock, N. Mex., out of any money in the Treasury not otherwise appropriated, the sum of $250, for reimbursement of the amount forfeited by him for nondelivery at the Navajo Springs Indian Agency, Colo., of 385 head of 2-year-old heifers of Hereford blood, and 15 bulls not less than three-fourths Hereford blood, 2-year-olds and 3-year-olds, the sum in question having been deposited by him in the form of a certified

check guaranteeing the performance of his contract to deliver these animals, which check was forfeited to the Government on account of his failure to make delivery under his agreement through a misunderstanding of the true meaning and intent of his contract as between the said Tanner and the inspecting official representing the Government.

The amendment was agreed to.

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

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

MARGARET RICHARDS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1155) for the relief of Margaret Richards. It proposes to pay to Margaret Richards, of Little Rock, Ark., $5,000 for injuries sustained while en route to Camp Pike to participate in an entertainment for convalescent soldiers on May 6, 1920.

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

BILLS PASSED OVER

The bill (S. 1450) for the relief of the estate of John Stewart, deceased, was announced as next in order.

Mr. KING. Let that bill be read.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill.

Mr. KING. I should like an explanation of the bill, Mr. President; otherwise I shall ask that it go over.

Mr. WILLIAMS. Mr. President, just one moment.

Mr. CAPPER. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 2192) for the relief of Ella H. Smith was announced as next in order.

Mr. KING. Let that bill go over for the present.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 769) for the relief of the estate of Benjamin Braznell was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will go over.

ELIZABETH B. EDDY

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 102) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy. It proposes to pay to Elizabeth B. Eddy, widow of Charles G. Eddy, of New York, N. Y., $602.92.

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

ANNIE H. MARTIN

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 767) for the relief of Annie H. Martin. It proposes to pay to Annie H. Martin, of Carson City, Nev., $545.02 to enable her to make payment of a liability incurred by her as acting assayer in charge, United States Mint, Carson City, Nev., for losses in operating on bullion.

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

HUNTER-BROWN CO.

The bill (S. 1304) for the relief of Hunter-Brown Co. was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will go over.

WILLIAM HENSLEY

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1451) for the relief of William Hensley. It proposes to pay to William Hensley $1,500, in full payment for injuries sustained by him while in the discharge of his duties at the navy yard, Washington, resulting in the loss of three fingers of his right hand, loss of his left eye, and other injuries incurred by him in the line of duty.

Mr. KING. Mr. President, I merely wish to ask one question. Why does not Mr. Hensley receive compensation under the general compensation act instead of it being proposed that he shall receive it through a special bill?

Mr. CAPPER. He does not seem to be entitled to compensation under the general compensation act; but the Secretary of the Navy seems to report favorably on the bill. Similar bills have received several favorable reports in Congress and have been passed by the Senate several times.

Mr. KING. I was not objecting, but I was wondering why application was not made for relief under the general compensation law.

Mr. CAPPER. I am unable to give the Senator further information on the subject. It is a worthy claim, and I think it ought to be passed. As I have stated, it has heretofore passed the Senate a number of times.

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

JAMES E. FITZGERALD

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2200) for the relief of James B. Fitzgerald, which had been reported from the Committee on Claims with an amendment in line 5, before the name "Fitzgerald," to strike out the initial "E" and to insert "B," so as to make the bill read:

Be it enacted, etc., That the United States Employees' Compensation Commission shall be, and it is hereby, authorized to extend to James B. Fitzgerald, a former employee in the Postal Service, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, compensation hereunder to commence from and after the passage of this act.

The amendment was agreed to.

Mr. KING. Mr. President, I am unfamiliar with the bill, but I see in the report of the committee this statement, which is taken from a previous report on the bill:

The Post Office Department reports that Mr. Fitzgerald "was not entitled to benefit under the act of March 9, 1914, by reason of the fact that he was not in the absolute performance of his official duties when the accident occurred."

I shall have to ask that the bill go over. If Mr. Fitzgerald was not performing his official duties when the accident occurred, then, of course, he was not entitled to compensation.

The PRESIDING OFFICER. The bill goes over on objection.

MARK J. WHITE

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2242) for the relief of Mark J. White. It proposes to pay to Mark J. White, an officer of the United States Public Health Service, Treasury Department, $163.75, representing a judgment for costs assessed against him by the Supreme Court of the United States on December 10, 1923, in case No. 172, October term, 1923, growing out of the case of William Leather et al. against White et al. for the recovery of certain real estate in the custody of the said Mark J. White as an official of the United States.

Mr. KING. Let us have an explanation of the bill or let the report be read.

Mr. CAPPER. Mr. President, this is a bill which was sent to the Committee on Claims by the Secretary of the Treasury. It has been submitted to the Bureau of the Budget. It is a worthy measure, and grows out of the case of William Leather et al. against White et al. for the recovery of certain real estate in the custody of White as an official of the United States.

The Secretary of the Treasury, in a letter to the committee under date of January 3, 1925, in regard to this case, says:

The necessity for this item of legislation arises by reason of the fact that Dr. Mark J. White, now an assistant surgeon general of the Public Health Service and formerly in charge of the hospital of that service at Maywood, Ill., was made a defendant in the legal action brought by the plaintiffs in the District Court of the United States for the Northern District of Illinois, eastern division, on June 24, 1921, for the purpose of recovering possession of the hospital property then under the official custody of this office.

Doctor White was represented by official counsel, and it is the understanding of this department that at some stage in the proceeding an appeal on a jurisdictional point was taken by the Government from the district court to the United States Circuit Court of Appeals for the Seventh District and finally to the Supreme Court of the United States. The decision of this latter court under date of December 10, 1922, was unfavorable to the contention of the Government, and by its mandate of that date costs were assessed against the defendant.

Doctor White had no personal interest in the case whatever; it was a Government case, and now the Secretary of the Treasury asks that he may be reimbursed.

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

THE ROYAL HOLLAND LLOYD

The bill (S. 2992) for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands, was announced as next in order.

Mr. KING. I should like to ask the Senator from New York [Mr. WADSWORTH] a question as to the bill.

Mr. WADSWORTH. I am not familiar with the bill.

The PRESIDING OFFICER. The bill will go over under the rule.

REMISSION OR DEDUCTIONS OR FINES UPON MAIL CONTRACTORS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3429) authorizing the Postmaster General to remit or change deductions or fines imposed upon contractors for mail service, which was read, as follows:

Be it enacted, etc., That section 266 of the act of June 8, 1872, chapter 335 (17 Stat. p. 315), Revised Statutes 3962, is amended to read as follows:

"The Postmaster General may make deductions from the pay of contractors for failures to perform service according to contract and impose fines upon them for other delinquencies (which deductions or fines may be changed or remitted in his discretion). He may deduct the price of the trip in all cases where the trip is not performed, and not exceeding three times the price if the failure be occasioned by the fault of the contractor or carrier."

Mr. KING. Mr. President, will the Senator from New Hampshire briefly explain this bill and state how much will be involved?

Mr. MOSES. Mr. President, it would be impossible to say how much will be involved, but this bill arises out of the peculiar conditions which have grown up in the mail service, particularly in the State of Florida, where the increase in the bulk of the mails is such that the contractors who are carrying on what is now known as the screened wagon service, with which, of course, the Senator from Utah is familiar, and certain of the star-route contractors find themselves absolutely unable to perform the service which the increase in the volume of the mail demands, and in consequence of that they have in many cases been compelled to default in the service, greatly to the detriment of the progress of the mails. This measure is designed to give the Postmaster General authority to inquire into conditions which may arise in like circumstances.

I will say to the Senator from Utah that under the terms of this bill the authorization to the Postmaster General to inquire into these contracts and readjust them will not demand any added appropriation of public money. The cost, whatever it may be, can readily be cared for out of the appropriations already made, so that it entails neither an increase in the estimates nor an increase in the appropriations.

Mr. KING. I have no objection to the bill.

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

ST. JOSEPH'S MALE ORPHAN ASYLUM, DISTRICT OF COLUMBIA

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3012) to change the name of "The Trustees of St. Joseph's Male Orphan Asylum" and amend the act incorporating the same, which was read, as follows:

Be it enacted, etc., That the act of Congress incorporating "The Trustees of St. Joseph's Male Orphan Asylum," approved on the 6th day of February, in the year 1855, be, and it hereby is, amended as follows:

"The name of said corporation shall be St. Joseph's Home and School.

"SEC. 2. The purpose of said corporation shall be to care for and educate orphan, indigent, and other male children under 18 years of age under such rules and regulations as it may adopt.

"SEC. 3. All property now vested in The Trustees of St. Joseph's Male Orphan Asylum as incorporated as aforesaid is hereby vested in and confirmed to St. Joseph's Home and School as reincorporated by this act. Said corporation shall have power to acquire, hold, and convey such real estate as it may deem proper for its said purposes and to hold such personal property as it may use, or use the income from, for said purposes, and to take and hold real estate and personal property by grant, devise, or bequest: *Provided*, That any real estate granted or devised to it and not used for its corporate purposes shall be sold and conveyed away within five years after the date of such devise.

"SEC. 4. William H. DeLacy, John J. Earley, B. Francis Saul, James F. Shea, Henry W. Sohon, Cornelius F. Thomas, and Francis R. Weller are hereby constituted and confirmed as the said corporation and as trustees to manage the said corporation. When a vacancy occurs in their number they may fill such vacancy, and they may increase or diminish their number from time to time as they may deem expedient. They shall elect a president, a secretary, and a treasurer from their number, adopt a corporate seal, and make all needful by-laws and rules and regulations for the institution to be conducted by said corporation.

"SEC. 5. Sections 3 and 4 of said act of Congress approved on the 6th day of February, 1855, and all parts of said act inconsistent with this act are hereby repealed.

"SEC. 6. The right is reserved to alter, amend, or repeal this act."

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

HARRY ROSS HUBBARD

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 869) for the relief of Harry Ross Hubbard. It directs the Comptroller General of the United States to credit the accounts of Harry Ross Hubbard, lieutenant (junior grade), United States Navy, with $942.25, disallowed in item 5 of statement of differences, certificate No. N-1379-E, dated May 6, 1922.

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

BILLS PASSED OVER

The bill (S. 945) for the relief of Gershon Bros. Co. was announced as next in order.

Mr. JONES of Washington. I ask that that bill may go over.

The PRESIDING OFFICER. The bill will be passed over under the rule.

The bill (S. 2981) to amend section 553 of the Code of Law for the District of Columbia was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill will go over under the rule.

PENSIONS AND INCREASE OF PENSIONS

The bill (S. 3300) granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes was announced as next in order.

Mr. KING. Mr. President, I ask unanimous consent, in view of the fact that a certain bill to which I shall call attention in a moment was to have been taken up yesterday morning and again this morning if we had had an opportunity to proceed with the consideration of the calendar, that we now take it up out of order.

Mr. MOSES. What is the bill?

Mr. KING. It is a bill relating to the height of buildings in the District of Columbia.

The PRESIDING OFFICER. The Chair will ask if objection was made to Senate bill 3300.

Mr. NORBECK. Mr. President, I will object.

The PRESIDING OFFICER. The bill will go over under the rule.

Mr. MOSES. Wait a moment, Mr. President. To what bill is the Senator from South Dakota objecting?

Mr. NORBECK. I was objecting to the request presented by the Senator from Utah [Mr. KING].

Mr. MOSES. The Senator is not objecting to the consideration of Order of Business No. 287, being Senate bill 3300?

Mr. NORBECK. No.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 3300?

Mr. KING. Mr. President, was the bill passed by the House?

Mr. MOSES. This is the Senate bill.

Mr. SMITH. Is not this the identical bill that passed the House—House bill 8132?

The PRESIDING OFFICER. The Chair is unable to inform the Senator.

Mr. SMITH. My impression is that it is. If that be the case, that bill passed the House without a dissenting vote; and if the bills are identical we could substitute the House bill for the Senate bill and expedite the whole matter.

The PRESIDING OFFICER. Does the Senator make that suggestion?

Mr. SMITH. I should like to know from the chairman of the committee whether or not these bills are identical.

Mr. NORBECK. They are identical, and they are both on the calendar.

The PRESIDING OFFICER. The Chair is advised that they are identical.

Mr. SMITH. Then I move to substitute the House bill for the Senate bill, and let us vote upon that.

Mr. KING. Let it be read.

The PRESIDING OFFICER. Without objection, House bill 8132 will be read.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8132) granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes, which had been reported from the Committee on Pensions, with an amendment in the nature of a substitute.

Mr. KING. I ask to have the bill read textually, please.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk proceeded to read the bill as proposed to be amended.

Mr. JONES of Washington. Mr. President, are we actually considering this bill now? I thought we were substituting the House bill for the Senate bill.

Mr. SMITH. This is the House bill, which we have substituted for the Senate bill.

Mr. JONES of Washington. Then we have already substituted it for the Senate bill?

Mr. SMITH. Yes.

Mr. JONES of Washington. Then the House bill is before the Senate?

The PRESIDING OFFICER. The House bill is before the Senate; the amendment is being read, and the question is on agreeing to the amendment.

Mr. SHORTRIDGE. Mr. President, I desire to be assured by the chairman of the Senate committee that this substituted bill, coming to us from the House, is in harmony with and the same as the Senate bill which has been reported to the Senate.

Mr. NORBECK. It is exactly the same, keeping in mind the fact that the Senate bill was amended in the Senate committee. When the House bill came over, similar amendments were made to it. I desire to state further that there were no material changes in the rates from those fixed by the House; but the retroactive features were struck out, and a good many things were eliminated that will reduce the cost considerably from the cost under the House bill.

Mr. McKELLAR. Mr. President, if the House bill is substituted for the Senate bill then there is just one amendment, and it will all be agreed to at one time; will it not?

The PRESIDING OFFICER. That is true. The question is on agreeing to the Senate committee amendment to the House bill.

Mr. SMOOT. Mr. President, I understood that a request was made to read the House bill as it would read if the amendment were adopted.

The PRESIDING OFFICER. That is correct.

Mr. SMOOT. Only part of it has been read. The Secretary stopped reading at the word "pensioners" in line 8, page 2, of the Senate bill. They are identical as far as the Secretary read, but he has not read any further than that.

Mr. SMITH. As I understood, the request was that the text of the bill be read. Was not that the request of the Senator from Utah?

Mr. KING. Yes; that the text be read.

The PRESIDING OFFICER. The Secretary is reading the Senate amendment in the nature of a substitute for the House bill, and will continue to read.

Mr. SMOOT. What I desire to do is to follow the Senate bill with the House bill, so that I can see what changes were made and whether they are identical.

The Chief Clerk resumed and concluded the reading of the amendment in the nature of a substitute, which, entire, is as follows:

That all persons who served 90 days or more in the military or naval service of the United States during the war with Spain, the Philippine insurrection, or the China relief expedition, and who have been honorably discharged therefrom, or who, having served less than 90 days, were discharged for disability incurred in the service in line of duty, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character not the result of their own vicious habits which so incapacitates them for the performance of manual labor as to render them unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States and be entitled to receive a pension not exceeding $50 a month and not less than $20 a month, proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown shall be rated: *Provided*, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of $20 a month; in case such person has reached the age of 68 years, $30 a month; in case such person has reached the age of 72 years, $40 a month; and in case such person has reached the age of 75 years, $50 a month: *Provided further*, That all leaves of absence and furloughs under General Orders, No. 130, August 29, 1898, War Department, shall be included in determining the period of pensionable service: *Provided further*, That the provisions, limitations, and benefits of this section be, and hereby are, extended to and shall include any woman who served honorably as a nurse, chief nurse, or superintendent of the Nurse Corps under contract for 90 days or more between April 21, 1898, and February 2, 1901, inclusive, and to any such nurse, regardless of length of service, who was released from service before the expiration of 90 days because of disability, contracted by her while in the service in line of duty.

SEC. 2. The widow of any officer or enlisted man who served 90 days or more in the Army, Navy, or Marine Corps of the United States during the war with Spain, the Phillipine insurrection, or the China relief expedition, between April 21, 1898, and July 4, 1902, inclusive, service to be computed from date of enlistment to date of discharge, and that all leaves of absence and furloughs under General Orders, No. 130, August 29, 1898, War Department, shall be included in determining the period of pensionable service, and was honorably discharged from such service, or, regardless of the length of service, was discharged for or died in service of a disability incurred in the service in line of duty, such widow having married such soldier, sailor, or marine prior to September 1, 1922, shall, upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed upon the pension roll at the rate of $30 a month during her widowhood. And this section shall apply to a former widow of any officer or enlisted man who rendered service as hereinbefore described and who was honorably discharged, or died in service due to disability or disease incurred in the service in line of duty, such widow having remarried either once or more after the death of the soldier, sailor, or marine, if it be shown that such subsequent or successive marriage has or have been dissolved, either by the death of the husband or husbands or by divorce on any ground except adultery on the part of the wife and any such former widow shall be entitled to and be paid a pension at the rate of $30 a month, and any widow or former widow mentioned in this section shall also be paid $6 a month for each child under 16 years of age of such officer or enlisted man, and in case there be no widow or one not entitled to pension under any law granting additional pension to minor children the minor children under 16 years of age of such officer or enlisted man shall be entitled to the pension herein provided for the widow and in the event of the death or remarriage of the widow or forfeiture of the widow's title to pension the pension shall continue from the date of such death, remarriage, or forfeiture to such child or children of such officer or enlisted man until the age of 16 years: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue during the life of such child, or during the period of such disability; and this proviso shall apply to all pensions heretofore granted or hereafter granted under this or any former statute: *Provided further*, That when a pension has been granted to an insane, idiotic, or otherwise helpless child, or to a child or children under the age of 16 years, a widow or former widow shall not be entitled to a pension under this act until the pension to such child or children terminates unless such child or children be a member or members of her family and cared for by her; and upon the granting of pension to such widow or former widow payment of pension to such child or children shall cease, and this proviso shall apply to all claims arising under this or any other law.

SEC. 3. Any soldier, sailor, or marine or nurse now on the pension roll or who may be hereafter entitled to a pension under the act of June 5, 1920, or under that act as amended by the act of September 1, 1922, or under this act on account of his service during the war with Spain, the Philippine insurrection, or China relief expedition, who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be given a rate of $72 a month, provided such disabilities are not the result of his or her own vicious habits: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any national or State soldiers' home shall be paid more than $50 per month under this act.

SEC. 4. That the pension or increase at the rate of pension herein provided for, as to all persons whose names are now on the pension roll, or who are now in receipt of a pension under existing law, shall commence at the rates herein provided on the fourth day of the next month after the approval of this act, except where otherwise herein provided; and as to persons whose names are not now on the pension roll, or who are not now in receipt of a pension under existing law, but who may be entitled to a pension under the provisions of this act,

such pensions shall commence from the date of filing application therefor in the Bureau of Pensions after the approval of this act in such form as may be prescribed by the Secretary of the Interior; and the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

SEC. 5. Nothing contained in this act shall be held to affect or diminish the additional pension to those on the roll designated as "The Army and Navy Medal of Honor Roll," as provided by the act of April 27, 1916, but any pension or increase of pension herein provided for shall be in addition thereto, and no pension heretofore granted under any act, public or private, shall be reduced by anything contained in this act.

SEC. 6. No claim agent, attorney, or other person shall contract for, demand, receive, or retain a fee for service in preparing, presenting, or prosecuting claims for the increase of pension provided for in this act; and no more than the sum of $10 shall be allowed for such service in other claims thereunder, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall, directly or indirectly, otherwise contract for, demand, receive, or retain a fee for service in preparing, presenting, or prosecuting any claim under this act, or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due to such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

SEC. 7. That all acts and parts of acts in conflict with or inconsistent with the provisions of this act are hereby modified and amended only so far and to the extent as herein specifically provided and stated.

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, which has just been read by the Secretary.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. CURTIS. I ask for a yea-and-nay vote on the passage of the bill.

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

Mr. BRATTON (when his name was called). I have a pair with the junior Senator from Indiana [Mr. ROBINSON], who is absent. If he were present, he would vote "yea," as I intend to vote. I therefore am permitted to vote, and I vote "yea."

Mr. FERNALD (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the Senator from Massachusetts [Mr. BUTLER] and will vote. I vote "yea."

Mr. PHIPPS (when Mr. MEANS's name was called). My colleague [Mr. MEANS] is absent on account of illness. If he were present, he would vote "yea."

Mr. REED of Pennsylvania (when Mr. PEPPER's name was called). The senior Senator from Pennsylvania [Mr. PEPPER] is necessarily absent. If he were present, he would vote "yea."

Mr. REED of Pennsylvania (when his name was called). I have a general pair with the Senator from Delaware [Mr. BAYARD], and I am told that if present he would vote as I intend to vote. I therefore vote "yea."

The roll call was concluded.

Mr. COPELAND. The junior Senator from New Jersey [Mr. EDWARDS] is absent on official business. If he were present, he would vote "yea."

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is detained by illness.

Mr. DALE. If my colleague [Mr. GREENE] had not been unavoidably detained, he would have voted "yea."

Mr. HARRELD. Has the senior Senator from North Carolina [Mr. SIMMONS] voted?

The VICE PRESIDENT. He has not voted.

Mr. HARRELD. I understand that if the Senator from North Carolina [Mr. SIMMONS] were present he would vote "yea." Therefore, I am permitted to vote, and I vote "yea."

Mr. HOWELL. I wish to state that my colleague [Mr. NORRIS] is absent from the city. If present, he would vote "yea."

I also desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is detained. If he were present, he would vote "yea."

Mr. ROBINSON of Arkansas. The senior Senator from Rhode Island [Mr. GERRY] is necessarily absent. If present, he would vote "yea."

I have a general pair with the senior Senator from Illinois [Mr. MCKINLEY]. I am informed that if present he would vote "yea." Therefore I am permitted to vote, and I vote "yea."

The senior Senator from Missouri [Mr. REED] is also necessarily absent. If he were present, he would vote "yea."

I also desire to announce that the junior Senator from Iowa [Mr. STECK] is necessarily absent. If present, he would vote "yea."

Mr. FESS. The junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. If present, he would vote "yea."

Mr. FLETCHER (after having voted in the affirmative). I failed to announce that I have a general pair with the Senator from Delaware [Mr. DU PONT]. According to my information, if present the Senator from Delaware would vote "yea." Therefore I will allow my vote to stand.

Mr. BRATTON. The senior Senator from New Mexico [Mr. JONES] is necessarily absent on account of illness. If present, he would vote "yea."

Mr. JONES of Washington. I desire to announce that the senior Senator from Massachusetts [Mr. BUTLER], the junior Senator from Massachusetts [Mr. GILLETT], the junior Senator from Delaware [Mr. DU PONT], and the junior Senator from Idaho [Mr. GOODING] are necessarily absent. If present, they would vote "yea."

Mr. WATSON. If my colleague [Mr. ROBINSON of Indiana] were present, he would vote "yea." He is unavoidably detained from the Senate.

Mr. SHEPPARD. The junior Senator from Texas [Mr. MAYFIELD] is unavoidably detained. If he were present, he would vote "yea."

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is necessarily absent. If present, he would vote "yea."

Mr. HARRIS. I desire to announce that my colleague [Mr. GEORGE] is necessarily detained on business of the Senate. If he were present, he would vote "yea."

The result was announced—yeas 72, nays 0, as follows:

YEAS—72

Ashurst	Ernst	McKellar	Sheppard
Bingham	Fernald	McLean	Shipstead
Blease	Ferris	McMaster	Shortridge
Borah	Fess	McNary	Smith
Bratton	Fletcher	Metcalf	Smoot
Broussard	Frazier	Moses	Stanfield
Bruce	Goff	Neely	Stephens
Cameron	Hale	Norbeck	Swanson
Capper	Harreld	Nye	Trammell
Caraway	Harris	Oddie	Tyson
Copeland	Harrison	Overman	Wadsworth
Couzens	Heflin	Phipps	Walsh
Cummins	Howell	Pine	Warren
Curtis	Johnson	Pittman	Watson
Dale	Jones, Wash.	Ransdell	Weller
Deneen	Kendrick	Reed, Pa.	Wheeler
Dill	Keyes	Robinson, Ark.	Williams
Edge	Lenroot	Sackett	Willis

NAYS—0

NOT VOTING—24

Bayard	Gillett	La Follette	Reed, Mo.
Butler	Glass	McKinley	Robinson, Ind.
du Pont	Gooding	Mayfield	Schall
Edwards	Greene	Means	Simmons
George	Jones, N. Mex.	Norris	Steck
Gerry	King	Pepper	Underwood

So the bill was passed.

Mr. BAYARD subsequently said: Mr. President, I was attending a conference when the vote was taken on H. R. 8132, the Spanish War veterans' pension bill. Had I been present, I would have voted in the affirmative.

Mr. SWANSON. My colleague [Mr. GLASS] is necessarily absent from the city.

Mr. SMOOT. I ask that Senate bill 3300 be indefinitely postponed.

The VICE PRESIDENT. Without objection, Senate bill 3300 will be indefinitely postponed.

Mr. WADSWORTH. I ask that the indefinite postponement of the Senate bill be delayed, and that the bill be left upon the calendar.

Mr. SMOOT. It is identical with the bill which has just passed the Senate.

Mr. WADSWORTH. I know that it is, but the House has not concurred in the Senate amendment.

Mr. SMOOT. Of course, but if they do not, then they would not agree to the Senate bill.

Mr. WADSWORTH. It might be possible to take up the Senate bill, under that unusual set of circumstances, and

legislate with that in mind. I merely ask that it be allowed to remain on the calendar.

Mr. SMOOT. I have no objection to that.

The VICE PRESIDENT. Is there objection? Without objection, the action indefinitely postponing Senate bill 3300 is reconsidered.

Mr. WADSWORTH. Let it remain on the calendar.

The VICE PRESIDENT. The bill will remain on the calendar, and will be passed over.

JAMES B. FITZGERALD

Mr. CARAWAY. I ask unanimous consent to return to Order of Business No. 273, Senate bill 2200, for the relief of James B. Fitzgerald. The junior Senator from Utah [Mr. KING] objected a moment ago, but he has informed me that he wants to withdraw his objection.

The VICE PRESIDENT. The bill has been considered as in Committee of the Whole, and a certain amendment has been made to it. The question now is, Shall the bill be reported to the Senate?

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

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

The title was amended so as to read: "A bill for the relief of James B. Fitzgerald."

TRUTH IN FABRICS

The bill (S. 1618) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven or knitted fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. WALSH subsequently said: May I inquire what disposition was made of Senate bill 1618?

The VICE PRESIDENT. It went over under objection.

Mr. WALSH. I should like to inquire of the Senator from Kansas [Mr. CAPPER] if it is his purpose to press for the consideration of that measure, generally known as the "truth in fabrics" bill?

Mr. CAPPER. I understand that to-day we are considering only unobjected bills on the calendar. I do intend to ask for a vote on the measure known as the "truth in fabrics" bill. It is one farm relief measure on which every farm organization in the country is united, proposing legislation such as is recommended by the Committee on Interstate Commerce. I hope to have a vote on the measure before the present session is ended.

Mr. WALSH. I express the hope that the Senator will be insistent upon the consideration of the measure by the Senate. The subject has been before the Congress for a great many years, and a similar measure has come before us often. It ought to have a hearing before the Senate.

Mr. CAPPER. At the first opportunity offered I shall seek to have the bill taken up.

POTASH DEPOSITS

The bill (S. 1821) authorizing joint investigations by the United States Geological Survey and the Bureau of Soils of the United States Department of Agriculture to determine the location and extent of potash deposits or occurrence in the United States and improved methods of recovering potash therefrom was announced as next in order.

Mr. WILLIAMS. Let that go over.

Mr. SMITH. Mr. President, I think this is a matter of such importance, there is such a necessity of ascertaining the fact as to matters which have been considered by the Committee on Agriculture of importance to agricultural interests, that this bill should be passed.

Mr. WILLIAMS. I suggested that it go over because there appears to be no concurrence by the Department of Agriculture and no report from them.

Mr. SMITH. I understand that the Department of Agriculture has recommended this legislation. The Geological Survey has indicated that there are large deposits of potash in our country, and we want to ascertain all the facts in reference to them, because we are wholly dependent upon Germany. This is to authorize these departments to make investigations and to report as to the facts pertaining to this subject. I think the bill ought to be passed.

Mr. WALSH. I express the hope that no objection will be urged to the consideration of this measure.

Mr. WILLIAMS. I offer no objection.

The bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That there be, and hereby is, authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $550,000 for the fiscal year ending June 30, 1926, and a similar amount for each succeeding fiscal year for four years, to be expended jointly in the proportion above mentioned, by the United States Geological Survey and the Department of Agriculture, respectively, for the purpose of determining the location and extent of potash deposits in the United States and new and improved methods of recovering potash from other substances: *Provided*, That before undertaking drilling operations upon any tract or tracts of land the Secretary of the Interior shall enter into a contract with the owners or lessees, or both, of the mineral rights therein, which contract shall provide, in the event that commercial amounts of potash or other valuable minerals are discovered, for reimbursement to the United States of not more than the actual cost of the exploration, and this claim for reimbursement shall constitute a preferred claim against any minerals developed and against any enhanced values due to the discovery of mineral in the land: *Provided further*, That such contract shall not restrict the Secretary of the Interior in the choice of drilling locations within the property or in the conduct of the exploratory operations, so long as such selections or conduct do not interfere unreasonably with the use of the surface of the land or with the improvements thereon, and the United States shall not be liable for damages on account of such reasonable use of the surface as may be necessary in the proper conduct of the work: *Provided further*, That before such drilling be commenced the owners of the land lying within a radius of 10 miles of the proposed well, in consideration of the great increase in value to their land incident to any discovery of potash and in order to prevent profiteering, be required to enter into an agreement whereby the Department of the Interior is empowered to act as referee in determining the maximum price at which the potash rights of such land can be sold, and, furthermore, that the purchasers of such rights, in consummating the purchase and in consideration of the advantage accruing from an equitable price for such rights as effected by the said department, be required to enter into an agreement whereby the potash obtained by them shall be marketed at a price not in excess of a maximum determined by the department as equitable, and, furthermore, from the net profits of such sales shall pay to the Government 10 per cent per annum until the Government shall have been reimbursed for the expenditure incurred in the exploration of the deposits in point.

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

The VICE PRESIDENT. The Committee on Agriculture and Forestry reports as an amendment that the preamble be stricken out.

The amendment was agreed to.

INDEBTEDNESS OF ITALY TO THE UNITED STATES

The VICE PRESIDENT. The hour of 3 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 6773.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America.

Mr. McKELLAR. Mr. President, I desire to read a telegram at this time.

NEW YORK, N. Y., *April 14, 1926.*

Senator MCKELLAR,

United States Senator from Tennessee,

Senate Chamber, Washington, D. C.

Five thousand Italian-Americans at a mass meeting in New York City under the auspices of the Anti-Fascist League of North America wish to congratulate you on your attitude against Mussolini and Fascism. Fascism must not be confounded with the Italian people. It is a murderous, autocratic, and coercive band of brigands which has destroyed law and order, liberty and democracy, and has placed 42,000,000 of liberty-loving people in abject slavery by threats, castor-oil beatings, and murder. America, whose traditions are freedom and democracy, should have nothing to do with Mussolini and his henchmen who are the antithesis of American ideals. We trust that your confreres in the United States Senate will follow your example, thus preparing the ground for a new Italy whose government we hope will soon be one for the people and by the people.

CHARLES FAMA, M. D.,

236 East Two hundredth Street, New York City.

Mr. SMOOT. Mr. President, I submit the following unanimous-consent agreement.

The VICE PRESIDENT. The clerk will read the proposed agreement.

The Chief Clerk read as follows:

Ordered, by unanimous consent, That on the calendar day of Saturday, April 17, 1926, at not later than 2 o'clock p. m., the Senate will proceed to vote without further debate upon any amendment that may be pending, any amendment or any motion that may be offered, and upon the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock m. on said calendar day no Senator shall speak more than once or longer than 15 minutes upon the bill, or more than once or longer than 15 minutes upon any amendment offered thereto; and that when the Senate concludes its business on Friday, April 16, it recess until Saturday, April 17, at 12 o'clock m.

The VICE PRESIDENT. Under the rule the clerk will call the roll to establish the fact that a quorum is present.

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

Ashurst	Ernst	McKellar	Sackett
Bingham	Fernald	McLean	Sheppard
Blease	Ferris	McMaster	Shortridge
Borah	Fess	McNary	Smith
Bratton	Fletcher	Metcalf	Smoot
Broussard	Frazier	Moses	Stanfield
Bruce	Gillett	Neely	Stephens
Cameron	Goff	Norbeck	Trammell
Capper	Hale	Nye	Tyson
Caraway	Harreld	Oddie	Wadsworth
Copeland	Harris	Overman	Walsh
Couzens	Heflin	Phipps	Warren
Cummins	Howell	Pine	Watson
Curtis	Johnson	Pittman	Weller
Dale	Jones, Wash.	Ransdell	Wheeler
Deneen	Kendrick	Reed, Mo.	Williams
Dill	Keyes	Reed, Pa.	Willis
Edge	Lenroot	Robinson, Ark.	

The VICE PRESIDENT. Seventy-one Senators having answered to their names, a quorum is present.

Mr. SMOOT. Mr. President, the secretary of the Senator from Missouri [Mr. REED] has just notified me that the Senator is on the way from one of the departments. I understood that he would be here at 3 o'clock and that is the reason why I asked that the unfinished business be laid aside until that hour. His clerk informs me that he will not be here for about 10 minutes. I therefore ask unanimous consent to withdraw the unanimous-consent proposal at this time, and that we proceed to the consideration of unobjected bills on the calendar where we left off, until the Senator from Missouri arrives in the Chamber.

Mr. BORAH. Mr. President, may I make a suggestion to the Senator from Utah? I suggest that he modify his unanimous-consent request.

Mr. SMOOT. In what way?

Mr. BORAH. So that we shall vote at 4 o'clock on Saturday and that each Senator shall have 30 minutes on the bill to use as he chooses.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Idaho yield?

Mr. BORAH. Certainly.

Mr. ROBINSON of Arkansas. This morning when the subject was first mentioned and the proposal was made to try to reach some sort of an agreement, it was found that one Senator at least would have to leave here shortly after 2 o'clock on Saturday afternoon and he was very anxious that the vote should be taken before leaving. It was then proposed to carry the matter over until Monday when four other Senators announced that they would be compelled to be away on Monday and they would therefore object to any arrangement to have it go over to Monday.

I merely state this in order to show the reason for seeking to agree to vote at 2 o'clock on Saturday. There is no desire on the part of anyone to cut off debate. I myself would like to see the debate continue as long as anyone wants to speak, but it will be necessary to consult the convenience of Senators who find it necessary to leave.

Mr. BORAH. I should not want to interfere with the Senator, who, I understand, must go away at 2 o'clock.

Mr. ROBINSON of Arkansas. I was willing to vote at 2 o'clock for that reason, to serve the convenience of Senators who had told me they were compelled to leave immediately after that hour. I have no objection to meeting even at 10 o'clock on Saturday.

Mr. SMOOT. I am perfectly willing to meet at 10 o'clock or 11 o'clock on Saturday. If we meet at 10 o'clock, it would give four hours for debate, but there are two Senators who must leave, as they have said, not later than 2 o'clock on Saturday.

Mr. REED of Missouri entered the Chamber.

Mr. SMOOT. Inasmuch as the Senator from Missouri [Mr. REED] has just entered the Chamber, I withdraw my request to postpone the unanimous-consent proposal.

Mr. REED of Missouri. Mr. President, I have no desire to obstruct the business of the Senate. I regard this proposal as a species of intolerable grand larceny. I intend to resist it by every means in my power, and I shall object to the proposed unanimous-consent agreement.

Mr. SMOOT. I see no other course to pursue than to proceed with the consideration of the unfinished business.

Mr. BORAH. Mr. President, while Senators are seeking to come to an agreement as to the time to vote on the Italian debt settlement bill, I shall occupy a little time with a discussion of the proposed amendment to the Volstead Act.

Mr. SMOOT. Mr. President, will the Senator from Idaho yield before he proceeds further?

Mr. BORAH. Certainly.

Mr. SMOOT. I desire to resubmit the unanimous-consent agreement changed to read as follows:

Ordered, by unanimous consent, That on the calendar day of Wednesday, April 21, 1926, at not later than 2 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment or any motion that may be offered, and upon the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock m. on said calendar day no Senator shall speak more than once or longer than 15 minutes on the bill, or more than once or longer than 15 minutes upon any amendment offered thereto; and that when the Senate concludes its business on Tuesday, April 20, 1926, it recess until Wednesday, April 21, at 12 o'clock m.

Mr. WATSON. Mr. President, may we have the proposed agreement reported from the desk in order that all may hear it?

The VICE PRESIDENT. The Clerk will read the proposed unanimous-consent agreement.

The Chief Clerk read as follows:

Ordered, by unanimous consent, That on the calendar day of Wednesday, April 21, 1926, at not later than 2 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment or any motion that may be offered, and upon the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock m. on said calendar day no Senator shall speak more than once or longer than 15 minutes upon the bill or more than once or longer than 15 minutes upon any amendment offered thereto, and that when the Senate concludes its business on Tuesday, April 20, it recess until Wednesday, April 21, at 12 o'clock m.

Mr. BORAH. Mr. President, it is well known to everyone that after these unanimous-consent agreements are entered into we never have any debates that anyone pays any attention to until the day of the voting. We go about our other affairs and give very little consideration to the matter which is to be voted upon. I therefore ask that this agreement be amended so as to make the hour for its taking effect 4 o'clock and to give a Senator 30 minutes to use as he chooses. If he wants to speak 30 minutes on the bill, let him speak 30 minutes, but make the hour not later than 4 o'clock.

Mr. MOSES. Does the Senator from Idaho mean by using the expression "as he chooses" that a Senator may yield to some other Senator if he so desires?

Mr. BORAH. I meant to say that the Senator should use the time himself, not referring to anyone else.

Mr. SHORTRIDGE. Mr. President, I suggest that we might have that privilege, for during that period, having the floor, I might wish to yield it to the Senator from Idaho.

Mr. BORAH. Or vice versa.

Mr. ROBINSON of Arkansas. I should object to that, Mr. President.

Mr. BORAH. I am not asking it.

Mr. ROBINSON of Arkansas. I think it would be a bad precedent to establish to allow a Senator to get the floor and instead of using the time himself parcel it out among favorites. I will object to any arrangement such as that, either now or hereafter.

Mr. SHORTRIDGE. Then, I will object to the agreement.

Mr. SMOOT. I ask the Senator from California not to do that.

Mr. SHORTRIDGE. Well, I am objecting. I hope the Senator will be good enough to consult me now and then in regard to these unanimous-consent agreements.

Mr. SMOOT. Very well.

Mr. ROBINSON of Arkansas. Of course the Senator from California has the same right as has any other Senator to object, and I am heartily in favor of his exercising his constitutional right now and hereafter. He ought to do it more

often. The country is greatly benefited by the exercise of those constitutional rights, and, so far as I am concerned, I hope he will continue to exercise them.

Mr. SHORTRIDGE. I do not desire to indulge in any irony or sarcasm. I think I have been very courteous. I have never raised my voice in objection to any proposed unanimous-consent agreement. The thought I threw out by my suggestion has been expressed to me many times by Senators in this Chamber. It occurs to me now that it has some merit. I can well imagine that my friend from Arkansas—he can not provoke me into replying in a sarcastic vein——

Mr. ROBINSON of Arkansas. Why, Mr. President——

Mr. SHORTRIDGE. Pardon me a moment.

Mr. ROBINSON of Arkansas. Does the Senator think I am trying—will the Senator from California yield to me?

Mr. SHORTRIDGE. I will yield to the Senator.

Mr. ROBINSON of Arkansas. Does the Senator from California imagine that I am trying to provoke him? Mr. President, I am supporting him in the exercise of his right, but I will reaffirm the proposition that the practice of a Senator getting the floor with the privilege of parceling out the time will not be indulged in hereafter.

Mr. SHORTRIDGE. Mr. President——

Mr. BORAH. Mr. President, may I say——

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

Mr. SHORTRIDGE. Yes; I yield with pleasure.

Mr. BORAH. I did not mean to ask for the privilege of parceling out the time. I only meant that a Senator might use it himself.

Mr. ROBINSON of Arkansas. That is all right. I have no objection to that.

Mr. BORAH. I prefer to have it arranged that way.

Mr. SHORTRIDGE. I perhaps misunderstood my friend from Arkansas [Mr. ROBINSON]. He has ever been courteous to me, and I have endeavored to be so to him. I pay great heed to his opinion as to the wisdom of the rules of this body, as, perhaps, the RECORD will show. It has, however, occurred to me that it would be very wise when under a unanimous-consent agreement we enter the period for limited debate to permit a Senator having the floor to yield a little of his allotted time to another if he thought that by so doing his cause would be better presented and advanced. I see no harm in that practice. At any rate, I am not persuaded against that proposition. I may, however, be in error. Indeed, I thought when the Senator from Idaho made his request that he intended to convey that idea.

Mr. BORAH. No; I did not have that in mind.

Mr. SHORTRIDGE. The Senator from Idaho has now made that perfectly plain.

Mr. BORAH. Mr. President, if I may make the suggestion to the Senator, as it is a debatable matter as to whether we should yield time, and so forth, and one which we may want to consider at some length on some other occasion, suppose we waive it in this particular instance and take it up later.

Mr. SHORTRIDGE. To show that I am a good-natured man, I accept his suggestion and offer no objection to the agreement requested by the Senator from Utah.

Mr. FERNALD. Mr. President, I agree with everybody. [Laughter.] But I want to make an inquiry of the Senator. Is it the intention of the Senator to keep the debt settlement measure before the Senate constantly from now until next Wednesday, or will opportunity be afforded to consider other bills in the meantime.

Mr. SMOOT. Mr. President, if the unanimous-consent agreement shall be entered into, whenever a Senator desires to speak upon the bill I shall ask that it be laid before the Senate, and when no Senator desires to speak upon it I shall ask that it be laid aside.

Mr. SHORTRIDGE. That goes into the agreement practically as stated here, of course?

Mr. SMOOT. Yes.

The VICE PRESIDENT. Is there objection?

Mr. ASHURST. Mr. President, as the RECORD of yesterday's proceedings will disclose, I have received telegrams and letters from a large number of citizens of Arizona urging me to vote for this bill, and on matters of policy I am inclined to yield to the wishes of my constituents. I wish the bill to be disposed of early, but I am unable to agree to Wednesday. I will be glad to agree to Thursday, April 22, but I am unable to agree to Wednesday. I deeply regret to interpose an objection.

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

Mr. ROBINSON of Arkansas. Mr. President, let us find out if there is anybody who is going to be away on Thursday.

Mr. ASHURST. I am not going to be away, but I am not ready to vote.

Mr. SMOOT. I beg the Senator not to object.

Mr. ASHURST. Mr. President, at great personal sacrifice—and I speak in all seriousness—I will withdraw the objection.

Mr. SMOOT. I thank the Senator.

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

Mr. SMOOT. Mr. President, it is understood, of course, that the words "15 minutes" are to be changed to "30 minutes," and that the vote is to be at 4 o'clock on Wednesday, April 21.

The VICE PRESIDENT. The clerk will read the unanimous-consent agreement as finally entered into.

The Chief Clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, by unanimous consent, That on the calendar day of Wednesday, April 21, 1926, at not later than 4 o'clock p. m. the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment, or any motion that may be offered, and upon the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock m. on said calendar day no Senator shall speak more than once or longer than 30 minutes upon the bill, or upon any amendment offered thereto, and that when the Senate concludes its business on Tuesday, April 20, it recess until Wednesday, April 21, at 12 o'clock m.

Mr. SMOOT. That has been agreed to?

The VICE PRESIDENT. The agreement has been entered into.

Mr. REED of Missouri. Mr. President, I did not object to the unanimous-consent agreement, and I wish briefly to state why. First, I do not want to be in the position of holding up the business of the Senate; second, I am unable to hold up this bill effectively. If there were sufficient Senators to stand with me and who were inclined, as I am inclined, to talk on it until next December, I would stand with them and hold the fort from morning until night and until the next morning, until cloture at least was once more applied in favor of foreign nations; but I do not find a disposition to make that kind of a battle. Senators who have spoken against the bill are content with the persistence they have made, and they are, of course, entirely within their rights.

I shall take occasion to express myself on this bill a little later; but I wish now to say that I regard it as the worst piece of larceny ever attempted upon the taxpayers of this country. No matter how we may gloss it, no matter what excuse may be offered, we are, at the expense of the taxpayers of this country, making a present to Italy of between a billion and a half and two billion dollars. I regard the proposition as indefensible, as monstrous, as infamous, and I believe that when the question comes to be submitted, as it will be submitted, to the American people there will be other reports like that which we received from Illinois this morning.

THE PROHIBITION LAW

Mr. BORAH. Mr. President, it has been about eight years since we amended the Constitution of the United States and incorporated in it what is known as the eighteenth amendment. That amendment was not adopted, as is so often said, in haste or without due consideration and deliberation upon the part of the people of the United States. For some 50 years the subject of prohibition had been under discussion throughout the country, and, if I remember correctly, at the time of the ratification of the amendment 33 States of the Union had adopted prohibition. After the amendment was submitted to the States for ratification, I believe, all except two States ratified it. No amendment to the Constitution has ever been adopted after so full and prolonged a consideration as was the eighteenth amendment. Whatever its merits or its demerits may be, whether it should be now repealed or modified, there can be little controversy over the proposition that it was a deliberate act at the time it was written into the Constitution of the United States. It was perfectly clear at that time that the people intended to promulgate a national policy and that policy they inserted into their charter of government.

This amendment provides, in part, as follows:

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from, the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

The language is specific and all-encompassing—that the manufacture, or sale, or importation, or exportation of intoxicating liquors "for beverage purposes is hereby prohibited."

This part of the Constitution has been construed by the Supreme Court of the United States; and in the first important case which went to the court involving a construction of it, the court said that the first section of the amendment, the one embodying the prohibition, is operative through the entire territorial limits of the United States, binds all legislative bodies, courts, public officers, and individuals within those limits, and of its own force invalidates every legislative act, whether by Congress, by a State legislature, or by a Territorial assembly, which authorizes or sanctions what the amendment prohibits.

The second section of the amendment—the one declaring that—

> The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation—

does not enable Congress or the several States to defeat or thwart the prohibition but only to enforce it by appropriate means.

Thus, Mr. President, there was written into the fundamental law, into the charter under which we live, an inhibition against the manufacture or sale of intoxicating liquors, and that binds the Congress of the United States, the several legislatures of the different States, the courts of the country, and each and every particular individual in the country; and so long as it remains in the Constitution it is the duty of the several legislatures, of the Congress, of the courts, of all agencies of government, of all public officials and of individuals to obey and in their respective places in organized society to assist in the enforcement and upholding of the Constitution. It imposes a responsibility and an obligation which neither the Congress nor the State legislatures can honorably shirk or in decency pass on to some other body. It binds every official and every citizen, and so long as it remains there it is the first duty of good citizenship to respect it and seek to uphold it.

We are now, Mr. President, engaged in a great campaign to find a way by which to evade the Constitution of the United States without apparently doing so; to find a method or a means by which we can counteract or nullify its terms and conditions without specifically repealing this part of the Constitution or without modifying it directly. It is a campaign to sterilize the Constitution while professing to respect it.

No one contends that those who are opposed to prohibition have not the right to carry on a campaign for the purpose of changing the Constitution. Any citizen or any body of citizens who believe that this is an unwise policy, that it is a policy which can not be sustained, a principle which can not be enforced, are not subject to criticism in their effort to remedy it by eliminating it from the fundamental law of the land; but the point which I desire to stress at this time and at all other times in the discussion of this matter in which I shall take part is that so long as it remains a part of the Constitution, so long as it is unchanged, it is the duty of every citizen loyally to support and maintain it, not only in letter but in spirit.

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

Mr. BORAH. I yield.

Mr. EDGE. The Senator, as I followed his argument, implies that the national prohibition act which was passed by Congress as a method of enforcing the eighteenth amendment is as liberal an interpretation of the eighteenth amendment as Congress would be justified in making. Does the Senator take that position?

Mr. BORAH. I will come to that discussion in a few minutes. I am going to take up the proposed amendment.

Mr. EDGE. I desired to ask two or three questions in that connection. If the Senator prefers to have me wait, I will do so.

Mr. BORAH. Yes; if I do not cover the matter, I invite the Senator to the floor for the purpose of elucidating it by questions, because I have no desire to avoid that proposition. It is a legitimate part of the discussion, and we should be perfectly willing to discuss it.

As I said, the right to amend the Constitution is a right which can not be denied, and no one can be criticized for seeking to amend it. I desire to say, in passing, that the insertion of this amendment in the Constitution of the United States involved what to my mind was a very serious governmental proposition. Whether it was wise to take over from the States the great body of police power which we took over from the States at the time we amended the Constitution is a very serious problem—not only a problem relating to the question of prohibition, but a problem relating to the fundamental principles upon which our Government is organized. It touches the great and vital question of local self-government, and I do not wish to minimize its importance in this problem of prohibition. I find no fault, therefore, with those who believing it to have been a mistake would seek to correct the mistake by amending the Constitution.

Mr. WADSWORTH. Mr. President, will the Senator comment upon another phase of the eighteenth amendment? Is it not also extraordinary in that its ratification amounted to the insertion of a sumptuary police statute in a constitution, thereby depriving the majority of the people as represented in the House of the Congress of any opportunity of legislating upon a problem of that kind by simple enactment of law?

Mr. BORAH. Undoubtedly, Mr. President, that is one of the serious problems which are involved in this matter; and I think perhaps that is incorporated in the other proposition which I made relative to the attempt to take over and take into the Constitution a principle of police power, and drawing away from the States the police power which heretofore had belonged to them.

But, Mr. President, those things can only be changed by an amendment of the Constitution itself. If it was a mistake to draw to the National Government this police power, if it was a mistake to put into the Constitution of the United States a principle of sumptuary law, the only way in which it can possibly be met is by a proposal either to repeal the eighteenth amendment or to modify it. Indeed, Mr. President, I doubt very much if modification will reach it. It seems to me if we are going to deal with the question which we are now discussing—the question of whether it is wise to take over this police power or to deal with this matter as a sumptuary principle in the Constitution—we can not meet it except by an elimination of the provision of the Constitution itself. So long as the Constitution stands one thing is more fundamental than prohibition, and that is the enforcement and the upholding of the Constitution. It involves the question of whether we are a law-abiding people.

We are discussing, these days, the question of what we shall do with reference to amending this provision of the Constitution; and about the first suggestion that comes to me when I suggest that the situation can be met only by constitutional amendment is that it takes too long, that it will take an infinite amount of time to change the Constitution of the United States, and that there must be some way by which the law can be so modified that we can get intoxicating liquor without offending the Constitution itself. In other words, the clear implication is that by ignoring not only the spirit of the Constitution but the letter of the Constitution, we can pass a law which will give percentages of alcohol sufficient to enable the people to enjoy, as they claim, their right to the use of intoxicating liquor. Impatience with the law is mob rule. The man hunting his neighbor with a shotgun is simply impatient with the law, and those who would disregard the Constitution because it takes too long to amend it are appealing to the spirit of the mob.

Mr. President, it is no part of the duty of a citizen to ferret out means by which to escape from the terms of the Constitution. It is no part of good citizenship, in my judgment, when citizens find in the Constitution a provision which they do not like, to see how far they can possibly go toward evading it or nullifying it without getting within the inhibition which the courts might lay upon them. So long as the provision is there, instead of seeking means to evade it, it is the duty of the citizens of the United States to find means to enforce it. If the means do not exist at this time, if the law is not sufficient and efficient, and if the power behind the law is not sufficient to enforce it, then, instead of finding means by which to evade it, it is our duty, and the obligation rests upon us, to find more effective means by which to make the Constitution effective. Change it if you will; rewrite it again if you may; but so long as it is there, it is the duty of every loyal citizen to see to its enforcement.

Some of the propositions which have been made seem to me most extraordinary. If there rests upon the Federal Government one peculiar exclusive and supreme duty it is to see to the enforcement and the maintenance of the Constitution of the United States and not leave its enforcement to the several States of the Union. The respective States of the Union are not primarily the custodians of the integrity of the Constitution. The custodian of that integrity is the Federal Government itself. To my mind any scheme or any plan which would shift to the States alone the obligation or the burden of enforcing the Constitution is a most pronounced evasion of the most solemn obligation which rests upon the National Government, and that is to protect its own charter, protect its own life, for the Constitution is its life.

The United States attorney for New York a few days ago in an interview said:

> Let Congress modify the Volstead Act so as to permit each State to define nonintoxicating liquor, this definition to bind both State and Federal authority.

So modify the Volstead Act as to permit each State to be the judge of how and to what extent the Constitution of the United States applies in this respect and what is an interpretation and what is an enforcement of the Constitution of the United States? The proposal is not to amend the Constitution of the United States. The provision which imposes upon the National Government the inhibition of the sale and use of intoxicating liquors remains; but the proposal is to modify the statute which was passed, leaving the enforcement of the principle of the Constitution and the protection of the integrity of the Constitution to the respective States, while the National Government itself entirely abandons that obligation.

It is seriously proposed that the Federal Government shall abandon the interpretation and enforcement of its own great charter and through sheer cowardly, contemptible expediency leave it to 48 States with 48 different rules and standards to enforce and uphold it. To such desperate and despicable expediency do men resort when they have not the candor to urge repeal or the courage to preach open violation.

Mr. President, as a matter of fact, the great Civil War was fought over that principle. To my mind it is treason; it is a deliberate evasion of the Constitution, a nullifying and an annihilating of the charter under which we live. It is disloyalty to the first principle of a Federal Union and a violation of the oath which every Federal officer takes when he takes office.

Why, suppose the State of New York fixes a percentage of alcoholic content such as to be intoxicating. Shall the Congress of the United States and the officials of the United States, the custodians of the Constitution, acquiesce in the proposition and connive at its disregard of the Constitution? Shall we leave it to the State of New York or to the State of Idaho or to the State of California to say when and how and to what extent the Constitution of the United States shall be applied and enforced? It would make 48 standards. You might have a standard of 7 per cent in New York, and if so, they could ship their product to every State of the Union.

You might have a standard of 2 per cent in the State of Louisiana, and yet New York could send her 7 per cent product into the State of Louisiana against the standard which they have established there. We would have 48 different standards, no one guarding or protecting or enforcing or maintaining the Constitution, but 48 different States applying their different rules.

A few days ago there came to me a resolution passed by a committee of one of the dominant parties of the country in a near-by State, and the resolution reads:

Resolved, That the county committee (of the State and county) recommend to the Congress of the United States that the so-called Volstead liquor law be amended so as to permit light wines and beer.

Of course, the constituency for which they were politically speaking understands that "light wines and beer" mean intoxicating liquor. All this disturbance and all this debate are not for the purpose of securing nonintoxicating liquor. The people who are insisting upon this change are not insisting upon the change for the purpose of getting more nonintoxicating liquor. What they understand is that they are to secure intoxicating liquor; that wines and beer such as will give them their intoxicating drinks are to be allowed. We have a great political party, one of the dominant parties in the country, actually passing resolutions petitioning the Congress of the United States to violate or connive at the violation of the Constitution of the United States, and doing it for sheer political expediency.

Why not say to the people who are asking for light wines and beer, "You can not secure the intoxicating liquors which you desire until you amend the fundamental law under which you live"?

If this question is to be presented to the people, let us present it in such a way that it will raise the real issue, and either give or deny to them that for which they are asking, to wit, intoxicating liquor. The Legislature of the State of New York is now in the course of passing a referendum law, as I understand it, and so far as that is concerned, New York is simply in the lead. Other States will be asked to follow. In the referendum which they are to send out, if they pass the law, will be this question:

Should the Congress of the United States modify the Federal act to enforce the eighteenth amendment to the Constitution of the United States so that the same shall not prohibit the manufacture, sale, transportation, importation, or exportation of beverages which are not in fact intoxicating, as determined in accordance with the laws of the respective States?

That would delegate or leave to the respective States the power and the authority to say whether a particular beverage was intoxicating. If the State fixes a percentage which makes it intoxicating, what is the Government of the United States to do? The Government of the United States is to remain silent. The keeper of the Constitution, the sole power to enforce it throughout the Union, is to remain silent and connive at the violation of it from day to day and from year to year. That goes on through all the 48 States of the Union. It means legal chaos, it means constitutional anarchy, it means the breakdown of constitutional government. That referendum challenges the sincerity if not the loyalty of the great State of New York.

The great debate which took place prior to the Civil War was over that one great question, whether the States should determine what laws should be enforced and what should not, under the Constitution of the United States.

Mr. BRUCE. Mr. President——

The PRESIDING OFFICER (Mr. ODDIE in the chair). Does the Senator from Idaho yield to the Senator from Maryland?

Mr. BORAH. I yield.

Mr. BRUCE. The Senator will remember, however, that when the South asked that the fugitive slave law be enforced, legislatures throughout the free States connived, in just the manner the Senator from Idaho has reprobated so strongly, for the purpose of defeating the rights of the South under that law, and passed personal liberty laws. Judges and juries, too, refused to put the law into execution.

Mr. BORAH. Does the Senator want to plow through that mire of disgrace and degradation again? Does he appeal to a defiance of the Constitution as a precedent?

Mr. BRUCE. I am glad to hear the Senator say it was a period of disgrace and degradation. As far as I know, the Senator is the only member of the Republican Party who has ever made such a confession.

Mr. BORAH. I presume some might doubt my Republicanism, but I do not intend anyone shall challenge my devotion to the Constitution.

Mr. BRUCE. As I look at it, his Republicanism is about the only blemish on the character of the Senator.

Mr. BORAH. The Senator would not contend for a moment that the Northern States which undertook by legislation to nullify the provisions of the Constitution which gave the Southern States the right to follow their slaves were applying constitutional principles, would he? They were simply evading, nullifying, and destroying the Constitution itself.

Mr. BRUCE. Yes; but I mention it as another illustration of the fact that when laws undertake to fly in the face of nature they will not be observed.

Mr. BORAH. Very well, Mr. President; the Senator and I will not argue that. But let us go back to the fundamental law and submit that question to the people of the United States and see what they say about it. If they take it out, every man should live up to it with that out, just as now we should live up to it with it in.

Mr. BRUCE. All I meant to say was that slavery became, in the course of time, an offense to the moral instincts of the free States of the Union and of the world, and of course constitutional restraints proved as utterly futile for the purpose of keeping down the bitter hostility excited by the institution of slavery as the eighteenth amendment has proved in keeping down the natural desire of men for a form of rational enjoyment, within proper limits.

Mr. CARAWAY. Mr. President, will the Senator from Idaho permit me to ask a question?

Mr. BORAH. Yes.

Mr. CARAWAY. If we should carry out the theory that the States should be the interpreters of the Constitution, you could repeal or modify the peonage law and reestablish slavery, could you not?

Mr. BORAH. I suppose you could.

Mr. CARAWAY. If any State should wish to do it; if the States should be the guardians of the Constitution.

Mr. BORAH. Mr. President, suppose some one in New York or New Jersey or Idaho should make a proposal with reference to determining for itself, as a State, whether or not it would obey the fifteenth amendment, or determining for itself how far it would be bound by the fourteenth amendment, or determining for itself how far it would be bound by the seventeenth amendment.

What would these gentlemen who are now proposing that the States shall pass upon the question as to the extent to which they will be bound by the eighteenth amendment say to such a proposal? Or suppose the fifth article of the Constitution of

the United States were involved, where the property rights, the vested interests, of the great property-holding people of the United States are protected; and suppose the Legislature of New York, or a mass meeting in New York, should pass a resolution that the State of New York would determine for itself how far it would be bound by that provision. The Department of Justice here in Washington would have the members of that mass meeting in prison inside of 48 hours as communists and revolutionists. And if any of their ancestors had come here since the American Revolution they would likely seek to deport them as communists.

Mr. BRUCE. Mr. President, will the Senator permit me to ask another question?

Mr. BORAH. I yield.

Mr. BRUCE. Did not the South after the Civil War determine for itself, without regard to the fourteenth and fifteenth amendments to the Federal Constitution, whether it would or would not have ignorant negro suffrage riveted upon its neck? Did not every southern man of every station in life exercise every power that lay in him to stay the consequences of that frightful curse?

Mr. BORAH. Mr. President, so far as I know every law passed by the Southern States and now in force with reference to negro enfranchisement, or the right of the Negro to vote, has been sustained by the Supreme Court of the United States as constitutional.

Mr. BRUCE. Another illustration were those amendments of the utter vanity of passing laws that violate the primal instincts of human nature. What good did they do, so far as any practical consequences were concerned? Outraged human nature claimed its rights, and there is nothing which I regard with more satisfaction than the fact that when I was a boy, living in a remote countryside, all the white citizens of that community were banded together like brothers for the purpose of nullifying those amendments to the Federal Constitution, and defeating the will of Congress when it endeavored to enforce them; and, thank God, they defeated it.

Mr. BORAH. Mr. President, the Senator is preaching the doctrine of communism here in the Senate of the United States.

Mr. BRUCE. Oh, no.

Mr. BORAH. Yes, the Senator is; he is preaching anarchy.

Mr. BRUCE. It is not the Senator from Maryland, but the Senator from Idaho, who wishes us to recognize the Soviet Government.

Mr. BORAH. I do; and I think it might serve as a good example for us, the way we are proposing to do things in this country at this time. I think we could learn lessons from them if such doctrine as I hear now is to prevail. But do I understand the able Senator from Maryland to contend that the Southern States are now, in violation of the Constitution and in violation of the Supreme Court decisions, disfranchising the negroes of the South?

Mr. BRUCE. I mean to say that the South has solved its own suffrage problems in its own way, and it has solved them so wisely, despite constitutional and statutory inhibitions, that the whole country has acquiesced in its conduct.

Mr. BORAH. The Senator did not answer my question. Does the Senator contend that the solution which he speaks of is a solution in contravention and in violation of the Constitution of the United States and the decisions of the Supreme Court of the United States?

Mr. BRUCE. What is the use of asking me to say something that everybody knows? The southern people had to take their choice between constitutional abstractions and civilization, and they selected civilization.

Mr. MOSES. Oh, no, Mr. President, if the Senator from Idaho will permit me. The southern people had another choice. The implications of the Constitution are that a certain vote may be suppressed, but if suppressed, there is a constitutional price to be paid for it. It is a great and high privilege to suppress millions of votes, and why does not southern chivalry come to the front and pay the price which the Constitution mentions?

Mr. BRUCE. I recollect that one of the malefactors who gave the South the greatest trouble after the Civil War was a Moses of South Carolina.

Mr. MOSES. He did not come there; he was raised there. He was not a carpetbagger.

Mr. BRUCE. Surely that State was incapable of producing such fruit as that.

Mr. MOSES. He was not a carpetbagger; he was indigenous.

Mr. BORAH. If I may say just a word in explanation, at the risk, I suppose, of being criticized, I have always thought that the enfranchisement of the negro, at the time it took place, was a mistake. It was unjust to the white and unjust to the colored man.

Mr. BRUCE. Of course, the Senator has thought so.

Mr. BORAH. I have said here on the floor of the Senate I thought it was a mistake to take a race which had been in slavery for 300 years, and overnight put upon them the burdens and the obligations of discharging political duties in a great representative Republic, an almost impossible proposition. It required something of the negro that no race in history could have adequately met. He would have been better off to have worked out through time and education his franchise. But I do not agree with the Senator that at the present time the Southern States are doing these things in violation of the Supreme Court decisions. They have worked out a solution within the Constitution and within the decisions of the Supreme Court of the United States.

Mr. McKELLAR. That is precisely what we have done in Tennessee.

Mr. BRUCE. I think the less we say on the subject the better.

Mr. BORAH. I think so.

Mr. BRUCE. But I will say that it cost us a considerable amount of blood and tears to bring the rest of this country to the conclusion that the Senator from Idaho has reached.

Mr. BORAH. The Senator from Idaho has reached just one conclusion, and I put it plainly and I challenge the Senator from Maryland to controvert it—that so long as the Constitution of the United States remains as it is, it is the duty of every loyal citizen to help enforce it.

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

Mr. BORAH. I yield.

Mr. BROUSSARD. Does the Senator hold that the Congress of the United States may fix a higher percentage than one-half of 1 per cent of alcoholic content?

Mr. BORAH. I hold that the issue which we are now seeking to meet is not a percentage within nonintoxicating percentages. What is being sought is to give a percentage which will give these people an intoxicating drink.

Mr. BROUSSARD. Does the Senator contend that the fixing of 1 per cent would be a violation of the spirit or the letter of the eighteenth amendment?

Mr. BORAH. I am not sufficiently familiar with drinks to know, but what I say is that if we fix the percentage, it does not make any difference what it is, so that the beverage is still nonintoxicating, we will have the liquor question here just as prominently and persistently and pronouncedly as ever before. What the Senator's constituency, if he is speaking for the wets, is asking for is an intoxicating drink. They are not asking for a percentage that will add a little more flavor to a drink. They want something which will be intoxicating, and that is what they are fighting for. Does the Senator contend that the people who oppose the present Volstead Act would be satisfied if it were changed so as to give a nonintoxicating drink?

Mr. BROUSSARD. I hope the Senator will permit me to say just a word. The Senator started out by saying that he is not acquainted with liquors, and then he goes on to assume what those who advocate modification want. My purpose in rising was to ask a question. Does not the Senator believe that those who believe that one-half of 1 per cent is not justified under a proper interpretation of the eighteenth amendment are entitled to fix such a percentage by law and have the Supreme Court of the United States pass upon that law, just as they passed upon the fourteenth and fifteenth amendments to the Constitution?

Mr. BORAH. I will answer that, and I trust that my answer will not seem to be offensive, but if we fix the percentage and make it such that it will not give intoxicating liquors to the people who are asking for a change, it will not solve the question at all. What we are seeking to do, as I understand it, is to readjust the situation so as to satisfy, if possible, the country against persistent insistence upon a change of the prohibition law. If we fix it at a percentage which does not give intoxicating liquor, it will solve nothing. On the other hand, if we do fix it at a percentage which will give intoxicating drinks, we will have violated the Constitution.

Mr. BROUSSARD. During the war 3.75 per cent beer was declared nonintoxicating by the Supreme Court of the United States. Would the Senator believe that that is not a reasonable interpretation of the limitation placed upon Congress to define intoxicating liquor and to fix 3.75 per cent?

Mr. BORAH. Suppose we fix it at 3.75 per cent; if it is nonintoxicating and found to be such in practice as well in theory, we will have solved nothing.

Mr. BROUSSARD. We have not tried it. We have not tried 3.75 per cent beer. The people were satisfied with 3.75 per cent beer during the war.

Mr. BORAH. Oh, no.

Mr. BRUCE. Mr. President, will the Senator yield to me?

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

Mr. BORAH. I yield.

Mr. BRUCE. I am going to try to take up the matter in a little less controversial spirit. The proposition that the Senator seems to be emphasizing is the proposition brought forward by Mr. Buckner. Of course, so far as we are concerned, we are not responsible for any proposition brought forward by Mr. Buckner. The bills which are actually pending before the Committee on the Judiciary are bills which provide for 2.75 per cent and for beer that does not exceed the intoxicating point. So far as I know, the proposition or the question as to what shall be an intoxicating beverage and what shall not be an intoxicating beverage is not proposed to be remanded, so far as we are concerned, to the States at all. Surely the Senator would not undertake to say that 2.75 per cent beer is an intoxicating thing?

Mr. BORAH. Surely the Senator from Maryland would not undertake to say that if it is not intoxicating that the people for whom he speaks would be satisfied?

Mr. BRUCE. I would. In point of fact, I can speak——

Mr. BORAH. I am not speaking now particularly of legal constituents, but I am speaking of the people who are insisting that they have the right to have intoxicating liquor.

Mr. BRUCE. Because the people of Maryland, for illustration, are asking for 2.75 per cent beer, it does not follow that they are asking for an intoxicating beverage. The ordinary alcoholic content of beer made in the city of Baltimore before the adoption of the eighteenth amendment was 3 to 3.5 per cent. The Senator will probably be surprised when I tell him, because it is obvious that he is a highly temperate man——

Mr. BORAH. I am, I trust.

Mr. BRUCE. So am I—that it was the practice of the brewers in Baltimore City to give a gratuitous allowance each day of 16 glasses of beer to each and every driver of a brewery wagon, so slightly intoxicating was the merchantable beer that was sold at that time. A man simply had almost to drown himself—he had to submerge himself practically in a sea of beer—to intoxicate himself on 2.75 per cent beer.

Mr. BORAH. That is according to how long he has been at the business.

Mr. BRUCE. The general idea is that the longer he has been at it the more thoroughly inured he becomes. But the Senator, I think, is mistaken when he ignores the fact that a very large measure of relief, as the opponents of the Volstead Act see it, would be given by a modification of the Volstead Act allowing 2.75 per cent beer. Light wine is a different matter. I have never had much to say about light wines. I am not really sufficiently informed on the subject to know what percentage of alcoholic content we could define in wine that would justify any wine being called a light wine; but so far as beer is concerned there is no reason in the world, if we are influenced simply by considerations of intoxication, why the American population should not be allowed the privilege of drinking beer. The very rich and well-to-do will obtain their wine anyhow; you need not trouble yourself about that.

Mr. BORAH. I am going to trouble myself about it. So long as this Constitution remains as it is I am going to trouble myself about it. I look upon the rich and influential who violate the Constitution as the most dangerous people in the whole community.

Mr. BRUCE. They will take care of it in one way or another, and it does not make any difference how much you concern yourself about it or what abstract propositions you may bring forward with respect to it, they will have it, just as liberal men will have their Sundays without any extreme, puritanical, blue restrictions. Just as they will have all sorts of things without regard to merely teasing, unreasoning restrictions.

I am not going to interrupt the Senator any more, but I wish to direct his attention to the fact that there is nothing in 2.75 per cent beer, if we are right, that is inconsistent at all with the provisions of the eighteenth amendment, which are simply aimed at intoxicating beverages.

Mr. BORAH. In other words, I understand that all this great drive, this universal hubbub throughout the United States, this uproar in the market place, these hearings, and this great fight that is going on, are to get a little more nonintoxicating beverage, more of the same kind of stuff which you now reject.

Mr. BRUCE. The Senator knows, so far as I am concerned, that his remark is not applicable to me, because nobody knows better than he does that I have proposed an amendment to the eighteenth amendment to the Federal Constitution.

Mr. BORAH. Exactly. I commend the Senator for his courage and his intelligence in meeting the issue.

Mr. BRUCE. I do not think that 2.75 per cent beer would afford to the rational instincts of the people of this country the full measure of relief to which they are entitled.

Mr. BORAH. That is what I thought! [Laughter.] A Daniel come to judgment!

Mr. BRUCE. And I hope I am going to be a Daniel that will come to such a stern judgment as to sweep away all the unnatural and artificial restrictions of prohibition.

Mr. BORAH. That is what I am talking about. The Senator wants to sweep away the inhibition against intoxicating liquors.

Mr. BRUCE. In the ordinary course of constitutional procedure. We have to take the first step in every relation of life. Now, that 2.75 per cent is the first step. If the people of the United States are not willing to go any further, they will go no further.

Mr. BORAH. Of course we realize that that is the first step, and it is to weaken the law and break down the morale of the situation and then we will have 4 per cent and 5 per cent, and the next thing we will repeal the Constitution.

Mr. BRUCE. It may be that 2.75 per cent beer would afford such a measure of relief to natural human instincts that public opinion would then come to the aid of the law and we would not have this disgraceful spectacle of the law weekly, daily, hourly, momentarily violated in the United States.

Mr. BORAH. In other words, all that stands between the people of the United States and obedience to the law is the difference between 1.75 per cent beer and 3.75 per cent beer.

Mr. BRUCE. No; the difference is the difference between rational municipal ordinances and irrational municipal ordinances which violate one of the elementary impulses of human nature.

Mr. BORAH. The difference, with all due respect to the able Senator from Maryland, is the difference between the Constitution as it is and the Constitution repealed. If the Senator wants to repeal the Constitution of the United States he has a perfect right to start that campaign. No one is justified in criticizing that. The Constitution was made and will be unmade by the people of the United States. If it is not satisfactory to us, let us change it. But what I contend is that all this maneuvering with reference to percentages, and so forth, is to evade the Constitution of the United States, to undermine and destroy the morale of its enforcement, and not for the purpose of solving the question within the provisions of the Constitution.

Mr. BRUCE. But, may I ask the Senator from Idaho, if it is legally competent for us to enact a statute allowing 2.75 per cent beer without violating the provisions of the eighteenth amendment, is there any reason why that should not be done?

Mr. BORAH. Oh, no; but it will not solve anything. It will not settle anything, if it is not intoxicating. Your fight will go on.

Mr. BRUCE. There is where I do not agree with the Senator.

Mr. BORAH. The Senator just said that he has not much to say about light wines.

Mr. BRUCE. And I have not.

Mr. BORAH. But there are thousands and hundred of thousands and millions of people in the United States who have something to say about light wines. Will they be satisfied with that beer? They would be offended if you offered them beer.

Mr. BRUCE. I confess my ignorance of that subject. I do not know exactly, technically speaking, what constitutes a light wine and a heavier wine. I do not know. I know, as I said before, that whether we like it or dislike it, the affluent portion of the American population are going to have their wine—Constitution or no Constitution, statute or no statute. That has been demonstrated.

Mr. BORAH. I beg the Senator to permit me to proceed. The Senator has stated the issue. Let us argue it. The Senator has stated that the issue is that they propose to have what they want with reference to intoxicating liquor——

Mr. BRUCE. They do.

Mr. BORAH. Regardless of the Constitution of the United States or the statutes.

Mr. BRUCE. They do.

Mr. BORAH. If that be true, and I have no doubt that is just what the Senator thinks——

Mr. BRUCE. I do.

Mr. BORAH. If that be true, is not the orderly thing to do, so long as we profess to live under a constitutional government, to amend the Constitution in the manner provided by the Constitution itself, and rewrite the charter under which we live? Can the Senator conceive anything more degrading, demoralizing, and undermining to the good citizenship of the people than to have a solemn pledge in the Constitution of the

United States and to have great Senators stand upon the floor of the United States Senate and say the people are going to have what they want regardless of whether it is constitutional or not?

Mr. BRUCE. I can conceive of nothing more deplorable, nothing more tragic, nothing more scandalous, but I take human nature as it is. In other words, I look at this question exactly as the free-soiler looked at the institution of slavery.

Mr. BORAH. Of course, and when Wendell Phillips spoke with reference to that proposition he said, "To hell with the Constitution."

Mr. BRUCE. Yes; he did.

Mr. BORAH. But there came along the man who, disregarding Wendell Phillips, found a way to solve that great question by amending the Constitution of the United States and effectuating the change which he desired under the Constitution and not in violation of it.

Mr. BRUCE. How did he find it? He found it by tracing his way through fire and smoke and flame and blood.

Mr. BORAH. I am one of those who believe that the Constitution of the United States is of sufficient value, if it is necessary, to trace our way through blood and fire in order to maintain it. [Applause on the floor and in the galleries.]

Mr. BRUCE. So do I when a great question like slavery is involved; so do I when a great issue like that of national sovereignty is involved; but not when nothing more is involved than the question as to whether a man shall or shall not be allowed to enjoy what I conceive to be a perfectly legitimate measure of human indulgence.

Mr. BORAH. Yes. Well, Mr. President, there is scarcely any vice that human nature may indulge that the particular person who indulges it does not resent the fact that the law prohibits or inhibits him from doing so.

Mr. BRUCE. That is not so. There is no uprising against punishment for forgery or against punishment for false pretenses and, above all, there is none against punishment for murder or for rape or for arson.

Mr. BORAH. But every man who commits forgery feels toward the law just exactly as the Senator does toward prohibition.

Mr. BRUCE. He does, but his neighbors do not. The difference in this case is not only that the man who takes——

Mr. BORAH. I am not sure that the Senator's neighbors do. That is what I want to find out.

Mr. BRUCE. I have previously stated to the Senator that many of my neighbors regard with great leniency the violation of the Volstead Act, because, as they conceive it, that act has no true moral sanction behind it. It endeavors to pronounce something as being criminal per se that is not so.

Mr. BORAH. Mr. President, there are hundreds and thousands and millions of people in the United States, as good people as live, who are devoted to law and order, who believe in obedience to law, who take the very opposite view from that of the able Senator from Maryland. They believe that while we are making a fight to maintain those provisions of the Constitution which protect property it is just as necessary to make a fight for the maintenance of the provisions which protect human values and the home.

Mr. BRUCE. That is simply because they are misguided enthusiasts who are incapable of drawing the true line of distinction between what is real criminality and what is merely artificial criminality.

Mr. BORAH. That doctrine will not do in this country.

Mr. EDGE rose.

Mr. BORAH. I yield to the Senator from New Jersey.

Mr. EDGE. I will wait until the Senator from Idaho shall have finished his remarks.

Mr. BORAH. Let us go back for a moment to what I think is the most serious proposition here. I regard all this discussion of percentages of the alcoholic content of liquor as evading the question, not intentionally, perhaps, upon the part of all those who discuss it. Every Senator here knows from the letters which he receives every day that the thing which many people are asking is not a change of percentage still keeping the liquor nonintoxicating, but what they are writing Senators about now, what they are passing resolutions about, what they are petitioning about is for intoxicating beverages.

It is the duty of the Senate of the United States, if it has not lost all capacity for leadership, to say to these people, "You want intoxicating beverages. We say to you that you can not get them under the Constitution, which we have sworn to support, until you, by the orderly processes pointed out by the Constitution, rewrite that instrument."

Mr. BRUCE. Mr. President——

Mr. BORAH. Just a moment. I want to speak for a few moments.

Mr. BRUCE. Of course.

Mr. BORAH. It is our duty to do that, as men whose business it is to uphold the Constitution, who have sworn to support the Constitution and who ought to have some capacity for leadership when the Constitution of the United States is involved. We should say to those who are advocating a change, "What you want is intoxicating liquors, but that is what you can not have until you take out of the Constitution that which the people of the United States put into the Constitution. That is what I am contending for here to-day. Let the people understand that this proposed change of the Volstead Act would settle nothing; it would solve no problem. It would leave liquor here haunting the corridors of the Capitol, and these people would be petitioning Congress next year just the same as they are doing this year. What these people are interested in is doing what the Constitution does not permit them to do.

Mr. BRUCE and Mr. EDGE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield, and, if so, to whom?

Mr. EDGE. I thought the Senator from Idaho had concluded his remarks.

Mr. BRUCE. Mr. President, the Senator from Idaho knows that I have offered an amendment to the Constitution involving a combination of the Quebec plan of government supervision and control and local option; in other words, I am pursuing the very pathway that he thinks that I and those associated with me should pursue. Now I will ask the Senator from Idaho, Does that constitutional amendment meet with his approval or not?

Mr. BORAH. Distinctly not. I do not want this Government to become a saloon keeper. If that must go on, let it be by individuals. But, as I said a moment ago, I do not want to discuss indefinitely and exclusively the question of percentages.

I wish to refer again, for the consideration of the Senate, to the great referendum which the people are going to hold in the State of New York. They are going to petition the Congress of the United States by the voice of the people of New York to do what? To violate the Constitution of the United States. Do the people of a great Commonwealth such as New York, with its distinguished leaders of the past and its distinguished leaders of the present, its great educators, its great lawyers, its great jurists, and its great religionists, propose to come down here with a solemn referendum to the effect that the Congress of the United States shall disregard the Constitution of the United States? They propose to petition us to leave the enforcement of the Constitution to the States—a shameless proposition.

Is it not infinitely better, more in accord with good citizenship and with representative government, that they submit to the people of the State of New York the question of petitioning Congress to submit to the States for ratification an amendment which will take out the eighteenth amendment from the Constitution? Can you meet the question any other way? Is there any other orderly and decent way to proceed? Can you solve the problem by any other method or any other process? I ask, Mr. President, is it honest, is it candid leadership, is it in accord with the principles of the great Republican and Democratic Parties to seek to evade the question by asking us to violate the Constitution of the United States, to disregard it? Let us be candid enough to speak to the people in constitutional language, in language befitting public men in a government of law.

Mr. President, the liquor problem can not be disposed of by amendments which do nothing more than add an additional flavor to the drink. It can not be put at rest by changing the percentage if that percentage fails to give intoxicants. The contest is not over percentages. It involves deeper and more searching questions. After you have made your changes as proposed, if you remain within the provisions of the Constitution, your liquor problem will still be here, unsettled, undetermined, haunting the corridors of Congress and tormenting public opinion, insistent of attention and rapacious in its demands. Deep convictions are found on either side of this question. Great governmental, as well as great moral, problems are involved and percentages will not meet the situation.

But what I arose to say at this time is that whether prohibition stays or goes, rises or falls, the Constitution should be maintained and supported as it is written by all law-abiding people until it is changed in the manner pointed out by the Constitution. Obedience to the law is the rock foundation upon which our whole structure rests. To disregard it is to strike at the life of the Nation. And while disrespect for law applies to all laws, statutes, and enacted laws, there is a more sacred import to that rule of conduct when the Constitution itself is involved. It is the law of the land, the charter of our Government, approved by the people, defining and guaranteeing

the rights of the citizen, prescribing the duties, functions, and limitations of government, and to disregard it is to spell the end of order and representative government.

Mr. EDGE. Mr. President, it occurs to me, from following the eloquent speech of the Senator from Idaho, that he proposes to decide what the Supreme Court may do without permitting the Supreme Court to have an opportunity to decide for itself. That is the burden of most arguments against modification of the Volstead Act. In his argument he advanced the statement—and I believe he was seconded by the Senator from Tennessee—that relief from the fourteenth amendment had been worked out in a way which permitted the Southern States to administer it, within the Constitution, in a manner in which they preferred to administer it. I should like to see a similar opportunity afforded, at least, before individual Senators decide, for the Supreme Court, just what it will do with amendments to the Volstead Act.

The Senator from Idaho has indicated that the alcoholic limitation of the Volstead Act was unquestionably below a fair interpretation, so far as the word "intoxicating" is concerned, of the provisions of the eighteenth amendment. I was a member of the Senate when the Volstead Act was passed, as was the Senator from Idaho, and I recall the debate at that time. The suggestion was advanced by the proponents of the bill that the reason for the inclusion of the words "one-half of 1 per cent" was not to define intoxication but to provide a method or medium through which better enforcement of the eighteenth amendment could be obtained. We have been seven years working on that theory and we have absolutely and utterly failed.

I differ from the Senator from Idaho in his viewpoint that allowing the use of the maximum of alcohol that could be permitted within the term "intoxicating in fact" would not be helpful in this situation. I emphatically contend just the opposite. I believe if the Congress should pass an amendment to the Volstead Act permitting all the Constitution permits it would immediately alleviate the situation.

I may say, Mr. President, that, in my judgment, Congress has not the moral right to deny what the Constitution permits. We have heard a great deal to-day about upholding the Constitution. Then let us try the other experiment of allowing the full limit. Conditions could not be any worse than they are to-day. Senators refer to the hearings which are being held, but the facts that are coming out and going throughout this land as a result of those hearings can not be evaded by Congress if the Members of Congress do their full duty.

I admit beyond any argument that in order to legally obtain what are known as hard spirits or liquors it would be absolutely necessary to repeal or amend the eighteenth amendment; but I contend, side by side with that, if we would amend the Volstead Act and permit the alcoholic content to be as great as the courts might decide to be within the interpretation of the words "intoxicating in fact," we would remedy materially the present deplorable situation; we would at least reduce the discontent and unrest in the country and the challenge and protest against the law which prevail throughout the country. In that way we would, in my judgment, greatly improve conditions and help solve this the problem of all problems facing us to-day.

What is the definition of "intoxicating liquors," so long as it is alleged that nothing within that definition can satisfy? The only decision that I have seen from a Federal judge as to the definition of intoxicating liquor was delivered by Judge Soper, a Federal judge in the district of which Baltimore is a part. I have not a copy of the decision with me, but in effect he says this: Intoxication means what in the ordinary sense the average citizen knows as drunkenness through indulging in alcoholic beverages in quantity equal to what the average human could drink.

In other words, the word "intoxicating" means, according to that judge's decision, real drunkenness. How can we determine here that the Supreme Court, recognizing the sentiment of the country, recognizing as they have in recent years, and I think properly so, the rule of reasonableness in considering all questions, especially those questions which are close to the public—how can we contend that if we pass a bill reciting the very words of the Constitution itself, permitting citizens to have what the Constitution permits them to have, namely, beverages up to the point of being proven intoxicating in fact, that the Supreme Court of the United States would not uphold such an amendment to the Volstead Act? Further, how can we contend such liberty would not reduce the present use of bootleggers' poison?

Would that be evasion? It would not be nullification, Mr. President, if the Supreme Court so affirmatively decided, would it? Then the great State of New York or the great State of New Jersey or the great State of Idaho would have, under the fundamental law of the land, without evasion, the right to manufacture, sell, or use beverages up to the point of being "intoxicating in fact"; and, as I have said, the courts must decide the violation of any law, and they would under such an amendment be given the responsibility to do so.

Such an amendment does not in any way mean that the State of Idaho or the State of Kansas shall not, if their State legislatures so decide, continue the one-half of 1 per cent, or continue without any percentage if they so elect. That is not confusing. It could not be, at any rate, more confusing than it is to-day. If the Supreme Court upholds this limit, then certainly the State courts or the Federal courts within the States would decide cases coming before them in harmony with that limit; and so they should.

Mr. BRUCE. Mr. President, may I interrupt the Senator for just one moment?

Mr. EDGE. I yield.

Mr. BRUCE. My impression is that the Senator from Idaho [Mr. BORAH] himself a few days ago offered some amendments to the Volstead Act that might be submitted by way of popular referendum to the people. Is not that the case?

Mr. BORAH. Yes; I submitted an amendment to a proposed referendum asking the people whether or not they desired to repeal the eighteenth amendment.

Mr. BRUCE. Were the amendments addressed entirely to the eighteenth amendment? My impression was that they were addressed also to the Volstead Act, were they not?

Mr. BORAH. If the Senator from New Jersey will yield to me——

Mr. EDGE. I yield to the Senator to reply.

Mr. BORAH. I submitted three propositions. The first was whether or not the people desired to amend the Constitution of the United States by taking out the eighteenth amendment; secondly, if they understood light wines and beers for which they were petitioning to be such beverages as were nonintoxicating.

Mr. BRUCE. Was the Senator drafting the second amendment merely as a matter of intellectual recreation?

Mr. BORAH. No; although I do sometimes indulge in that pastime.

Mr. BRUCE. It seems to me the Senator has some inconsistency to defend. Here this afternoon he has been deprecating the idea of any modification of the Volstead Act being entertained, and yet he himself is bound to confess that he was the draftsman of one.

Mr. BORAH. Let me explain the matter to the Senator, and then he will see that I am not inconsistent.

The Senator from New Jersey submitted what he proposed to form into a referendum throughout the United States; and I offered amendments to his referendum for the purpose of inquiring of the people what they understood as to nonintoxicating beverages, what they understood as to the eighteenth amendment, and whether or not they desired to repeal it.

I have not offered any amendment to the Volstead Act. I do not propose to offer any amendment to it; but I am perfectly willing, I will say to the Senator now, if he will work out a process, to take a referendum upon whether or not they desire to repeal the eighteenth amendment to the Constitution of the United States.

Mr. BRUCE. Yes; but the Senator's second amendment contemplated the idea that there would be a popular referendum in relation to the question as to whether the people of the United States wanted light wines or beer.

Mr. BORAH. Oh, no; I did not ask them that. I asked them if, in petitioning for light wines and beers, they understood that they would have such an alcoholic content as not to be intoxicating.

Mr. BRUCE. I am very glad, at any rate, to have listened to an explanation of these amendments from the Senator from Idaho, because, notwithstanding the extraordinary lucidity with which he generally conveys his ideas, I have yet to find a single, solitary individual who has ever been able to grasp the real meaning of the amendments suggested by him. Indeed, I am coming to think that the Senator must have suggested them in a satirical or sardonic spirit, because I confess that to me they are wholly unintelligible.

Mr. BORAH. I confess that I have considerable of a sardonic spirit when I am dealing with the question of amending the Volstead Act, because I do not find any sincerity at all behind the proposal. The thing these people are really seeking can not be secured by merely amending the Volstead Act.

Mr. BRUCE. I am sorry to hear the Senator say that, because I have always thought that one of his most splendid virtues was his sincerity of character.

Mr. EDGE. Mr. President, I had no intention of discussing at any considerable length this question at this time. It was introduced by the Senator from Idaho, and I felt should be briefly alluded to, and later I will reply as the subject demands.

I protest very emphatically against the continued inference that a proposal to amend the Volstead Act is a subterfuge. Such a contention is not justified in fact. It is not justified in law. An amendment to the Volstead Act, of course, as a matter of practicability, can be opposed by any Senator. That is his privilege at any and all times; but while the Volstead Act is sacred as all law is sacred, while it is a law, it is no less subject to amendment than any other act that Congress passes, even though it has such influences back of it that it apparently occupies a different position.

Any act of Congress is subject to proper amendment; and when one urges modification of the Volstead Act in the interest of bringing about a more temperate condition, in the interest of trying to alleviate to some extent what I consider the absolutely justified protest and challenge of millions of our people, it is unjust to assume it a move against enforcement of law; neither is it an invitation for violation of the law. It is quite the contrary, in my mind. If the public are entitled to this consideration, why should it be denied? It is a sincere movement to try to help a situation which Senators, whatever may be their public utterances, know perfectly well can not be evaded longer in the best interests of morals, in the best interests of recognition of the sublimity of law, which has been greatly reduced in this country.

In conclusion, I simply desire again to bring this view as forcefully as I can before the Senate. This act has denied, through its one-half of 1 per cent limitation, what the Constitution—the mandate from the people—clearly indicated that they were prepared to try—the prohibition of intoxicating liquor. I repeat, the one-half of 1 per cent limitation was placed there by its proponents to help enforcement. The object has failed. Has not the time arrived for us to be honest with the people who ratified the eighteenth amendment?

If we use the very language of the eighteenth amendment itself permitting beverages up to the point of intoxication, we can not possibly violate the Constitution, because we are simply repeating the Constitution. Then, it becomes a matter for the court—the court to which we have always looked up—to decide whether a citizen is guilty or innocent.

Is that a new doctrine in this country? Is that evading or nullifying the Constitution of this country? On the contrary, that is upholding the Constitution and trying to meet a situation honestly, legally, and squarely. It is the only way, in my judgment—at this time, at least, without the loss of much time through the possible amendment of the eighteenth amendment—in which we can meet the situation.

Conditions can not be worse than they are to-day. If you admit them honestly as they exist, you know it. You must realize what the present regulation is doing to the young men and to the young women, and how in all walks of life the thought of observance or reverence of law is almost a plaything and a football. You can not fairly contend when that condition exists that: "Technically, we can not pass any amendment to the Volstead Act without violating the Constitution." Let the Supreme Court decide that, not Senators here on the floor of the United States Senate. Let us see if legal modification will not help. Give the people all they reserved when they, through their mandate, ratified the eighteenth amendment, and then come back a year or two later and see if the conditions are not 100 per cent better than those we are facing to-day.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 44 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 15, 1926, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 14 (legislative day of April 5), 1926

MEMBERS OF THE RAILROAD LABOR BOARD

MANAGEMENT GROUP

Samuel Higgins, of New York, for a term of five years. (A reappointment.)

PUBLIC GROUP

Ben W. Hooper, of Tennessee, for a term of five years. (A reappointment.)

LABOR GROUP

Walter L. McMenimen, of Massachusetts, for a term of five years. (A reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate April 14 (legislative day of April 5), 1926

POSTMASTERS

KANSAS

Charles N. Shafer, Fredonia.

NEW HAMPSHIRE

Archie W. Johnson, Bartlett.

NORTH CAROLINA

William B. Hemphill, Biltmore.
Luadan V. Rhyne, Dallas.

OREGON

William S. Bowers, Baker.
John A. McCall, Klamath Falls.
Ralph R. Huron, La Grande.
James E. Whitehead, Turner.
Fred K. Baker, Valsetz.

PENNSYLVANIA

John O. Whiteman, Claridge.
John W. Aumiller, Eagles Mere.
Ethel O. Lakin, Grassflat.
Permelia H. Young, Jefferson.
Katherine A. White, Mildred.
George F. Grill, Pen Mar.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *April 14, 1926*

The House met at 12 o'clock noon.

The Rev. Walter F. Smith, of the Park View Christian Church, Washington, D. C., offered the following prayer:

Our Father, we thank Thee for Thy abiding love and are grateful to Thee for all the blessings of life that Thou hast bestowed upon us. We thank Thee for our beloved country and for her opportunities and ideals. May those ideals ever be held high. Rest Thy blessing upon all in authority. Especially we pray Thee to bless these who have been called to administer the affars of our Nation. Give to them wisdom and power, that through the guidance of Thy Holy Spirit they may prove what is the good and the acceptable and the perfect will of God.

Hear this our prayer and grant these our petitions, for we ask them in the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

GUARDIANSHIP OF INSANE AND INCOMPETENT VETERANS

Mr. KINDRED. Mr. Speaker, I ask unanimous consent to extend in the RECORD a letter received by me yesterday from Gen. Frank T. Hines, Director of the Veterans' Bureau, on the subject of the 18,000 guardians of insane and incompetent veterans in the United States, together with my own remarks upon the same subject, and upon the subject of my proposed amendments to eliminate fees paid unscrupulous guardians, and also my own remarks upon the medical care, hospitalization, and welfare of the veterans.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, when was this letter written by General Hines?

Mr. KINDRED. It was dated on April 10 and delivered at my office by messenger yesterday.

Mr. RANKIN. The gentleman is aware of the fact that the Veterans' Committee is preparing to investigate all of these guardianship scandals and that we are preparing to go to the very bottom of all these charges?

Mr. KINDRED. I have heard so unofficially.

Mr. RANKIN. Then, I say to the gentleman officially that that is correct.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. KINDRED. Mr. Speaker, in order to eliminate fees to unscrupulous guardians of insane and incompetent veterans and to administrators of deceased veterans, I propose the following amendments in addition to several others to be introduced by me to meet this serious situation—

A bill (H. R. 11206) to amend section 26 of the World War veterans' act of 1924;

Also, a bill (H. R. 11207) to amend section 21 of the World War veterans' act of 1924.

Mr. Speaker, my proposed amendments to the veterans' World War act of June, 1924, in the matter of guardianship and administration for the estates of insane and deceased veterans of the World War, were first suggested by me in a speech made by me in the House March 26, 1926, in which I stated, after discussing these abuses:

In this connection, as to the activities of the States in serving the needs of ex-service men, I wish to call attention to what I consider one or two glaring faults of our present law. I believe that these points to which I refer have been or will be covered by amendments that will be proposed by the Veterans' Committee in the legislation before the House.

I refer particularly to the present method of appointing guardians or committees of the person and estate of the insane beneficiary. I had a case pending for some months, which terminated only to-day, where, under the present law, a guardian was appointed by a court in Newark, N. J. I am going to mention the fact, because I referred the whole matter to the Veterans' Bureau, and they took up the whole correspondence, and have used considerable pressure in certain directions, and have gotten results after the matter had gone on in a disgraceful way for several months.

The present law provides for the appointment of a guardian or committee of an insane beneficiary by the local courts of the respective States. Now, it is a sad fact, which some of us in local politics know to be true, that there are a certain number of irresponsible hangers-on around courts who insist on having themselves appointed to responsible positions, and those persons are appointed, but they fail to give the money to the poor, blind, helpless mothers and fathers of the beneficiaries.

The court refused to remove him. The Veterans' Bureau used their influence to have the unprincipled rascal removed in this case which I speak of, who had kept the money from the mother for months.

I hope that the proper committee will report an amendment covering this matter, and also several other amendments which we should adopt, but I will not take the time to discuss them at this time.

I made these charges, based on personal investigation, some time before they were mentioned by others.

The recent charges of abuses by guardians of insane and incompetent war veterans have been made possible by the inadequate provisions of the existing law providing for guardians of insane and incompetent veterans. These abuses have occurred in connection with the appointment under existing law of improper and unscrupulous guardians, not only in the District of Columbia but in various other instances in the different States, as in the flagrant cases I called to the attention of the House of Representatives.

I and other Members of the House of Representatives personally knew of one or more such cases in which there have not only been abuses by guardians but failure of the courts having power to appoint them to remove improper and unscrupulous guardians even after evidence has been presented by Members of Congress and by others of such unscrupulous conduct on the part of the guardians, as alleged in the Fenning case.

The proposed amendments to the veterans' act of 1924, reported March 11, 1926, by the Veterans' Committee of the House as H. R. 10240, do not contain any amendment changing the objectionable features of existing law which have proven so unsatisfactory and have led to the scandals mentioned.

To meet this situation and to eliminate the appointments of guardians by the State courts the constitutional question in cases of insane or incompetent veterans having property located in any State and subject to the protection of the courts of that State has to be considered.

I recently had a personal interview with Gen. Frank T. Hines, Director of the Veterans' Bureau, on this and other phases of my proposed amendments, in which I propose to eliminate the appointment not only of guardians for incompetent veterans but administrators of the estates of deceased veterans by State courts, so that any moneys or equities due such incompetent or deceased veterans from the United States Government may be disbursed and paid directly to the legal dependents or beneficiaries of such veterans, directly by the Veteran's Bureau, through its existing bureau of guardians.

I have consulted able attorneys and they advise that from the viewpoint of saving unnecessary (commissions paid to Fenning were as much as 10 per cent) expense and delay to the veterans and their dependents, as well as the scandals resulting from the present system, that my amendment will prove adequate.

In my interview with the Director of the Veterans' Bureau on the provisions of my proposed amendments, and later, in an interview with one of the legal advisers of the Veterans' Bureau in charge of the department of guardianships and administration, both approved of the chief features of my amendments to eliminate the appointment of guardians by the State courts for insane or incompetent veterans, and administrators for the estates of deceased veterans, for the reasons mentioned.

General Hines's letter to me giving some account of the activities of the Veterans' Bureau in this connection, follows:

UNITED STATES VETERANS' BUREAU,
OFFICE OF THE DIRECTOR,
Washington, April 10, 1926.

Hon. JOHN J. KINDRED,
House of Representatives, Washington, D. C.

MY DEAR MR. KINDRED: In compliance with your request, I am submitting a résumé of the establishment of procedure which is now in force in this bureau in supervising activities of guardians of minors and mental incompetents.

Immediately after I assumed duties as the Director of the United States Veterans' Bureau on March 4, 1923, I made inquiry as to bureau policy and procedure in protecting the interests of veterans or dependents of veterans who were under guardianship, and was apprised of the fact that numerous criticisms had reached the bureau to the effect that legally appointed guardians were not fulfilling their trust in making the proper disbursement of funds for the benefit of disabled soldiers. The advice of the general counsel was requested, and he advised that the bureau had no definite policy as to the course of action to be followed in such instances. He pointed out that although there was no specific provision of law under which the bureau could institute proceedings in the State courts for the appointment or removal of guardians, there was no provision of law which inhibited the bureau from taking such steps in cases in which it was deemed necessary.

The general counsel was instructed to institute and conduct court proceedings wherever and whenever necessary to insure the appointment of a proper guardian for a beneficiary adjudged by the medical officers of the bureau to be mentally incompetent, and to institute and conduct similar proceedings for the removal of a guardian and the appointment of another whenever such proceedings were deemed advisable. The outline of this procedure was presented to the Department of Justice and approved by Mrs. Mabel Walker Willebrandt, Assistant Attorney General, and by Mr. A. T. Seymour, Assistant to the Attorney General, who at that time was Acting Attorney General.

Bureau officials were instructed by the director to exercise the greatest diligence in safeguarding the interests of mentally incompetent patients in every possible way.

Subsequently, a committee was appointed to study and report on the guardianship activities of the bureau. The general counsel reported to this committee that his office was checking up on every report which indicated irregularities or negligence on the part of legally appointed guardians and steps were being taken when necessary for the removal of guardians. At that time 18,000 guardians had been appointed and the committee which had been appointed recommended that guardianship activities be centralized in one division in order that closer supervision could be given in these cases.

The guardianship subdivision was established on May 8, 1924. Since that time the bureau has maintained a centralized record of all claimants who are minors or mental incompetents, and an investigation is made in each case of a mentally incompetent at least once annually or more often if necessary, to determine whether his condition had improved, whether the amount paid to the guardian had been properly handled and whether expenditures had been properly made. An accurate record is kept of the name and address of each guardian or person vested with the responsibility or care of a veteran or his estate, of the name and location of the court appointing such guardian, of the amount of the guardian's bond, and any other information pertinent to a close and thorough supervision of the case.

Annual reports required of guardians give the bureau an opportunity to keep a close check on expenditures and, in addition to the information so received, the bureau makes prompt investigation in any case in which correspondence or reports received by the bureau indicate irregularity of payments or misapplication of funds.

There has been appointed in each regional office a guardianship officer who is charged with the responsibility of supervising activities relative to the welfare of minors or mental incompetents who are entitled to the benefits administered by this bureau. This officer maintains close contact with all guardianship matters and investigates any case in which it is charged that the guardian, curator, conservator, or committee is in any manner failing to administer his trust. When an investigation shows any delinquency on the part of such person, the evidence thereof is promptly presented to the court of proper jurisdiction with a view to the removal of such guardian, curator, conservator, or committee, and the appointment of another.

Early investigations of guardianship activities indicated that the bureau was handicapped by the fact that the director was without authority to suspend payments to guardians who had shown evidence of delinquency pending action of the court in such matters. This matter was reported to Congress with the recommendation that the law be amended, and in accordance with this recommendation the last proviso of section 21 of the World War veterans' act, 1924, was added as follows:

"Provided further, That the director, in his discretion, may suspend such payments to any such guardian, curator, conservator, or other person who shall neglect or refuse, after reasonable notice, to render an account to the director from time to time showing the application of such payments for the benefit of such minor or incompetent beneficiary."

The bureau subsequently recommended the addition of section 505 of the World War veterans' act, 1924, which was enacted on March 4, 1925, and reads as follows:

"Every guardian, curator, conservator, committee, or person legally vested with the responsibility or care of the claimant or his estate, having charge and custody in a fiduciary capacity of money paid, under the war risk insurance act as amended, or under the World War veterans' act, 1924, for the benefit of any minor or incompetent claimant, who shall embezzle the same in violation of his trust, or fraudulently convert the same to his own use, shall be punished by fine not exceeding $2,000 or imprisonment at hard labor for a term not exceeding five years, or both."

The regulations of the bureau require that if a patient of an institution is an insane disabled person shown to be entitled to compensation, there shall be paid to the chief officers of such institution any amount necessary for the immediate needs and comforts of such patient and the remaining amount due shall be paid to the guardian. These regulations were issued to insure prompt provision for the needs of incompetent beneficiaries of the bureau.

A very close supervision is maintained over the interests of all incompetent beneficiaries of the bureau and prompt action is taken by the bureau to protect their interests. Copies of Veterans' Bureau regulations and general orders governing guardianship matters are inclosed for your information.

Very truly yours,

FRANK T. HINES, *Director.*

In my discussion of the subject with the director I emphasized particularly the importance of getting rid of any system of fees or emoluments to be paid in connection with such guardianships or administrations out of the estates or equities of veterans due them from the United States Government.

The evils of the present system have been exemplified in the charges against Commissioner Fenning, of Washington, D. C., who is alleged to have received 10 per cent of all insane veterans' moneys that passed through his hands as guardian, and even to have accumulated a fortune of over $100,000 in a very few years through connivance with the powers that had him appointed as guardian.

My amendment would eliminate and prohibit any fees of any kind to be paid in this connection to any official, either Federal or State, and would preserve to the veteran and his dependents or beneficiaries every cent due him by the United States Government which he has served.

Especial attention is called to the fact that my amendments also provide that all moneys and equities due from the United States Government to any veteran shall be paid directly to the veteran without being subject to any judgments or any claims of any kind against the veteran or his estate.

Whatever may be our estimate of the political, social, or moral results of the World War, there was the inevitable result of such a gigantic conflict, of thousands of sick and disabled soldiers from overseas and from home camps, suddenly and urgently in need of immediate hospitalization and medical care.

On March 17, 1921, and also March 26, 1926, I discussed the status of the neuropsychiatric and disabled wards of the United States Government as of these dates, and particularly stressed certain administrative faults of the United States Veterans' Bureau and the failure of the consultants on hospitalization to more promptly provide hospitals, provided for under liberal appropriations made by Congress.

NEUROPSYCHIATRIC WARDS

The status particularly of the neuropsychiatric ex-service men is to be discussed at this time from the viewpoint of hospitalization, vocational, and professional rehabilitation, disability compensation, and other medical and welfare agencies employed in their interest during and since the emergency referred to.

The United States Public Health Service from the beginning, with inadequate hospital and other facilities, and under great difficulties, coped with the serious problems of supplying proper and humane medical and surgical treatment to the neuropsychiatric and other groups of sick and disabled veterans; and it must in fairness be stated that this service deserves and should receive full credit and commendation for its achievements, this service having in fact laid the broad and deep foundations for the good work in medical and surgical treatment which has, with certain exceptions to be noted, continued by the medical service later created within and subject to the control of the Veterans' Bureau.

The Veterans' Bureau, created under the Sweet bill—passed by the Sixty-seventh Congress—consolidated all governmental activities relating to ex-service men under this bureau.

The singularly disgraceful conduct and subsequent prison sentence of the first director of the bureau, Col. R. C. Forbes, appointed by President Harding, is well known, with all of its disastrous results to the interest of the Government and the ex-service men.

The bureau, under the directorship of Gen. Frank T. Hines, who, while evidencing a personal desire to do justice to the ex-service men, has received both praise and adverse criticism from the disabled American veterans of the World War and the American Legion.

The last (1925) convention of the American Legion made recommendations for greater efficiency of the Veterans' Bureau, particularly relating to improving the medical service. The Legion commended the appointment by the director of the bureau of a council of medical and hospital service, which is composed of eminent specialists, and held that a higher medical personnel could be secured by appropriate legislation than that existing now in the bureau under the civil service. This recommendation is for legislation providing a Veterans' Bureau medical corps similar to that of the United States Public Health Service and the Army and the Navy. The Legion also requested legislation providing for the apportionment of compensation of insane claimants who have dependent parents, so that the amount paid to such parents or dependents shall be paid to them directly instead of to the guardians of the claimants.

The report of the committee on rehabilitation of the 1925 convention of the American Legion, page 34, says:

The Veterans' Bureau has never functioned with the efficiency which the American Legion can consider satisfactory. The evident lack of efficiency must be traceable to some cause. The Legion realizes that the present Director of the Veterans' Bureau inherited many faults and weaknesses in personnel and organization, in spite of which the bureau is now functioning more efficiently than at any time heretofore. But after careful examination of the problem, the committee of the American Legion has come to the unescapable conclusion that there is lack of coordination, unnecessary delay, and failure to keep the director correctly advised, thus creating a system which is intolerable.

I believe from personal official experience and investigation that while decentralization may have some advantages, these adverse criticisms of the bureau from these and other sources are in many instances well founded and that the faults complained of are due in great measure to the so-called decentralization plan adopted by the bureau, by which information and data relative to disabled ex-service men, such as their physical and mental condition, the evidence as to their claims for disability, and so forth, are filed in the many regional offices of the bureau, and that these most important facts are not on file at the central office of the bureau at Washington, and therefore not accessible to the people's Representatives at the Capitol except after long-drawn-out correspondence between them and the bureau and between the bureau and the regional offices. As an example of unnecessary delay, I cite the following case:

I initiated, under date of December 17, 1923, a request for investigation and report on the case of Harry Knopke, 243 Laconia Street, Elmhurst, Long Island, N. Y., whose father claimed dependency. There were exchanged 85 letters, and an unfavorable report was received on December 18, 1925, this covering a period of approximately two years, this being due chiefly, I believe, to the delays and red tape incident to the system mentioned.

HOSPITALIZATION

With the enactment of the World War veterans' act on June 7, 1924, it was anticipated that there would be a material increase in the number of admissions to hospitals during the year over the previous year, and also in the total number of patients in these hospitals at any one time. This expectation was borne out by experience, which showed that the total of 76,812 admissions, including the neuropsychiatric and all other groups, exceeded the admissions for 1924 by 16 per cent, although in fact this number was less than the total admissions for the fiscal years 1921, 1922, and 1923. With this increase in yearly admissions, there naturally resulted an increase in the hospital load, which mounted from a total of 21,730 to a peak of 30,753 during February, 1925, subsequently subsiding to 26,610 on June 30, 1925.

Under paragraph 10, section 202, of the World War veterans' act, providing for general hospitalization regardless of origin of disability, approximately 17 per cent of these were veterans of wars other than the World War.

The policy of hospitalizing to the greatest extent possible in Government hospitals is being continued. The trend in admissions during the past several years is significant. In the fiscal year, 1920, 45 per cent of the total admissions were to State and civil hospitals; in 1924 this percentage was 19.36 per cent; and in 1925 it had been reduced to 10.87 per cent. The results accomplished under this policy have been made possible through the carrying out of the permanent hospital construction program of the bureau.

The increase in Government hospitalization obtained for all types of disease, neuropsychiatric cases increasing during the year 1925 from 72 to 78 per cent, tuberculosis cases from 80 to 85 per cent, and general cases from 93 to 96 per cent.

At the commencement of the fiscal year 1925, 44 per cent of all patients in all bureau hospitals were suffering from neuropsychiatric conditions, 39 per cent from tuberculosis, and 17 per cent from general conditions, whereas, at the end of the fiscal year, these percentages were 46, 36, and 18, respectively. Of the net numerical increase during the year in all types of patients under treatment, the greatest increase was in neuropsychiatric cases, which cases increased from 9,929 at the commencement of the year to 12,139 at the end of the year. These figures indicate clearly that from the standpoint of hospitalization and custodianship the most important future problem will be in connection with the neuropsychiatric cases. This is substantiated by reference to the chart (No. 3) accompanying the Veterans' Bureau report for 1925, showing the periodic variation of patients in all hospitals; and that while the general and tuberculosis cases decreased from the peak in February by some 1,000 and 2,000 cases respectively, the neuropsychiatric cases since the peak have shown but a slight decline.

Increased hospitalization in Government facilities were made possible during 1925 through the completion of hospitals previously authorized by Congress.

Congress has been especially generous in the matter of hospital construction, having authorized since the World War total appropriations of $3,214,775,000 for hospital construction and maintenance for veterans' disability compensation, for life insurance or so-called adjusted compensation, and for all other Government activities in the interest of ex-service men and women of the World War the appropriations for hospital construction alone amounting to $58,595,000.

I, as a physician and a Member of the House who has taken a deep interest in this legislation, can truly say that Congress has always promptly and sympathetically met every demand in its power for the proper hospitalization and care of the veterans of the World War and other wars in which the United States has participated.

At the commencement of the fiscal year 1925 there were 15,861 beds available in all United States Veterans' Bureau hospitals, classified as follows: Neuropsychiatric, 5,203; tuberculosis, 6,510; and general, 4,148.

Of the 5,332 beds in general hospitals there are some 966 beds for neuropsychiatric cases and 906 beds for tuberculosis cases. The setting aside in general hospitals for neuropsychiatric and tuberculosis cases obtains in all general hospitals, and is due to the fact that prior to permanent hospitalization a bureau beneficiary is admitted to a general hospital for observation and diagnosis. Furthermore, emergency cases of this character frequently arise, and space must be immediately available to take care of them pending the making of available facilities for their care in hospitals specifically established for them.

In addition to the facilities made available by hospitals under the immediate jurisdiction of the United States Veterans' Bureau there are 9,824 beds made available through other Government agencies, including the War Department, Navy Department, national homes for disabled volunteer soldiers, the Public Health Service, and St. Elizabeths Hospital, Washington, D. C., these services furnishing 2,665, 2,370, 3,322, 534, and 933 beds, respectively, representing 41 individual hospitals. Of these 9,824 beds in other Government hospitals 3,130 are for tuberculosis cases, 2,214 for neuropsychiatric cases, and 4,480 for general cases. Thus it will be seen that in all Government hospitals, including those under the direction of the United States Veterans' Bureau, there was available on June 30, 1925, a grand total of 30,479 beds, representing a net increase for the fiscal year 1925 for all Government beds of 5,469.

It is estimated that all the hospital projects contemplated will have been completed or be under actual construction by June 3, 1927, and that this completed program will give the United States Veterans' Bureau a total of approximately 22,100 beds, exclusive of those in the other departments mentioned, according to the latest report (1925) of the United States Veterans' Bureau, making a total of all Government beds approximately of 31,924:

The general conditions of these hospitals in which these insane veterans are house are good. The bureau's hospitals for the psychotic, with very few exceptions, are fireproof buildings, with outside rooms, light, airy, and well screened. Inspections made by the Veterans' Bureau reveal that the institutions are neat and orderly, the patients are bathed, shaved, and well cared for, the food is of good quality and well prepared.

Reports from the neuropsychiatric hospitals indicate a fortunate minimum of serious epidemic diseases among their patients and personnel. All possible precautions are taken, such as frequent examination of food handlers for typhoid, dysentery carriers, and venereal infection. There was practically no malaria reported. Every effort is being exercised to prevent and attempt to delay regression and ultimate deterioration in the insane. The institutions have classes in habit training which result in a noticeable improvement in the patient's deportment, tidiness, and cooperation. Occupational therapy is a part of every institution.

The interest of the patient is aroused in various manual pursuits, such as gardening, farming, pig and poultry raising, and some inside shopwork, such as basketry, weaving, leather and metal work, and carpentry. Some activity and interest is kept alive in the patients through athletics, the most popular being volley ball and group calisthenics. Religious services are held at all these institutions and through the able assistance of various organizations, such as the American Red Cross and the Knights of Columbus, etc., many diversions are offered, such as concerts, vaudeville shows, motion pictures, and dances. The medical officers in charge of the hospitals are frequently responsible for such innovations as monthly birthday parties for those whose birthdays fall within the month. All recognized aids in the treatment of these cases, such as hydrotherapy, electrotherapy, physiotherapy, etc., are available in the hospitals.

At the close of the fiscal year, June 30, 1925, there were 54 regional offices, 11 suboffices, and 30 medical-treatment stations in operation. Depending upon the claimant load at these regional offices and suboffices, there was operated by the medical service at each one of the following standard types of dispensaries:

Class A consisted of a complete unit, comprising clinics in internal medicine, general surgery, tuberculosis, neuropsychiatry, ophthalmology, diseases of the eye, ear, nose, and throat, urology, orthopedics, physiotherapy, dentistry, six chairs, X-ray clinical laboratory and pharmacy, with facilities for administration and social service, occupying approximately 8,500 square feet of floor space.

Class B consisted of a similar unit in which the surgical clinic embraces urology and orthopedics. The dental clinic had two chairs instead of six, and the section of physiotherapy was omitted, the floor space occupying 4,216 square feet.

Class C consisted of clinics in medicine, surgery, and eye, ear, nose, and throat, with a small clinical laboratory, one dental chair, and an X ray, if X-ray contracts justified its establishment, occupying 2,352 square feet.

MEDICAL SERVICE

The medical activities of regional offices and suboffices include the making of physical examinations, including spinal examinations (X-ray laboratory analyses and tests of blood,

urine, feces, spinal fluid, etc.), and the furnishing of care and treatment (including hospitalization, out-patient relief, follow-up nursing, dental, prosthetic and orthopedic appliances, etc.). In addition, the medical activities at regional offices (not at suboffices) includes a detail of trained physicians as medical members of claims and rating boards. The medical care and treatment furnished by the bureau is carried beyond regional offices and suboffices into the claimant's community and home. Follow-up nurses operating under direction of the regional medical officer and the suboffice medical officer, and guided by a card index in these offices giving the names and addresses of all beneficiaries requiring special periodic contacts, work out from these offices into remote sections of the country where transportation is primitive and travel laborious and difficult. In addition, under the liberal authority conferred by General Order No. 308, wide provision is made for treatment of beneficiaries by designated examiners and private physicians, under supervision of the regional offices. This brings the service to the beneficiary who is too ill to travel to a bureau hospital or dispensary, or when, by reason of comparative inaccessibility, it is more advantageous and less expensive to arrange for locality treatment rather than to travel the beneficiary into a field station of the bureau.

Previous to the enactment of the World War veterans' act of 1924, service disabilities could not receive out-patient treatment, as they now do under this act.

In order to offer facilities for the examination and treatment of beneficiaries who, because of employment necessities, were unable to attend the dispensaries during regular hours, arrangements were effected during the past fiscal year for evening-hour clinics at such stations as in the judgment of regional managers this special service was considered necessary. This service was at first mandatory, but after some months of experience it was found that the number of persons presenting during the additional evening-clinic hour was too small to warrant its continuance, so that the arrangement was made optional with the local offices concerned.

During the past fiscal year, the administration of United States veterans' hospitals was continued under the direct supervision of the medical service, central office, thereby insuring a uniform policy and control that could not otherwise be realized. Regional managers have jurisdiction over contract hospitals in their respective territories.

The supervision of United States veterans' hospitals is effected through three divisions of the medical service—general medical, tuberculosis, and neuropsychiatric—each under a chief who has had special training to fit him for his position. Under the medical director and in cooperation with the construction division of supply service, these officers decide upon questions of location, construction, closure, equipment, and operation of the types of hospitals (general medical, tuberculosis, or neuropsychiatric) under their jurisdiction; they advise in the formulation of a hospital program; transact correspondence, approve personnel and equipment requests, supervise hospital allocation to regional offices and recommend approval of requests for extraregional hospital transfers, and review and recommend acceptance of contracts and leases of contract hospitals.

The most eminent specialists of the communities in which the hospitals are located are engaged as consultants in order that the patient and the resident staffs of the hospitals may have the benefit of expert advice and assistance. A fairly high grade of nursing, dietetic, and reconstruction service, by selection of persons with the requisite training and experience who are attracted by the salaries offered by the Government, is maintained.

Emphasis has been placed during the past fiscal year upon the hospitalizing of such beneficiaries as would be benefited thereby and discharging patients who have received the maximum benefit of hospitalization. As a part of this program, especial attention has been paid to the receiving wards, where the incoming patients are placed for observation and examination, which include complete physical, serological, and, whenever indicated, X ray, hydrotherapy, electrotherapy, physiotherapy, and in selected cases psychotherapy.

Supplementing the thorough physical examination of the patients upon admission, another examination is made before discharge, so that there may be no dissatisfaction on the part of the patient, and full information can be given to the rating boards in the regional offices in order to expedite adjudication of the disability claims.

The educational programs are not limited to the personnel but include the patients themselves. This is particularly true in regard to diabetic, tuberculous, and trachomatous cases, where the patient's care of himself is of the utmost importance.

NEUROPSYCHIATRIC HOSPITALS

The 16 neuropsychiatric hospitals now operated by the bureau are serving fairly well the beneficiaries and are endeavoring to effect rehabilitation by modern methods.

The making of an early diagnosis as soon as possible has resulted in expediting claims, and the present policy of having the claims and rating boards from the regional offices visit the hospitals has worked out satisfactorily in securing an expedited adjustment of claims.

The neuropsychiatric activities, presenting as they do so many complex considerations and requiring a highly specialized administration, are perhaps the most important in the medical service. From the very nature of these ailments, embracing mental as well as neurological cases, hospitalization and custodial care are required in a very large percentage of them at some time during their contact with the bureau. As one gets farther away from the cessation of the war, there are more and more of these whose disabilities have been continuous since discharge, who will not recover. This is particularly true of those afflicted with the chronic deteriorating types of psychoses (insanities). They will require custodial care in an institution the remainder of their lives; and, in the majority of instances life expectancy will not be materially lessened by reason of their mental state. It can be seen, then, that these cases will be cumulative in institutions for an indefinite number of years. Clinical laboratory facilities are provided in each of the neuropsychiatric hospitals.

COMPENSATION DISABILITY

As a result of the provisions of section 200 of the World War veterans' act, 1924, extending the period of presumption of service connection of neuropsychiatric diseases to January 1, 1925, there has been a material increase in the number of permanently disabled insane entitled to care and compensation. These cases have in many instances been beneficiaries of the various States, cared for in State institutions, and the burden of their care has now been changed to the bureau.

The care of honorably discharged veterans of prior wars suffering from neuropsychiatric ailments, in accordance with section 202 (10) of the act just mentioned, will further tax the capacity of this special type of hospital. From the very fact that hospitalization plays such an important part in the care of these patients, the activities of this branch will of necessity embrace the activities of these hospitals.

There has been a consistent endeavor on the part of those in charge of this work to place, in so far as possible, all such cases on a permanent basis of compensation. Surveys of bureau and contract hospitals, examinations by boards of specialists, and special review of the cases in the central and regional offices have been made. As a result, all those showing a progressive mental disease, without remission, and exhibiting other manifestations which make it reasonable to suppose they will be totally disabled for the remainder of their lives, have been placed on permanent total ratings. In other instances, where the disability is not total but represents a somewhat fixed point of progression toward possible recovery, an appropriate permanent partial rating has been made. These cases are largely represented by peripheral nerve injuries, residuals of gunshot wounds, and other trauma, which at this time have become sufficiently removed, with respect to time from the date of the infliction of the original injury, to class them as having reached maximum improvement.

While it is appreciated that the majority of insane beneficiaries will require hospital care for an indefinite number of years, the fact has not been lost sight of that remissions occur, permitting patients to return to their communities from time to time, and in some instances even to resume their former activities in society. To this end every effort has been exerted to prevent any attempt to delay regression and ultimate deterioration in the insane. Occupational therapy has been an integral part of each institution. Cooperation and interest of the patient have been sought in various manual occupations in which his interest can be aroused. Such diversions as basketry, weaving, leather work, toy making, gardening, chicken raising, and bee culture, farming, and so forth, have been utilized. At one hospital 90 per cent of the patients were busy at some period of the day with a type of occupational therapy work. More and more effort along this line is constantly being made, benefit has been derived even in those cases apparently deteriorated. Instances in which spontaneous interest has been aroused have been followed by notable improvement in deportment, tidiness, and cooperation in patients whose intellectual level approaches the vegetative stage.

In addition to these procedures, largely in the domain of occupational therapy, reports show that each and every insti-

tution has had the able assistance of the American Red Cross, the Knights of Columbus, and other organizations in organizing and carrying out diversional entertainments for the benefit of the patient. Hospitals were equipped with radio and also with a library for patients and personnel, including a collection of medical works for the staff. To offer facilities for the examination and treatment of beneficiaries who, because of employment necessities, were unable to attend the dispensaries during regular hours during the past fiscal year, evening-hour clinics at such stations as in the judgment of regional managers have been held.

The average period of hospitalization for insane patients could not be based upon the Veterans' Bureau's experience, for many patients of this class have been continuously in the hospital since the close of the war and are still in the hospitals under treatment. However, of those patients who have through discharge attempted social readjustment the total average hospitalization has been 450 days. Probably the best estimate as to the necessary hospitalization for this group of patients is to consider that all those who have a chronic deteriorating type of psychosis will require custodialship care in institutions the remainder of their lives; and since in most instances the life expectancy will not be materially lessened by reason of this condition, the average hospital load, as indicated above, may be expected to be under hospitalization for an indefinite number of years, their average age now being 33 years.

The problem of handling the total neuropsychiatric group lies principally with the regional offices which are more or less constantly in contact with the men of this class who are not under hospitalization. There are 33,170 such claimants not under hospital care at this time.

DIVERSIONAL OCCUPATION

Diversional occupation in general applies with particular force to patients suffering from nervous and mental diseases.

In so far as practicable, all bureau hospitals have had the advantages of local consulting specialists to whom problem cases have been presented. The institutions are equipped with modern operating-room facilities and both minor and major operations are performed, including nose and throat work, by the part-time and full-time specialists. The value of this consulting service is twofold—it benefits the patient requiring it as well as the resident staff, who derive stimulation and counsel from these eminent specialists.

There has been freedom from any serious epidemic diseases.

OUT-PATIENT TREATMENT

Out-patient treatment and supervision of patients who have returned to the community have been instituted and extended during the past year. These clinics have been maintained in Veterans' Bureau hospitals where they are sufficiently accessible to make this practicable, and at other times where not so practicable. They have proven of inestimable value, particularly those in association with hospitals. A check is maintained on the patient's adjustment in the community; sympathetic advice is given; symptoms of recurrences are noted in their incipiency.

The total number who have registered for vocational and educational rehabilitation is 335,643.

The total number who have entered training is 179,951.

The total number of disabled veterans of the World War, as of September 30, 1925, was 216,261, of which number 47,216 of the total had some neuropsychiatric disorder.

There have been 298,176 hospital cases since July 1, 1919, to September 30, 1925, 15,210 of which were psychotic, of which number 248 were discharged from the hospital as "recovered" and 3,726 discharged "benefited." A most notable and unfavorable feature of these figures is the fact that the number of definitely psychotic cases discharged as recovered was only 248 out of a total of 15,210, a percentage of recoveries of approximately 1.75, which is far less than that percentage of recoveries in any of our public and private institutions for insane persons drawn from the nonmilitary population. The low recovery rate may be due in part also to the larger number of insanities among veterans caused by serious trauma of the cerebrospinal system and also to neuropsychiatric conditions exclusively incident to the World War, the most complex of the psychoneurotic conditions.

The difference in the figure for the hospitalized psychotic cases and the total compensable psychotic claimants, is simply indicative of a series of interrupted hospitalizations for many of these men. It is difficult to give any definite figures with regard to the direct or indirect causes of insanity of the World War veterans, particularly with reference to shell shock. Shell shock itself is not a disease entity, but is considered as a reaction to fear. The term is vague and is connected not only with psychotic conditions, but also with neurotic ones, some of which are due to hardships and influences of warfare, and others are due simply to the emotional stress of war. The Adjutant General of the Army made no effort to segregate the shell-shock cases, preferring to place them under a more scientific diagnostic term; however, the Veterans' Bureau attempted to use the term shell shock as a causative agent, but found it used so loosely as to make data obtained therefrom unsatisfactory. The bureau has no statistical data available on the subject of shell shock.

There are 47,216 neuropsychiatric ex-service men who are receiving compensation, 8,603 of whom are definitely psychotic or insane.

It has been found that the military population was 58.89 per cent of the total male population of a certain age group, and a comparison of these same age groups in institutions for the insane shows that the military population is 60.12 per cent of the total male population so hospitalized. One of the reports used was compiled by the United States Census Bureau, the other by the United States Veterans' Bureau. The use of similar nomenclature of diseases and conditions by the two bureaus allows this comparison. The slight difference in these percentages would indicate that the insanities among the ex-service men are largely the insanities of every-day life and are not distinguishable from those suffered by nonservice men in the communities. The insanities of ex-service men are the insanities of every-day life, in no way distinguishable from those suffered by nonservice members of the civil communities. The history of State hospitals for insane has been one of steady overcrowding; and inasmuch as the potential load of beneficiaries entitled to treatment in the bureau's neuropsychiatric hospitals embraces, through the provision of section 202, subsection 10 of the World War veterans' act, as amended, all honorably discharged veterans of the Spanish-American War, Philippine insurrection, Boxer rebellion, and the World War, without regard to service connection, a steady increase in Government hospital beds for these cases would seem necessary, in direct proportion to the normal ratio of insanity resulting from the stress and strain of their daily pursuits and the exigencies of modern civilization.

BRIDGE ACROSS MISSISSIPPI RIVER NEAR LOUISIANA, MO.

Mr. CANNON. Mr. Speaker, the bill (H. R. 8918) granting the consent of Congress for the construction of a bridge across the Mississippi River at or near Louisiana, Mo., with Senate amendments thereto, has been messaged over by the Senate, and by authorization of the Committee on Interstate and Foreign Commerce I ask unanimous consent that the bill be taken from the table, the Senate amendments disagreed to, and a conference asked on the part of the House.

The SPEAKER. The gentleman from Missouri asks unanimous consent, by direction of the Committee on Interstate and Foreign Commerce, to take from the Speaker's table the bill H. R. 8918, disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. MAPES. Mr. Speaker, does the gentleman say that the Committee on Interstate and Foreign Commerce has directed him to make this request?

Mr. CANNON. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees on the part of the House: Mr. DENISON, Mr. BURTNESS, Mr. PARKS.

CALL OF THE HOUSE

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

The SPEAKER. The gentleman from Kentucky makes the point of order that there is no quorum present. Evidently there is not.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 70]

Aldrich	Cleary	Fredericks	Johnson, Ill.
Andrew	Connolly, Pa.	French	Johnson, Ky.
Appleby	Davey	Funk	Kelly
Auf der Heide	Denison	Gallivan	Kiess
Ayres	Dickstein	Golder	King
Barkley	Doyle	Gorman	Kunz
Brand, Ga.	Drewry	Graham	Lee, Ga.
Britten	Ellis	Green, Iowa	Lindsay
Brumm	Esterly	Griffin	Lineberger
Campbell	Fish	Harrison	McClintic
Chapman	Fitzgerald, Roy G.	Hawes	MacGregor
Christopherson	Flaherty	Irwin	Magee, Pa.

Martin, Mass.	Perlman	Sanders, N. Y.	Upshaw
Mead	Phillips	Sears, Fla.	Vare
Michaelson	Pou	Sproul, Ill.	Voigt
Mills	Purnell	Strong, Pa.	Welsh
Morin	Quayle	Sullivan	White, Me.
Nelson, Wis.	Ransley	Taylor, Tenn.	Williams, Ill.
Norton	Rayburn	Temple	Wilson, Miss.
O'Connell, N. Y.	Reed, N. Y.	Thomas	Yates
O'Connor, La.	Rogers	Tincher	Zihlman
Perkins	Rutherford	Updike	

The SPEAKER. Three hundred and forty-four Members have answered to their names. A quorum is present.

Mr. TILSON. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

THE POLITICAL SITUATION

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. CARTER] may extend his remarks in the RECORD by inserting a speech made by him over the radio last night.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Oklahoma [Mr. CARTER] be given leave to extend his remarks in the RECORD by inserting a speech made by him over the radio last night. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, under leave granted to extend my remarks, I insert the following speech delivered by myself last night over the radio:

I am delighted to have this opportunity to briefly express my views on the political issues of the day. Ever since that patron saint of democracy, Thomas Jefferson, gave expression to the maxim the Democratic Party has stood for that immortal principle, "equal rights to all and special privileges to none." The Republicans have been candid with reference to this principle. They have been frank. They have been truthful. They have never subscribed to the doctrine of "equal rights to all and special privileges to none." They have never proclaimed it, they have never practiced it, they have never pledged themselves to practice it; in fact, they have persistently ignored it, and therein lies the fundamental difference dividing these two great parties. The Democrats do not believe in taxing one class of people to enrich another, and especially do they protest against the policy being practiced by this administration of denying relief to the agricultural industries of this country while extending it in bountiful supply to others. The Democrats believe that so far as possible every industry should stand on its own responsibilities, but this does not mean that we would fail to recognize the conditions of any industry becoming so distressed as to merit legitimate Government aid. The Democrats do not believe in sectional prosperity, nor do they believe in class prosperity. They are committed to a general prosperity falling equally on all sections and classes in the country, and since agriculture is the basic industry of our country we do not believe there can be any permanent general prosperity throughout the land until agriculture is made prosperous. Evidence of this may be found in a comparison of the Democratic and Republican administrations.

Beginning on March 4, 1913, we experienced six years of Democratic administration in all the branches of this Government. Many of you will recall the conditions of that period. Everybody was prosperous. Not only manufactured products but raw materials brought an adequate price on the market. Livestock was high. Wheat was high. Cotton was high. Every man and every woman was able to get work at good living wages and there were two purchasers for almost everything anybody had to sell. The trouble the merchants had during that period was in getting goods. They did not care how much the goods cost so long as they could get the goods. The railroad trains were overloaded with freight and passengers and never before in the history of the world, certainly not in the history of our generation, was there such universal and general prosperity throughout the land. Our country was in fact so prosperous that the people seemed to get frightened or dissatisfied about it, and for some unknown cause in the fall of 1918 they "smote the hand that had fed them" and voted for a change in both legislative branches of our Government.

The change took place on March 4, 1919, when a Republican House and Senate were installed. Soon thereafter cotton, wheat, cattle, and all other products of the farm and ranch fell below the cost of production. The railroads, while charging much higher rates, were carrying fewer passengers and less freight. Factories and industrial institutions began to lead a hand-to-mouth existence. Millions of men and women anxious to work were out of employment, and for the first time in five years beggars and almstakers began to appear on the streets of our cities. More than 2,400 bank failures took place within a period of five years. According to the figures of our Agricultural Department, the value of farm land and equipment throughout the entire country was reduced from $79,000,000,000 to $59,000,000,000. This falling off of $20,000,000,000 makes a reduction of more than 25 per cent in the value of the agricultural assets of our country.

Our Republican friends undertake to explain this difference of a general prosperity during our last Democratic administration and the depression and destitution under the present Republican administration by one single sentence. They assert that those prosperous Democratic days were due to our participation in the war. They asseverate this brief rejoinder with all the conclusion and finality of dictum, but they do not tell you that we did not get into the war until April, 1917.

The war came to an end November 11, 1918. The Republicans have been in full control of both legislative branches of the Government since March 4, 1919. They have been in complete control of every branch of the Government since March 4, 1921. What have our friends to say about the deplorable condition of agriculture in this the good year of 1926, almost eight years after the close of the war? How do they explain that after more than five years of uninterrupted Republican control of all the branches of the Government they have failed to restore any measure of their boasted prosperity to any agricultural section of this country, and still call upon the farmer to sell his commodities below the cost of production?

There may be some intermittent indications of business resumption in certain manufacturing sections, but even these are only isolated cases and no evidence whatever can be found of a return to prosperity in agriculture or in agricultural sections, and certainly no general prosperity throughout the Nation.

What is the matter with agriculture? What is the matter with business in the agricultural section? In my opinion the answer can be found partially in the high protective schedules of the Fordney-McCumber tariff act and partially in the refusal of the present administration to recognize the deplorable situation in the agricultural sections while providing relief for others. It is bordering on a tragedy that these conditions have been permitted to drag along with no serious attempts to provide substantial aid. Ah, but my opponents will say, "We can not legislate to relieve the farmer without indulging in class legislation, and you know that would be a violation of the Constitution." Let me ask my friends what became of your objections to class legislation when you passed through the House the so-called ship subsidy bill intended to give millions of dollars of the people's money to a class known as ship operators? Where were your principles on class legislation? Where were your constitutional objections when you passed the Fordney-McCumber tariff act, forcing farmers and all others in the country to pay tribute to the special interests protected by the excessive rates? If it be class legislation to respond to the distress of the agricultural industry, then why was it not class legislation to respond to the demands of the ship operators and tariff barons?

We must not criticize without proposing some remedy; and yet I have no faith in cure-alls. I indulge no vain hopes for a single specific, but I believe this situation might have been considerably relieved and prosperity gradually restored to our agricultural sections by doing a number of things, none of which would violate sound economics or even smack of class legislation.

First we should have gone to the source of the thing by rearranging the personnel of the Federal Reserve Banking Board so as to place a few members on that tribunal in sympathy with the producers and not altogether in sympathy with those who finance the producers. We have been sadly wanting in a well-defined, consistent foreign policy which would tend to stabilize and maintain real foreign markets for our surplus farm products. We should have looked to the prosperity of our own American farmers rather than devoting all our energies to relieving the peasantry of Europe. A rigid retrenchment and real economy in all the expenditures of public money by the Federal Government, State government, counties, and municipalities in order that we might have an actual, substantial reduction of taxes which would reach the agricultural sections as well as others. We should have a tariff revision reducing the rate on steel, on iron, on textiles, on sugar, and many other high schedules of the Fordney-McCumber Act, which piles up the cost of living so high on the agricultural sections of the country. A reasonable readjustment downward of freight rates, especially as they relate to transportation of agricultural products. Continue every possible and legitimate agency for supplying adequate credit to agriculture. Extend every legitimate aid and encouragement to farm cooperation, and create a high-grade commission of experts to look into the causes of the difference between the price received by the farmer for his products and the price paid by the consumer, with a view to taking up the slack and eliminating some of the cost of distribution between the producer and consumer.

On the second day of next November an election is to be held to determine which of the two major parties shall control the two legislative branches of the Government for the next two years. What will the people do about it? What will the people do about those who have put upon them a discriminatory tariff law which annually extorts from the American public from three to four billion dollars, which takes from agriculture an amount variously estimated at from $500,000,000 to $1,000,000,000, yet giving agriculture in return only $125,000,000? What will they say of a prohibitive sugar tariff which takes annually $140,000,000 from the American housewife in order that the sugar barons might have an additional profit of $92,000,000? What will they

say of discriminatory freight rates which take each year from agriculture more than from any other products of the country? What will they say of an Interstate Commerce Commission fixing these rates which is composed of 11 members with but one member on the commission who lives in and represents that enormous section west and southwest of the Missouri River? What will they do about an administration that has consistently failed to recognize the deplorable condition of the basic industry of our country? With due regard to our eastern friends, to whom we will always be fair and just, what will the people say of a national administration that seems to regard the Western States as mere provinces maintained for the single purpose of fattening the prosperity of certain favored classes at the expense of the masses and woefully impoverishing others?

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday, the Committee on Agriculture having the call. The Clerk will call the committee.

The Clerk called the Committee on Agriculture.

SPLENETIC FEVER AMONG LIVESTOCK

Mr. HAUGEN. Mr. Speaker, I call up House Calendar No. 91, the bill (H. R. 9833) to amend section 6 of the act of May 29, 1884, creating the Bureau of Animal Industry, by striking out the proviso in section 6 of said act.

The SPEAKER. The gentleman from Iowa calls up the bill (H. R. 9833), which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9833) to amend section 6 of the act of May 29, 1884, creating the Bureau of Animal Industry, by striking out the proviso in section 6 of said act.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act of Congress approved May 29, 1884 (48th Cong., 1st sess., ch. 60), establishing the Bureau of Animal Industry in the Department of Agriculture be, and the same is hereby, amended by striking out the proviso in section 6 of said act, which reads as follows: "*Provided,* That the so-called splenetic or Texas fever shall not be considered a contagious, infectious, or communicable disease within the meanings of sections 4, 5, 6, and 7 of this act as to cattle being transported by rail to markets for slaughter when the same are unloaded only to be fed and watered in lots on the way thereto."

SEC. 2. That all laws or parts of laws in conflict with this act be, and they are hereby, expressly repealed.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. BLANTON. Mr. Speaker, I wish to ask the gentleman from Iowa [Mr. HAUGEN] a question. Will the gentleman yield?

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. TILSON. There seems to be some misunderstanding, Mr. Speaker. This is a House Calendar bill, as I understand, and therefore the debate will be limited by ordering the previous question, so that if gentlemen wish to agree as to time they can do it now; otherwise the previous question will be ordered when the gentleman from Iowa is ready.

Mr. HAUGEN. May I inquire if any time is desired on the other side?

Mr. ASWELL. No.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. HAUGEN. Yes.

Mr. BLANTON. One of the most valuable services rendered by this Bureau of Animal Industry was the distribution of black-leg vaccine to farmers over the country. But the bureau for the last three years has discontinued that distribution. While the gentleman is amending this act, why does he not take care of that situation? That saved thousands of calves for the farmers of the country, at very little cost to the Government. Would the gentleman mind taking care of that proposition in this bill?

Mr. HAUGEN. The suggestion of the gentleman would hardly be germane to this bill.

Mr. GARNER of Texas. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GARNER of Texas. That proposition could only come from the Committee on Appropriations. There is already an authorization by Congress for that, but the Committee on Appropriations declines to make an appropriation. The rules do not permit its consideration here. It is a matter of discretion with the Committee on Appropriations. They declined to make any appropriation.

Mr. MADDEN. The committee after looking into the matter came to the conclusion that so little expense was attached to it that the farmers could buy it for themselves.

Mr. BLANTON. They can buy it, but they can not get the right kind. The former distribution greatly helped the small farmers of the United States. I intend to urge before the Committee on Appropriations the resumption of that distribution and try to get them to make appropriation for it.

Mr. HAUGEN. I yield 10 minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Speaker, I yield 10 minutes to the gentleman from Georgia [Mr. CRISP].

The SPEAKER. The Chair does not understand how the time is to be divided.

Mr. GARRETT of Tennessee. None of us can understand it, Mr. Speaker, in the confusion.

The SPEAKER. Does the gentleman from Iowa yield?

Mr. HAUGEN. Yes; I yield 10 minutes to the gentleman from Louisiana, who, I understand, in turn yields 10 minutes to the gentleman from Georgia [Mr. CRISP].

The SPEAKER. Does the gentleman from Louisiana yield to the gentleman from Georgia?

Mr. ASWELL. Yes; I yield 10 minutes to the gentleman from Georgia.

The SPEAKER. The gentleman from Georgia is recognized for 10 minutes.

Mr. CRISP. Mr. Speaker and gentlemen of the House, when the Bureau of Animal Industry was created in 1884 that law prohibited the shipment in interstate commerce of cattle infected with communicable or contagious diseases, but there was a proviso placed in the act as a proviso to section 6 which says splenetic or Texas fever in cattle shall not be considered a communicable or contagious disease within the purview of the act when cattle are being shipped from a tick-infested area to market for slaughter.

In 1884, when this act was created, very little was scientifically known about the tick, and it was not known at that time that this splenetic fever was a communicable or contagious disease. It is agreed now by all authorities on the subject that it is highly contagious and communicable. Therefore, this provision in the act saying that it is not communicable is a legislative falsehood, because the disease is communicable.

For twenty-odd years the Southern States and the Department of Agriculture, through its Bureau of Animal Industry, has been advocating the repeal of this proviso, for with this proviso in the law the Federal Department of Agriculture has no authority to make rules and regulations prohibiting the shipment of cattle from tick areas in interstate commerce. They have no authority to make any regulations for the shipment of cattle from infested areas to free areas. The result of it is that frequently States that are free from the tick are reinfested by the shipment of these cattle in interstate commerce.

The law requires the railroads to unload and feed and water cattle within 28 hours in shipment, and when they are being shipped they are unloaded in stock pens, and these pens become infested with the tick. When a carload of cattle is being shipped for dairy purposes or for pasture, or mules or horses are unloaded in these pens, the cattle or stock so unloaded and fed are common carriers for the tick, and they become infested, and when the cattle or mules or horses are shipped out through the United States into tick-free areas those areas become reinfested.

The veterinarian of the State of Missouri has written several of the Missouri Congressmen that there have been three reinfestations in Missouri, and the gentleman from Illinois [Mr. ADKINS], a member of the Committee on Agriculture, advised the committee that there had been a reinfestation in Illinois.

There appeared before the Agricultural Committee in support of this bill seven State veterinarians from the South, to wit, the veterinarian from Georgia, Dr. P. F. Bohnsen, who was the one who called my attention to the matter, and it was at his instance and request that I prepared the bill; the veterinarians from South Carolina, North Carolina, Florida, Alabama, and Arkansas, and Doctor Mohler, of the Department of Agriculture, appeared. They all unanimously agreed that this bill should be enacted into law if the Congress desired to correct the legislative—shall I say—falsehood saying that this disease was not communicable, and if they desired to protect tick-free communities from reinfestation.

Mr. BOWLING. Will the gentleman yield?

Mr. CRISP. I will.

Mr. BOWLING. The gentleman referred to the veterinarian of the State of Alabama. I want to say that that particular man is Dr. C. A. Cary, who was born, reared, and educated in the State of Iowa, and he is a graduate of the Drake Uni-

versity of the State of Iowa. He has been at the head of the veterinary department and the department of animal industry in our Alabama Polytechnic Institute for the last 15 years, and he is heartily in favor of this bill, and has so written me.

Mr. CRISP. He so informed the committee and informed the committee of his place of birth and his various activities in connection with this legislation.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. CRISP. I will.

Mr. CHINDBLOM. Does the gentleman know what induced the Congress, when this provision was passed, to insert a statement of fact in this legislation?

Mr. CRISP. I do not, I will say to my friend from Illinois; but I presume at that time a very small area of the country was tick free and they wanted to get this bill through to protect the spread of other contagious diseases; and, furthermore, at that time the scientists were not as well posted and advised as to the character of that disease as they are now.

Mr. WINGO. Will the gentleman yield?

Mr. CRISP. I will.

Mr. WINGO. I want to get some idea of the practical workings. At present, if cattle from one of the nonfree areas of my district are to be shipped to Kansas City they are first driven to a station where they are dipped.

Mr. CRISP. Not under existing law.

Mr. WINGO. I am telling the gentleman what is going on now and has been going on. Last year, or two years ago, they required them to be shipped to Little Rock and dipped there; subsequently they established a station at Mena and one at Van Buren, I believe, in my district. They can now bring them there, dip them, and ship them to Kansas City. Now, if this bill passes they will not be permitted to do that, as I understand.

Mr. CRISP. I will say to my friend from Arkansas that, of course, I am not going to take issue with him as to facts which obtain in Arkansas, for I am ignorant about the situation there; but I do know that under existing law the Federal Department of Agriculture has no authority whatever to make any requirement for the shipment of these cattle in interstate commerce if they are infested with splenetic fever, because the law says it shall not be considered a communicable disease. Therefore the Federal department has no authority to make any rules or regulations controlling the matter. Now, I understand that in Texas—a part of which is tick-free—they have a law requiring that when cattle are shipped from an infested area to a free area in Texas they have to be dipped. They may apply that in your State, as in Texas, to the shipment of cattle in interstate commerce; but it is voluntary on their part, or it is in compliance with some State law on the subject, because the Federal Government has no authority whatever to prescribe any rules or regulations which will control the matter. Any regulations by the United States Department of Agriculture on the subject would be void.

Mr. WINGO. Will the gentleman yield further?

Mr. CRISP. Yes.

Mr. WINGO. The gentleman is speaking about the Texas cattle tick?

Mr. CRISP. Yes.

Mr. WINGO. And the gentleman says there is not and has not been for several years any authority in the Federal Government to control this matter?

Mr. CRISP. There is none to-day.

Mr. WINGO. Well, under what authority, if any, does the Federal Government, through this bureau under Doctor Mohler, undertake to control and inhibit the driving of cattle from Polk County, Ark., across the Oklahoma line into McCurtain County, Okla.?

Mr. CRISP. I do not know that he does that, and he has said that he has no authority to do it.

Mr. WINGO. However, it is contended he has done it; and if so, it was done without authority of law.

Mr. CRISP. I think there is no authority of law for it, and I understood him to say before the Agricultural Committee in advocacy of this bill that they have no authority whatever in the premises now and could not do anything. As to the Texas situation, where intrastate shipments are controlled and regulated under the Texas law, he said he was impotent on account of this very proviso.

Mr. HUDSPETH. Will the gentleman yield?

Mr. CRISP. Yes.

Mr. HUDSPETH. Under the Texas law one dipping is required when there is a shipment for immediate slaughter. As I understand from the attitude of the Agricultural Department, that has been done under the authority of the State, and that the Federal Government has no authority whatever to prescribe the character of dipping; but under this bill, as I understand, an amendment will be offered which will provide that the dipping shall be under the supervision of the Federal authorities, which will be more effective, I think.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. HAUGEN. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. CRISP. I will say to my friend from Texas that after the Committee on Agriculture had unanimously recommended a bill, a distinguished gentleman from Texas, representing the cattle industry, came before the Committee on Agriculture in opposition to the bill. I was invited to be present. I stated to the committee I was not an expert in such matters as this; that I had no desire whatever to work any injury or injustice to the cattle raisers of Texas or of any other State; that I wanted to protect my own State and the other tick-free States from reinfestation; and that I would agree to any amendment of the bill that Doctor Mohler, of the Bureau of Animal Industry, recommended. I am advised that some of the distinguished Texas Members of this House, in connection with this distinguished attorney from Texas, have been to Doctor Mohler and have discussed the matter, and an amendment has been prepared which will be offered by the gentleman from Texas [Mr. JONES]. The amendment is perfectly satisfactory to me, and I shall vote for the gentleman's amendment. [Applause.]

This amendment simply provides that until 1928 the Department of Agriculture can only require one dipping before the cattle are shipped to slaughter. After 1928 that exception expires and then the department can make such rules and regulations as it sees fit for the shipment of the cattle just as the department makes rules and regulations for the shipment of diseased plants, and so forth. This will give the infested areas two years to clean up. In the meantime no harm or injustice is done them, and I shall ask the House to accept the amendment offered by the gentleman from Texas [Mr. JONES], which I understand is satisfactory to the Texas delegation.

Mr. GARNER of Texas and Mr. HUDSPETH rose.

Mr. CRISP. I yield to the gentleman from Texas [Mr. GARNER].

Mr. GARNER of Texas. If the gentleman will permit, I would like to say in that connection that the amendment can not be said to be entirely satisfactory to the Texas delegation, but it is the best we can get and we will have to acquiesce in it. I think myself——

Mr. CRISP. I am sure my friend would not want to injuriously affect my State and three-fourths of the United States, northwest and south, that are tick-free, by having them reinfested.

Mr. GARNER of Texas. I want to say to my friend that we are just as anxious to get these ticks eradicated as the gentleman or anyone else, but, of course, we would like an opportunity to ship our cattle to market for immediate slaughter until we can get these ticks eradicated.

Mr. CRISP. This amendment will permit that.

Mr. GARNER of Texas. It is just possible that by 1928 that situation will have arrived.

Mr. CRISP. This amendment does that, and I am for the amendment.

Mr. HUDSPETH. If the gentleman will permit, I will state that the amendment not only has the indorsement of the Chief of the Bureau of Animal Industry, Doctor Mohler, but the Secretary of Agriculture also indorses the amendment.

Mr. CRISP. I am for the amendment.

Mr. KETCHAM. Will the gentleman yield?

Mr. CRISP. Yes.

Mr. KETCHAM. Before the gentleman concludes, will he state the attitude of the State veterinarians that appeared before our committee?

Mr. CRISP. Every one of them was heartily in favor of this bill and indorsed it, and every one of them advised the committee that if this bill passed, in their own States, they would accept the shipment of cattle into their States if they were shipped in accordance with inspections and rules and regulations provided by Doctor Mohler or by the United States Department of Agriculture. Many cattle shipped from these areas are not now permitted to be unloaded in these States, but these veterinarians say that if this bill is passed and regulations are promulgated by the Department of Agriculture, they will accept cattle coming from infested areas into their States.

Mr. KETCHAM. Will the gentleman also state that the amendment which is to be presented by the gentleman from Texas [Mr. JONES] is a committee amendment?

Mr. CRISP. I understood that, but——

Mr. JONES. I was just going to call attention to the fact that this is a committee amendment.

Mr. CRISP. But not being a member of the Committee on Agriculture, I did not know that myself. I know when I was before the committee, the committee expressed the hope we could agree on something, and I am agreed. [Applause].

Mr. HAUGEN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES. Mr. Speaker, I desire to offer an amendment as a committee amendment at this time.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES: Line 2, page 2, after the word "thereto," insert the following proviso: "*Provided*, That until May 1, 1928, cattle infested with or exposed to cattle fever ticks may be shipped in interstate commerce for immediate slaughter after one dipping in accordance with such regulations as the Secretary of Agriculture may prescribe."

Mr. JONES. Mr. Speaker, this amendment has the unanimous indorsement of the committee, and it also has the indorsement of both Secretary Jardine and Doctor Mohler, of the Department of Agriculture; in fact, after conference with those who are interested, it was drafted by Doctor Mohler, and I would like to have the privilege of placing his letter in connection with it in the RECORD.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the matter indicated. Is there objection?

There was no objection.

The letter referred to follows:

APRIL 13, 1926.

Hon. GILBERT N. HAUGEN,
House of Representatives.

DEAR MR. HAUGEN: Referring to the department's letter to you of March 24 concerning bill H. R. 9833, introduced February 27, 1926, by Mr. CRISP, which seeks to amend section 6 of the act of May 29, 1884, creating the Bureau of Animal Industry, further consideration has been given by the department to this matter, and in order to allow the cattle industry a reasonable period of time in which to adjust itself to the changed conditions which would be brought about by the enactment of this bill into law, I now have to suggest that a provision be inserted in the bill permitting the interstate shipment until May 1, 1928, of cattle for slaughter after one dipping. This might be accomplished by adding the following language after the word "thereto," in line 3, on page 2 of the bill, as introduced by Mr. CRISP, and inserting in lieu thereof the following proviso:

"*Provided*, That until May 1, 1928, cattle infested with or exposed to cattle fever ticks may be shipped in interstate commerce for immediate slaughter after one dipping, in accordance with such regulations as the Secretary of Agriculture may prescribe."

Sincerely yours,

W. M. JARDINE, *Secretary.*

Mr. WINGO. Will the gentleman from Texas yield for a question for information?

Mr. JONES. I yield to the gentleman.

Mr. WINGO. As I understand, the effect of the gentleman's amendment will be this: It will give them until May 1, 1928, in these infested areas to get cleaned up. In the meantime, and until that date, they may, subject to regulations, ship cattle in interstate commerce for immediate slaughter after they have been dipped once.

Mr. JONES. Yes.

Mr. WINGO. And then if these areas are not cleaned up by that time such cattle will not be permitted to be shipped at all?

Mr. JONES. They will not be except under regulations prescribed by the Secretary of Agriculture. The Secretary will prescribe such regulations as he deems necessary to take care of the situation. It will then be up to the department.

Mr. WINGO. With his judgment on the matter, the Secretary would feel impelled to do that.

Mr. JONES. He probably would feel impelled to take such steps as he thought would be effective.

Mr. WINGO. The chief object of this is to give the infested areas two years to clean up; and if they are barred after that, it will be their own fault.

Mr. JONES. In a measure, yes; men have bought their cattle, fattened and handled them on the faith of the law as it is. To make such a law immediately effective would entail untold losses. This, as the gentleman suggests, would give them two years before the law takes full effect.

Mr. ADKINS. Will the gentleman yield?

Mr. JONES. Yes.

Mr. ADKINS. The thing your people were afraid of was the fact that if this amendment was not put in the department might impose unusual regulations such as dipping twice——

Mr. JONES. Yes; and even a third time. They could do it and they could require such a dipping as would make them unfit for sale and almost unmarketable if they were to be shipped for immediate slaughter. This would mean ruin to many owners of cattle if required at once and without chance for adjustment.

Mr. ADKINS. You want to prevent unwarranted regulations?

Mr. JONES. Yes; we want to require but one dipping, which is sufficient to prevent any chance for the spreading of the disease in cases of shipment for immediate slaughter.

Mr. CARTER of Oklahoma. The gentleman knows that it is necessary to dip the cattle over 10 days or 2 weeks; that the ticks germinate and come out again.

Mr. JONES. We had in the amendment that they must be shipped within 72 hours of the dipping, but Doctor Mohler suggested that we leave that as a regulation. They can make it 72 hours or 48 hours or such other time as they find necessary.

Mr. HUDSPETH. If properly dipped, there is not 1 case in 500 but that one dipping will kill the ticks.

Mr. McDUFFIE. What happens at the end of two years if they have not cleaned it up—they could not ship them at all.

Mr. JONES. They can not ship them except under such regulations as the Secretary of Agriculture may find necessary.

Mr. LOZIER. During the two years' time which they have to clean up is not there grave danger that areas now free from the infection may become infected?

Mr. JONES. No; where the cattle are shipped for immediate slaughter after dipping in a solution approved by the department there will be no danger of infection.

Mr. LOZIER. If one dipping will take care of it for two years, why will it not take care of it permanently?

Mr. JONES. This measure covers cases in which cattle are shipped for immediate slaughter, and the Secretary of Agriculture wants to work toward the end of absolutely eliminating the whole trouble, both in the infested zones and without the infested zones. He wants complete control after the time is given for adjustment with reference to the law at present and as proposed.

Mr. LOZIER. Does not this amendment suggest or propose that the free areas be held open and subject to this menace for two years?

Mr. JONES. They would be under the law as it is now. They could not require even one dipping, and there would be danger if there was not this one dipping. Where one dipping is had, as the amendment provides, and the cattle shipped for immediate slaughter there is no danger. That is the universal experience of the cattlemen.

Mr. GREEN of Florida. Does not the gentleman think it would be better to make it four years instead of two?

Mr. JONES. We endeavored to get that concession, but we could not get it. This is the best we could get after conference with the department.

Mr. GREEN of Florida. It will be almost impossible for us to clean up in two years.

Mr. JONES. In all the States, and especially in my State, great effort has been made, and two-thirds of the State is without the quarantine zone.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill and all amendments thereto.

The previous question was ordered.

The SPEAKER. The Chair will call attention of the gentleman from Texas to the words "in lieu of the matter stricken out." The bill itself strikes out the language.

Mr. JONES. My amendment goes to the end of the matter stricken out. My amendment does not strike out anything. I leave the language of the bill as it is, but I will ask to modify it.

The SPEAKER. The Clerk will read the amendment of the gentleman as modified.

The Clerk read as follows:

Line 2, page 2, after the word "thereto," insert the following proviso in lieu of the matter stricken out.

Mr. CRISP. Mr. Speaker, I think we are getting the bill balled up. Why would it not be better to offer it as a separate section?

Mr. JONES. I do not think it is necessary to say "in lieu thereof" at all, because I do not strike out anything. I think the amendment in its original form was better.

Mr. CRISP. Mr. Speaker, I think the original proposition the way the amendment was prepared was the best way to offer it.

The SPEAKER. The Clerk will report the amendment as originally offered.

The Clerk read as follows:

Amendment offered by Mr. JONES: Line 2, page 2, after the word "thereto" insert the following proviso: "*Provided*, That until May 1, 1928, cattle infested with or exposed to cattle fever ticks may be shipped in interstate commerce for immediate slaughter after one dipping in accordance with such regulations that the Secretary of Agriculture may prescribe."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. ASWELL) there were—ayes 135, noes 13.

Mr. ASWELL. 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. The gentleman from Louisiana makes the point of order that there is no quorum present. Evidently there is not. 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 307, nays 26, not voting 98, as follows:

[Roll No. 71]

YEAS—307

Abernethy	Driver	King	Romjue
Ackerman	Dyer	Kirk	Rouse
Adkins	Eaton	Knutson	Rowbottom
Aligood	Edwards	Kopp	Rubey
Almon	Elliott	Kurtz	Rutherford
Andresen	Eslick	Kvale	Sabath
Andrew	Esterly	LaGuardia	Schafer
Arentz	Evans	Lampert	Schneider
Arnold	Fairchild	Lanham	Seger
Ayres	Faust	Lankford	Shallenberger
Bacharach	Fenn	Larsen	Shreve
Bachmann	Fisher	Lea, Calif.	Sinclair
Bacon	Fitzgerald, Roy G.	Leatherwood	Sinnott
Bailey	Fitzgerald, W. T.	Leavitt	Smith
Bankhead	Fletcher	Lehlbach	Snell
Barbour	Fort	Letts	Somers, N. Y.
Beck	Foss	Little	Sosnowski
Beers	Freeman	Lowrey	Speaks
Begg	Frothingham	Lozier	Sproul, Kans.
Bell	Fuller	Luce	Steagall
Berger	Fulmer	McClintic	Stedman
Bixler	Furlow	McKeown	Stephens
Black, N. Y.	Gambrill	McLaughlin, Mich.	Stevenson
Bland	Garber	McLaughlin, Nebr.	Stobbs
Blanton	Gardner, Ind.	McLeod	Strong, Kans.
Bloom	Garrett, Tenn.	McMillan	Strother
Boies	Gasque	McReynolds	Summers, Wash.
Bowles	Gibson	McSweeney	Sumners, Tex.
Bowling	Gifford	Magee, N. Y.	Swank
Bowman	Gilbert	Magrady	Swartz
Boylan	Goldsborough	Major	Swing
Brand, Ga.	Goodwin	Manlove	Swoope
Brand, Ohio	Greenwood	Mapes	Taber
Brigham	Griest	Menges	Taylor, Colo.
Browning	Hadley	Michener	Taylor, N. J.
Bulwinkle	Hale	Miller	Taylor, Tenn.
Burdick	Hall, Ind.	Milligan	Taylor, W. Va.
Burtness	Hall, N. Dak.	Mills	Thatcher
Burton	Hammer	Montgomery	Thompson
Byrns	Hardy	Mooney	Thurston
Canfield	Hare	Moore, Ky.	Tilson
Cannon	Hastings	Moore, Ohio	Timberlake
Carew	Haugen	Moore, Va.	Tincher
Carpenter	Hawley	Morehead	Tinkham
Carss	Hayden	Morgan	Tolley
Carter, Calif.	Hersey	Morrow	Treadway
Carter, Okla.	Hickey	Murphy	Tucker
Celler	Hill, Ala.	Nelson, Me.	Tydings
Chalmers	Hill, Md.	Nelson, Mo.	Underhill
Chindblom	Hill, Wash.	Newton, Minn.	Underwood
Clague	Hoch	Newton, Mo.	Upshaw
Cole	Hogg	Norton	Vestal
Collier	Holaday	O'Connell, R. I.	Vincent, Mich.
Collins	Hooper	O'Connor, La.	Vinson, Ga.
Colton	Houston	O'Connor, N. Y.	Vinson, Ky.
Connery	Howard	Oldfield	Voigt
Cooper, Wis.	Hudson	Oliver, Ala.	Wainwright
Cox	Hudspeth	Oliver, N. Y.	Walters
Coyle	Hull, Tenn.	Patterson	Warren
Cramton	Hull, Morton D.	Peavey	Wason
Crisp	Hull, William E.	Peery	Watres
Crosser	Jacobstein	Perkins	Watson
Crowther	James	Perlman	Weaver
Crumpacker	Jeffers	Prall	Weller
Cullen	Jenkins	Pratt	Wheeler
Curry	Johnson, Ind.	Purnell	White, Kans.
Darrow	Johnson, Wash.	Ragon	Whitehead
Davenport	Jones	Rainey	Whittington
Davis	Kahn	Ramseyer	Williams, Tex.
Deal	Kearns	Rankin	Williamson
Dickinson, Iowa	Keller	Rathbone	Wolverton
Dickinson, Mo.	Kelly	Rayburn	Woodruff
Dominick	Kerr	Reece	Woodrum
Doughton	Ketcham	Reid, Ill.	Wurzbach
Douglass	Kiefner	Robinson, Iowa	Wyant
Dowell	Kincheloe	Robsion, Ky.	Zihlman
Drane	Kindred	Rogers	

NAYS—26

Aswell	Garner, Tex.	McDuffie	Smithwick
Black, Tex.	Garrett, Tex.	Mansfield	Spearing
Box	Green, Fla.	Martin, La.	Tillman
Briggs	Huddleston	Quin	Wilson, La.
Buchanan	Johnson, Tex.	Reed, Ark	Wingo
Busby	Kemp	Sanders, Tex.	
Connally, Tex.	Lazaro	Sandlin	

NOT VOTING—98

Aldrich	Fish	Lineberger	Scott
Allen	Flaherty	Linthicum	Sears, Fla.
Anthony	Frear	Lyon	Sears, Nebr.
Appleby	Fredericks	McFadden	Simmons
Auf der Heide	Free	McSwain	Sproul, Ill.
Barkley	French	MacGregor	Stalker
Beedy	Funk	Madden	Strong, Pa.
Britten	Gallivan	Magee, Pa.	Sullivan
Browne	Glynn	Martin, Mass.	Sweet
Brumm	Golder	Mead	Temple
Butler	Gorman	Merritt	Thomas
Campbell	Graham	Michaelson	Updike
Chapman	Green, Iowa	Montague	Vaile
Christopherson	Griffin	Morin	Vare
Cleary	Harrison	Nelson, Wis.	Wefald
Connolly, Pa.	Hawes	O'Connell, N. Y.	Welsh
Cooper, Ohio	Irwin	Parker	White, Me.
Corning	Johnson, Ill.	Parks	Williams, Ill.
Davey	Johnson, Ky.	Phillips	Wilson, Miss.
Dempsey	Johnson, S. Dak.	Porter	Winter
Denison	Kendall	Pou	Wood
Dickstein	Kiess	Quayle	Wright
Doyle	Kunz	Ransley	Yates
Drewry	Lee, Ga.	Reed, N. Y.	
Ellis	Lindsay	Sanders, N. Y.	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. McFadden with Mr. Harrison.
Mr. Williams of Illinois with Mr. Lindsay.
Mr. Sweet with Mr. McSwain.
Mr. Vare with Mr. Parks.
Mr. Green of Iowa with Mr. Thomas.
Mr. Strong of Pennsylvania with Mr. Cleary.
Mr. Johnson of Illinois with Mr. Davey.
Mr. Kiess with Mr. Gallivan.
Mr. Madden with Mr. Sullivan.
Mr. Ransley with Mr. Barkley.
Mr. Martin of Massachusetts with Mr. Wilson of Mississippi.
Mr. Sproul of Illinois with Mr. Quayle.
Mr. Gorman with Mr. Wright.
Mr. Free with Mr. Corning.
Mr. Graham with Mr. Doyle.
Mr. Funk with Mr. Auf der Heide.
Mr. Denison with Mr. Kunz.
Mr. Connolly of Pennsylvania with Mr. Montague.
Mr. Butler with Mr. Pou.
Mr. Britten with Mr. Sears of Florida.
Mr. Christopherson with Mr. Mead.
Mr. French with Mr. Linthicum.
Mr. Scott with Mr. Griffin.
Mr. MacGregor with Mr. Lyon.
Mr. Kendall with Mr. O'Connell of New York.
Mr. Magee of Pennsylvania with Mr. Lee of Georgia.
Mr. Aldrich with Mr. Chapman.
Mr. Irwin with Mr. Drewry.
Mr. Anthony with Mr. Johnson of Kentucky.
Mr. Golder with Mr. Dickstein.
Mr. Phillips with Mr. Wefald.
Mr. Merritt with Mr. Frear.
Mr. Johnson of South Dakota with Mr. Nelson of Wisconsin.
Mr. Morin with Mr. Browne.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SUGAR IMPORTED FROM ARGENTINE REPUBLIC

Mr. HAUGEN. Mr. Speaker, I call up the bill (H. R. 358) authorizing the President to require the United States Sugar Equalization Board (Inc.) to adjust a transaction relating to 3,500 tons of sugar imported from the Argentine Republic.

The SPEAKER. The gentleman from Iowa calls up the bill H. R. 358.

Mr. LAGUARDIA. Mr. Speaker, I make the point of order against the bill that it is a private bill in its character and it can not be considered in any other light; that under the rules it should be on the Private Calendar and should come from the Committee on Claims.

Mr. BLANTON. Mr. Speaker, it has been as far back as Speaker Crisp, and all the way down in an unbroken line of decisions, that if a question is raised before a committee to which a bill has been improperly referred, reports the bill the Speaker would have to sustain the point of order, but it has been held, as I say, in an unbroken line of decisions that where a committee which has no proper jurisdiction of a bill is allowed to report the bill, then it has just as much power and authority to report it as would a committee where no question is raised in respect to it.

The SPEAKER. But the gentleman from New York makes the point of order that the bill is a private bill, and, therefore, should be on the Private Calendar.

Mr. BLANTON. If it went on any calendar, having allowed the Committee on Agriculture to assume jurisdiction over the

bill and to report it, then the chairman of that committee on Calendar Wednesday can call up the bill from his committee.

Mr. TINCHER. Mr. Speaker, this bill is not a private bill. The Committee on Agriculture has always reported bills pertaining to this sugar equalizing board, and it has that authority.

The SPEAKER. The Chair is prepared to rule. If this were the first instance of one of these sugar bills being reported from the Agricultural Committee and going on the Union Calendar, the Chair would seriously question whether the bill should not be on the Private Calendar; but bills similar to this, on a number of occasions heretofore, going back several years, have been considered and reported by the Committee on Agriculture and have gone on the Union Calendar. Under these circumstances the Chair thinks he must overrule the point of order.

Mr. CONNALLY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONNALLY of Texas. Were points of order made on those bills on former occasions?

The SPEAKER. The Chair has not had time to investigate, but the impression of the Chair is that the point of order has never been raised before.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes, and requested a conference with the House on the disagreeing votes of the two Houses thereon, and had named Mr. JONES of Washington, Mr. FERNALD, Mr. BINGHAM, Mr. FLETCHER, and Mr. RANSDELL as the conferees on the part of the Senate.

WATSON SUGAR CLAIM

Mr. KINCHELOE. Mr. Speaker, I have a point of order I desire to make to a portion of the bill.

The SPEAKER. The bill has not yet been reported. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to require the United States Sugar Equalization Board (Inc.) to adjust with Robert A. Watson, of South Orange, N. J., a certain transaction entered into and carried on by said Watson under the direction of the Department of Justice, which transaction involved the purchase in the Argentine Republic between the 11th day of June, 1920, and the 30th day of June, 1920, of 3,500 tons of Argentine refined sugar, the importation thereof into the United States, and the distribution of the same within the United States, and to require the said United States Sugar Equalization Board (Inc.) to liquidate and adjust the entire transaction in such manner as may be deemed by said board to be equitable and proper in the premises, paying to the said Watson such sums as may be found by said board to represent the actual loss sustained by him in said transaction, and for this purpose the President is authorized to vote or use the stock of the corporation held by him, or otherwise exercise or use his control over the said United States Sugar Equalization Board and its directors, and to continue the said corporation for such time as may be necessary to carry out the intention of this act.

Mr. KINCHELOE. Mr. Speaker, I make the point of order against that portion of the bill beginning on line 6, page 2, with the word "paying" after the word "premises," through the remainder of the bill. I do this upon the ground that the bill in effect is seeking to appropriate money. Paragraph 4 of Rule XXI, provides as follows:

No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time.

From the footnotes I read the following:

The term "appropriation" in the rule means the payment of funds from the Treasury.

* * * * * * *

Language reappropriating, making available, or diverting an appropriation or a portion of an appropriation already made for one purpose to another is not in order.

Now this bill seeks to authorize the President to direct the Sugar Equalization Board not only to settle with Watson, but after the settlement is made to pay him, of course, out of the sugar equalization fund, which, of course, if not all expended, will revert into the Treasury; and therefore it is in effect taking money out of the Treasury. On that I hold that the Committee on Agriculture under this rule has no right to authorize this appropriation or even authorize the President to direct the equalization board to make this settlement and then pay out of the equalization fund whatever amount may be due. I do not think the Committee on Agriculture has the power to do it under the rules of the House that I have just cited to the Speaker.

Mr. LEHLBACH. Mr. Speaker, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. LEHLBACH. It makes no appropriation out of the Treasury or reappropriation out of the Treasury. The Sugar Equalization Board is a stock corporation organized under the Government for certain purposes and having stock of its own. This bill authorizes the payment by the corporation of this claim out of its assets. The bill as drawn, providing for such payment, was referred by the House to the Committee on Agriculture and was reported by that committee.

Mr. KINCHELOE. The gentleman says it is not to be paid out of the Treasury. Where would the assets of this equalization board go when its affairs are wound up? Would it not be to the Treasury?

Mr. LEHLBACH. I might say for the information of the Chair or recall to the recollection of the Chair that there is a $30,000,000 profit, and this profit never came out of the Treasury.

The SPEAKER. The Chair would like to ask the gentleman this question: Was the same provision carried in the other bills?

Mr. LEHLBACH. Yes; it was.

Mr. KINCHELOE. I do not think the point of order was raised against them.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, adding further to what the gentleman from New Jersey [Mr. LEHLBACH] has said, I have a letter written within a few days from Assistant Secretary Winston, in which he says there has been recovered in the equalization board $30,000,000, and that they are holding back over $12,000,000 for the purpose of settling these claims. It certainly can not be said that this is an authorization of the payment of money out of the Treasury. This is like two other bills that have passed the House.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. CHINDBLOM. It seems the Sugar Equalization Board in this bill comes under the same category as the Panama Railroad Co., that being a corporation in which the United States owns all the stock, and it owns all the stock in this equalization board. Query: Could any money be paid either by the Panama Railroad Co. or the Sugar Equalization Board without authority from Congress?

Mr. LEHLBACH. Mr. Speaker, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. LEHLBACH. I think the statement of the gentleman answers the point of order, because the Panama Railroad Co. continually, in the ordinary course of business, makes payments that are not appropriated for by the Committee on Appropriations.

Mr. CHINDBLOM. I am asking it just to raise the question. It seems to me the two organizations are analogous.

The SPEAKER. It appears to the Chair that this money arises from the profits made by the corporation.

Mr. LEHLBACH. Certainly, Mr. Speaker; and as the gentleman from Nebraska [Mr. McLAUGHLIN] pointed out, the money by the direction of the Treasury itself remains an asset of the corporation for the express purposes of this bill.

The SPEAKER. And this payment would have no connection with the Treasury?

Mr. LEHLBACH. Certainly not.

The SPEAKER. The Chair overrules the point of order.

Mr. CONNALLY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONNALLY of Texas. Can the Chair base his ruling on anything except the record in the case?

The SPEAKER. The point of order is that this is an appropriation, and that the Committee on Agriculture has no authority to report an appropriation. The Chair does not think it is an appropriation or taking money from the Treasury of the United States.

Mr. CONNALLY of Texas. I understood the Chair that he was predicating his decision on assurances received by the gentleman from Nebraska [Mr. McLAUGHLIN] and the gentleman from New Jersey that the Treasury did decide that this money had not been put into the Treasury. The Chair, however, must take cognizance of the statute and the facts and

constructions in this case. According to the statutes, all the stock of this corporation is owned by the Government. According to the statute all this money is in the Treasury of the United States. It is not deposited in a bank.

The SPEAKER. This money is not a part of the Treasury funds. This money was made by the corporation in the ordinary transaction of business, and amounts, as the Chair understands, to about $30,000,000, which is owned by the corporation.

Mr. CONNALLY of Texas. The Chair can not, however, understand or assume anything that is not in the record. This money is now in the Treasury of the United States. It may be there to the credit of the Sugar Equalization Board, but it is physically in the Treasury, and it can not be withdrawn from the Treasury except as authorized by law; and, being in the Treasury, whenever you take it out of the Treasury you are making an appropriation of that money.

Mr. LEHLBACH. Mr. Speaker, in answer to the gentleman from Texas, he says the Chair is not in possession of the record. The gentleman from Nebraska [Mr. McLAUGHLIN] called attention to the record. The record in this instance is the books of the Treasury and the books of the corporation.

They show that this money belongs to and is in the possession of the corporation. Would the gentleman hold, in accordance with his argument, that the retirement fund, made up of contributions by the employees for the purpose of paying for their retirement, being in the physical possession of the Treasury, therefore belongs to the Treasury as its own funds? The mere presence of the money in the Treasury does not make it the property of the United States Government.

Mr. BLACK of Texas. On the point of order, Mr. Speaker, I wish to ask this question: If these funds are not the funds of the Government of the United States, why is it necessary for Congress to pass a law directing that this payment be made?

If those who manage the Sugar Equalization Board have the right to pay this claim, and if it is a meritorious claim, and if they think it ought to be paid, why is it necessary to come here and ask Congress to pass a law directing that it be paid? I can not see any difference between a bill of this sort, directing the Sugar Equalization Board to make this payment out of funds that evidently belong to the United States Government, and a bill directing the Secretary of the Treasury to make a payment out of funds not otherwise appropriated.

Mr. LEHLBACH. Will the gentleman yield?

Mr. BLACK of Texas. I will.

Mr. LEHLBACH. This corporation, the Sugar Equalization Board, was created by an act of Congress which circumscribed the powers and the functions and activities of the board. At the time that these functions were created by the act bringing the board into existence this situation was not anticipated, and consequently its general powers do not cover this specific situation. For that reason Congress has repeatedly—and is considering the same proposition in this instance—vested this specific power in the board, a power which is not covered in its general powers which, as I say, were circumscribed, and did not take this settlement into consideration.

Mr. BLACK of Texas. Let me ask the gentleman this question: Those funds, if they are not expended under resolutions of this kind, belong to the Government of the United States, do they not?

Mr. LEHLBACH. They do not belong to the Government of the United States as yet.

Mr. BLACK of Texas. Well, they in effect belong to the Government, and is there any difference in principle between directing the Sugar Equalization Board to make this payment out of these funds and directing the Secretary of the Treasury to make it out of funds not otherwise appropriated?

Mr. LEHLBACH. The funds do not belong to the Government until the Sugar Equalization Board goes into liquidation. At that time, under the law creating the board, the money is paid into the Treasury. Now, if the gentleman suggests that because this money may eventually belong to the Federal Government—admitting that at present it does not—and says in principle that is the same as appropriating money, he is discussing the merits of the proposition and not the point of order.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. BLACK of Texas. I yield.

Mr. McLAUGHLIN of Michigan. The Sugar Equalization Board has always had authority to consider and adjust these claims. This claim has been before the Sugar Equalization Board; they considered it altogether without merit and refused to pay it. This is one of three claims that came before the Committee on Agriculture two or three years ago and were given some consideration. One was by the American Trading Co., one was by a man named De Ronde, and this one. It was decided by the Committee on Agriculture that there was considerable merit to the American Trading Co.'s claim, and a bill was reported and put through the House providing for its adjustment. There was more doubt as to the merits of the De Ronde claim, and it finally slipped through the committee, but not on its merits—and I say that without reflection on the committee—but simply because the other one had gone through. It came here and was passed by the House by one majority. The President signed the American Trading Co. bill, but refused to sign the De Ronde bill, and it became a law without his signature. If he were other than the President of the United States, I presume Mr. De Ronde would have tried to mandamus him and compel him to submit the claim to the Sugar Equalization Board for adjustment, but a mandamus would not run against the President of the United States. Therefore Mr. De Ronde had no relief even after his bill was passed, and, as I understand it, he has gone into the courts now to try the case on its merits.

Now, I said the Sugar Equalization Board had considered these matters, and this is what happened: When they considered the American Trading Co. claim—the one that had the most merit in it—the board divided equally; therefore they could not make the adjustment, although Mr. Glasgow, who was the chairman of the board and its legal adviser, believed that the claim ought to be paid, but under the circumstances he said the only thing to do was to go to the Congress.

Now, Mr. Speaker, there is another thing in regard to the manner in which these bills were drawn.

Mr. LEHLBACH. Mr. Speaker, I make a point of order in order to make this inquiry: Has the Chair ruled on the point of order and are we now discussing the merits of this bill?

The SPEAKER. No. In view of some statements made by the gentleman from Texas [Mr. CONNALLY], the Chair has postponed his ruling.

Mr. LEHLBACH. All of this has nothing to do with the point of order.

The SPEAKER. The Chair would like to be enlightened on a question of fact. The Chair finds this language in the bill:

> The President is authorized—
>
> And so forth—
>
> and to continue the said corporation for such time as may be necessary to carry out the intention of this act.

Does that mean that this board is now a defunct organization?

Mr. LEHLBACH. No.

Mr. McLAUGHLIN of Michigan. They still have a legal existence, but they are not operating.

The SPEAKER. Are they such an organization that they have in their custody a sum of money out of which it is proposed to pay this claim? Is that a fact?

Mr. McLAUGHLIN of Michigan. They have in their custody a certain amount of money; yes.

The SPEAKER. If that be the fact, the Chair thinks that this is not an appropriation in the sense of its taking money out of the United States Treasury, and therefore overrules the point of order.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I rose primarily to say that the Sugar Equalization Board did have original jurisdiction and it has jurisdiction now to consider this claim. It has considered it and has refused it, and this is a direction of Congress to allow it.

The SPEAKER. That has nothing to do with the point of order raised by the gentleman from Kentucky. The Chair has now ruled upon the point of order, and the House automatically resolves itself into Committee of the Whole House on the state of the Union——

Mr. SUMMERS of Washington. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. SUMMERS of Washington. If this bill from the Committee on Agriculture is in order, would another bill restoring to the wheat farmers of the United States the $75,000,000 which was made by the United States Grain Corporation be in order?

The SPEAKER. The Chair does not consider that a proper point of order.

Mr. JONES. Mr. Speaker, a parliamentary inquiry. Will it be necessary to have an agreement about the time for general debate before going into committee?

The SPEAKER. No; the rules of Calendar Wednesday will obtain.

Mr. JONES. If more than our hour on the side is wanted, it will be necessary.

The SPEAKER. Yes.

Mr. CONNALLY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONNALLY of Texas. The Chair started to say that the House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of this bill. Why is that necessary?

The SPEAKER. That is necessary under the Calendar Wednesday rule. Where a bill is reported from the Union Calendar, the House must automatically resolve itself into the Committee of the Whole House on the state of the Union, with the further provision that there shall be not to exceed two hours of general debate.

Mr. CONNALLY of Texas. Is it not true the reason this bill is on the Union Calendar is that it carries a charge on the Treasury? Bills making appropriations or charging the Treasury or tax bills are the only ones required to be on the Union Calendar.

The SPEAKER. That may be true. The bill is on the Union Calendar as have other bills previously been on that calendar, and being on the Union Calendar the Chair has no recourse.

Mr. CONNALLY of Texas. The Chair ruled, however, when the point of order was made that this was a private bill, that it was not a private bill.

The SPEAKER. The Union Calendar also contains bills authorizing appropriations and not necessarily appropriation bills.

Mr. KINCHELOE. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. It is evident there is not a quorum present.

Mr. DARROW. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 72]

Aldrich	Flaherty	Linthicum	Stalker
Anthony	Frear	MacGregor	Stedman
Appleby	Fredericks	Magee, Pa.	Stevenson
Auf der Heide	Funk	Martin, Mass.	Strong, Pa.
Barkley	Gallivan	Mead	Sullivan
Britten	Golder	Michaelson	Swoope
Brumm	Gorman	Morehead	Thomas
Campbell	Graham	Morin	Tincher
Carter, Okla.	Green, Iowa	Nelson, Wis.	Treadway
Chapman	Griffin	Newton, Mo.	Updike
Christopherson	Harrison	O'Connell, N. Y.	Vaile
Cleary	Hawes	O'Connor, N. Y.	Vare
Connolly, Pa.	Irwin	Oliver, Ala.	Vinson, Ga.
Cooper, Ohio	Johnson, Ill.	Perkins	Welsh
Corning	Johnson, Ky.	Phillips	White, Me.
Davey	Kemp	Pou	Wilson, Miss.
Denison	Kendall	Quayle	Wood
Dickstein	Kiess	Ransley	Woodruff
Dominick	Kindred	Reed, N. Y.	Wyant
Doyle	Lampert	Sabath	Yates
Drewry	Lee, Ga.	Sears, Fla.	
Ellis	Lindsay	Sears, Nebr.	
Fish	Lineberger	Sproul, Ill.	

The SPEAKER. Three hundred and forty Members have answered "present"—a quorum.

Mr. DARROW. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 358) authorizing the President to require the United States Sugar Equalization Board (Inc.) to adjust a transaction relating to 3,500 tons of sugar imported from the Argentine Republic, with Mr. CHINDBLOM in the chair.

The Clerk read the title of the bill.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. KETCHAM]. I am for the bill, of course.

Mr. KETCHAM. Mr. Chairman and members of the committee, if I may have your attention for a few minutes I will try to set before you two or three vital things which I think ought to be considered in this case.

In the first place, I want to state who the representative of the United States Government was who figured in this case and with whom the agreements and arrangements were made by Mr. Watson, who is before the House with this claim.

From page 24 of the hearings that were held before the House Committee on Agriculture under date of January 6, 1925, and at which hearings appeared Arnold W. Riley, former special assistant to the Attorney General, I read this statement as to his own activity and his own relations to this claim.

Mr. Riley states that during the time of the war he was special assistant to the Attorney General in charge of the investigation and prosecution of violations of the Lever Act, the so-called profiteering act. As time went on ultimately to him was assigned the responsibility of looking after the distribution of sugar and the control of the sugar under the arrangement we had at that particular time. In this connection, Mr. Riley says:

> Ultimately, because of the fact that practically all the refineries were located in New York City, I opened a branch office in the post-office building in New York, in the early part of 1920. I spent most of my time there, although I still had my office in the Department of Justice in Washington and spent one or two days a week here.

Further, he says, speaking of conferences that were held between himself and various persons who desired to import sugar:

> At different times I had conferences with the representatives of the sugar industry. They attended a conference with the Attorney General in Washington, and he referred them to me in the future for matters in connection with sugar.

I think that will establish from Mr. Riley's own testimony the place he had in relation to all these matters that came into the discussion of this particular case. I think no one reading the testimony of Mr. Riley will dispute but that he was the final authority and spoke the last word so far as the Government was concerned in the case.

Now, so far as Mr. Watson is concerned, he is a man who for many years has been engaged in the general business of wholesaling sugar and probably other products. Those of you familiar with the situation will recall at that particular period after the close of the war the supply of sugar was limited, and you recall the outrageous height that the price of that commodity reached. In my section of the State I think it ran as high as 30 cents a pound in one or two instances. Of course, all the powers of the Government were used to skirmish around and find where there were world supplies of sugar and bring them in. But those interested in doing that particular thing, either from the standpoint of profit or otherwise, found themselves face to face with the provisions of the Lever Act, and so they came to the Department of Justice to see what arrangement might be made for the importation of sugar.

Mr. Watson was one of that number. He came and talked with the authorities here and they, as the letter indicated, referred him back to Mr. Riley, who had his headquarters in a Government building in New York. He conferred with Mr. Riley as to the terms and conditions under which he might be permitted to bring in and sell and to whom he might distribute 3,500 tons of sugar. After a little informal conversation going over the matter Mr. Watson goes back to his office and prepares the memorandum, incorporating in it the understanding he had reached with Mr. Riley, the representative of the Government. I want to read from a letter one sentence written to Mr. Riley:

> Some days ago this situation was fully discussed with your department in Washington, and the difficulties arising under the Lever Act seemed to be such as to make it inadvisable for me to pursue the matter further, but the great shortage of sugar in this country and the need to take measures to relieve the same has caused me to take up the matter anew with you in order to see if the transaction can be consummated. I am therefore laying the matter before you again for consideration, after an informal discussion with you to-day. I am prepared to do my best to carry the transaction through, provided your department will write me a letter giving its sanction to the importation of sugar from Argentina upon the following conditions:
>
> 1. Upon the basis of the present cost price to me of refined Argentine sugar, approximately 17¼ cents per pound c. i. f. American ports, I propose to market the sugar at not exceeding 20 cents per pound.
>
> 2. Should the cost price to me of refined Argentine sugar change, my sale price would increase or decrease proportionately, as the case may be, so that the sale price might be either greater or less than 20 cents per pound, dependent upon the cost price to me.
>
> 3. I agree to permit your office to designate the channels through which this sugar shall be distributed, provided that the ultimate purchasers satisfy me as to their financial standing and as to the terms of settlement.

Mr. BROWNE. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. I have only 10 minutes. Please get this point: To show the absolute fairness and the whole-hearted sincere desire of Mr. Watson to play square, later on he was informed that he might purchase this sugar at 1 cent a pound

less than the price quoted here, and he immediately said to those above him:

I will give the consumers the advantage of that 1 cent.

When he was not required to do so. I make that statement in absolute proof of his sincerity.

Mr. BROWNE. Mr. Chairman, I would like to ask a question on that particular point.

Mr. KETCHAM. I can not yield. Third, I want this condition to get into the minds of every member of the committee:

I agree to permit your office to designate the channels through which this sugar shall be distributed, provided that the ultimate purchasers satisfy me as to their financial standing and as to the terms of settlement.

I think, my friends, that that is a pretty fair agreement between the representative of the Department of Justice and the man who was attempting to relieve a very serious situation in the United States under these critical conditions.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield five minutes more to the gentleman from Michigan.

Mr. KETCHAM. Mr. Chairman, I might state that the date of this letter from which I have read was June 19, 1920. We do not need to depend upon any informal understanding between Mr. Riley and Mr. Watson, but we have this definite letter from Mr. Watson to Mr. Riley, and I want Members now to listen to Mr. Riley's reply, written under date of June 23, 1920:

DEPARTMENT OF JUSTICE,
Washington, D. C., June 23, 1920.

ROBERT A. WATSON, Esq.,
Care of the Nafra Co. (Inc.), 120 Broadway, New York.

DEAR MR. WATSON: This is to confirm our various conversations and in reply to your letters of June 19 and 23, 1920.

In view of the fact that the sugar requirements of the people of this country are in excess of the supply now available and in order to encourage the importation into this country of foreign sugars, you will be permitted to import the sugars mentioned upon the terms set forth in your said letters.

You are further informed that if you carry out the department's requirements as to price and distribution as so set forth, no prosecutions under the Lever Act, as amended, will arise therefrom.

Yours very truly,

ARMIN W. RILEY,
Special Assistant to the Attorney General.

If that does not make a fair and square case of an agreement between the authorized representative of the United States Government and the man who desires to carry out that contract in good faith, I do not know how to interpret the English language.

Mr. MADDEN. I was just going to ask the gentleman the question which he has answered, whether or not he considers that a contract.

Mr. KETCHAM. Not in a legal sense, and the committee is not bringing this before the House of Representatives upon the theory that there is a legal obligation, but we do bring it upon the high ground of right and justice and morality, the things that would bind you and me if we were entering into a sacred obligation of this kind. In order that you may know that this is carried out in good faith I want you to note just one other statement, and this is from a letter from a man named Boyd, who had been appointed as chairman of the Canners' Supply Co. (Inc.), which was the active governmental institution organized at the behest of Mr. Riley for the purpose of having directly in charge the distribution of this sugar.

Please note this very brief statement. This is a letter to Mr. Watson:

CANNERS SUPPLIES CO. (INC.),
New York, July 23, 1920.

Mr. WATSON, Esq.,
New York City.

DEAR SIR: Relative to the sale of one car lot of 60,000 to 80,000 pounds of Argentine grade A granulated refined sugar to F. B. Lovelace, of Poughkeepsie, N. Y., at 21 cents net per pound f. o. b. car New York, would advise that I have just written acknowledging this order, and in consideration of you reducing the price of this sugar to 19 cents net per pound f. o. b. New York, I have quoted a price to Mr. Lovelace of 20 cents per pound f. o. b. New York.

Will you kindly note this order on your books and oblige,

Very truly yours,

CANNERS SUPPLIES CO. (INC.),
By JAMES BOYD, *President.*

Here again is a Government representative speaking. I call attention to the fact that that Government representative takes down a profit of 1 cent per pound, if you please, to be put into the funds of this Sugar Equalization Board.

Mr. BROWNE. Will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. BROWNE. Does the gentleman mean to say that Mr. Watson paid 18 cents a pound down in Cuba for this sugar?

Mr. KETCHAM. Not in Cuba.

Mr. BROWNE. Is it not a fact that the producers of that sugar did not get over 5 cents a pound?

Mr. KETCHAM. This was produced in Argentina.

Mr. BROWNE. In Cuba or in Argentina.

Mr. KETCHAM. I am not able to say. I only know what he paid for it.

Mr. STEPHENS. Under what law or provision could this Government representative take 1 cent a pound?

Mr. KETCHAM. This was under those very extraordinary powers exercised during the time of the war.

Mr. STEPHENS. It went into the Government Treasury?

Mr. KETCHAM. It went into the pockets of the Sugar Equalization Board, and I may say now that there may be no question about whether or not that board now has any funds, I called the Treasury Department this morning and found that to the credit to the Sugar Equalization Board, and under that name, in the Treasury of the United States there is to-day $12,954,780.45, which represents what still remains of the profits from the transactions of that board.

Mr. STEPHENS. In what fund is that?

Mr. KETCHAM. In this particular fund in the Treasury to the credit of this board.

Mr. STEPHENS. Then it would be fair to take out of that fund enough money to pay Mr. Watson for his losses?

Mr. KETCHAM. What his losses were.

Mr. STEPHENS. Would that money that would come to Mr. Watson come out of that particular fund?

Mr. KETCHAM. It would. But it is money that is not yet in the Treasury of the United States, it is in charge, nominally, at least, I think we may say legally, of the United States Sugar Equalization Board. I, of course, do not want to attempt any legal discussion, but I can not forego the privilege of reading one sentence from the decision of Judge Morris, who had the De Ronde case before him, and who was the one who granted the injunction against the closing up the business of the Sugar Board of Equalization. In the course of that opinion, with reference to the De Ronde case, he made this statement:

Moreover, the plaintiff is, in my opinion, entitled to have the amount of his actual loss in the transaction ascertained and paid.

That was the judgment of the court, and it is interesting to note that in the decision of the United States court of appeals the decision of the district court granting that injunction was affirmed on August 10 of last year.

So, gentlemen of the committee, I may say this, and I think probably this statement ought to be made: The gentleman from Michigan [Mr. McLAUGHLIN] made a statement that this claim, together with others, had been considered and had been declared to be unworthy.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield to the gentleman one additional minute.

The CHAIRMAN. The gentleman from Michigan is recognized for one minute more.

Mr. KETCHAM. I think it is fair to say that this so-called Watson claim was not one of the claims to which reference was made by the gentleman from Michigan. Speaking for myself, I may say that having listened to the testimony, pro and con, I believe for myself that this claim is grounded in equity, and by all that is fair and square between men and men and between the Government and individual citizens, it seems to me that Mr. Watson is entitled to compensation. He lost every dollar that he had in the world in trying to meet competition.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. Yes.

Mr. STEPHENS. Was this bill introduced in the last House?

Mr. KETCHAM. Yes; it was.

Mr. STEPHENS. But never came up for consideration?

Mr. KETCHAM. No; it never came up for consideration.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. KINCHELOE. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, I regret that I am so busy this afternoon that I shall not be able to remain here to hear all of this debate; but I want to say now, once for all, no matter what may be said, that I am against this measure, and for extremely good reasons.

In my opinion it would not stand analysis. This is the third of these claims. I happen to know something about them from information obtained from Captain Lewis, who was himself in the Argentine at the time this game was attempted to be pulled off. In fact, at one time he was a party to it. He was an officer in the Boer War. I know him well. He formerly lived in my district; he is a citizen of the United States. The deal was too raw for him. He was to have made $150,000 for himself on one of these deals, and at one time they paid him, I believe, $50,000 or some similar sum, to get out of the way. They claimed he was in another employ on the side. Perhaps so. It was all wrong, I think. The whole game was to get more money by making an advance price in sugar. [Applause.]

I am speaking from memory as to the amounts in the Lewis end of it. Probably that Argentine sugar deal did not involve the particular sugar deal now under consideration, but as one was bad, I am afraid this one is bad. I have not had time lately to post myself as to the details, but other Argentine sugar claims were up here before. I have lots of information in my files. You remember one of these claims went through both branches of Congress and the President declined to sign it. One was called the De Ronde claim. You remember the De Ronde establishment down here, and how Members were to be run in, with entry. That stuff did not work then, and they do not try it now. If this claim is so good, or if any of these claims are so good, we have the Court of Claims where these various statements that are made might be adjudicated in a court. This could be sent there by special resolution.

This is a claim for $750,000. Why hurry? We have not even considered many much more legitimate war claims yet. Every Member of this Congress knows 15 places where we can spend that $750,000 much more profitably and properly than in the settlement of a very doubtful claim against this Government. We do not have to be in such a hurry to settle such doubtful claims. I hope you will not vote it through. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. KINCHELOE. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. JONES].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. JONES. Mr. Chairman, and gentlemen of the committee, I have opposed all of these sugar claims that have been presented to this House, because I believe, in the first place, the Department of Justice had no authority whatever to make any agreement with these importers of sugar, and in the next place, even if they had the authority, the circumstances were such that no payments whatever are due, even from the standpoint of good morals, from the Government to these various importers.

However, I want to say in connection with this claim that this gentleman, Mr. Watson, is more modest and fairer in the presentation of his claim than the claimants in any of the other cases that have been presented. He has asked for less than the others, and only for enough to cover his losses. In my judgment he is a gentleman, and was both frank and honest in his statements to the committee. However, inasmuch as my colleagues on the committee are prepared to discuss the details of this claim, I am not going to do so, but I shall discuss just a little of the history of another of these claims, to show you what a mistake Congress made when it went into the payment of the so-called sugar claims which this Congress has acted upon.

This gentleman, whose claim is before us for action to-day, paid 16 cents a pound for his sugar in the Argentine, and he says that the settlement on the basis of 19 cents will pay all the freight, his commission, his insurance and other such charges, and his loss, all totaling 3 cents a pound.

You will remember the famous old American Trading Co. case, which was the big case of this whole series of cases, and the one about which more fight was staged than any of the others, and the one that seemed to have more pull, and which passed this House by a big majority. In that case those men were the first of these importers of sugar. They bought the sugar at 13 or 14 cents.

This Congress allowed them a settlement on the basis of 21.3 cents, or 7.8 cents profit per pound. If this gentleman is asking no less than his losses, then the American Trading Co. and B. H. Howell & Co. got a profit from the settlement by the Congress of $1,396,000. We all felt at the time that it was a doubtful case and we had evidence that convinced us of that fact, but under a special rule we were allowed only a few minutes for debate, and no chance to fully present the facts. The bill was thus rushed through to a final conclusion. Later developments have proven conclusively that the American Trading Co. was making a profit out of deceiving the committee or undertaking to deceive it or the Congress as to that transaction. Since they secured the money, they have had a lawsuit, which I understand is still pending, if it has not been settled by the profiteers themselves, who fell out among themselves over the swag which the Congress gave them.

Not only that, but there is a man down in Buenos Aires who bought this sugar for the company. You remember the American Trading Co. had an organization down in Argentina, and they bought this sugar from themselves even at 13 and 14 cents a pound. This man is suing them down there for his proportion of the profits on the sugar he sold them or bought for them, which they sold to themselves and on which they took two systems of profit in coming before the Government of the United States. That is one of the series of sugar claims that has been presented to the committee, passed on to the House, and passed by the House.

Everyone is familiar with the fact that the Government by virtue of its action during and immediately following the war caused losses to a great many people. When wheat was $2.80 per bushel the Congress passed a law by virtue of which wheat was reduced from that figure to a point ranging from $1.80 to $2.20 per bushel, and men who had wheat in their granaries and men who had wheat in their elevators had the value of their property reduced in tremendous amounts, and could make a much better claim to the United States Government than any of these sugar claimants can make, even though you concede that they would, generally speaking, have a moral claim against the Government. But in keeping with the usual attitude of Representatives in talking for the farmer and acting against him and in favor of the other fellow the sugar claims are reported.

There are some more facts in connection with this American Trading Co. claim, which in my judgment was an outrage perpetrated against the United States Government. It developed that the men who were interested, the same ones who fought so valiantly for the claim of the American Trading Co., had tremendous sugar interests in the island of Cuba and elsewhere, and the same directors were interlocking directors in 14 different sugar companies owning plantations in Cuba.

They learned that the Government was going to try to devise some method or have some procedure by which the price of sugar might be made more reasonable, and they apparently conceived the idea of going to the Argentine Republic and getting control of available sugar there—and they pretty nearly succeeded in doing it—in the meantime feeding the sugar from their Cuban plantations to the market here. There was a great supply of sugar notwithstanding their claim of shortage. They knew that the available supply of sugar would break the market. They wanted to get control of the sugar situation. They bought the Argentine sugar, held it back, and did not bring it in for three months; in the meantime they brought in and fed their Cuban sugar to the market, and yet they asked the American Government to pay their losses on their Argentine sugar. It was a gigantic scheme and, in a large measure, has succeeded. It is sad to note that they succeeded in getting the amount of those other claims out of the Congress of the United States.

Mr. McLAUGHLIN of Nebraska. Will the gentleman yield?

Mr. JONES. Yes.

Mr. McLAUGHLIN of Nebraska. In this gigantic scheme of defrauding that the gentleman speaks of, does he mean that the Department of Justice at that time was a party to it?

Mr. JONES. I do not mean that the Department of Justice was a party to it, although I think there were some men connected with the Department of Justice who are not wholly free from blame. But I am not going to discuss the individuals who might be connected with the department or others. I am saying there was a combination of these interests by which they not only did what I said but did one other thing. These sugar people, representing these sugar companies, after they had gotten these contracts tied up in the Argentine, and having control of an abundant supply of sugar in Cuba through their plantations and through other supplies in those islands, went out over the United States, when sugar was 26 and 27 cents a pound—now, mind you, they were telling the Government officials and others that there was a shortage of sugar, and were telling a lot of people in the United States that there

was a shortage of sugar—and told them, "You had better buy sugar now; contract for it now." So they contracted over a period months in advance with various retail dealers all over the South and West and in a great many sections of the North and East; they contracted to furnish them sugar, for a six months' supply or a year's supply, at 24 cents per pound. They evidently must have known that sugar was going down when sugar was selling at 26 and 27 cents a pound; otherwise they would not have gone out and contracted to furnish it for 24 cents a pound. They would not have done that if they had not had possession of information which would lead them to believe or know that sugar was going down.

But they got those big contracts. Sugar went down when the big supply came in. They could not keep it out forever. It went down to 8, 10, and 12 cents per pound. Then they sued these individual owners and merchants throughout the United States and made many of them comply with their contracts to buy sugar at 24 cents a pound. That is another side light in their scheme, which succeeded in a great many instances.

Mr. FORT. Will the gentleman yield?

Mr. JONES. Yes.

Mr. FORT. Do I understand the gentleman thinks that Mr. Watson was a party to this conspiracy?

Mr. JONES. No. I do not say that Mr. Watson was; rather I think he was the victim of it; but he was a sugar dealer of 25 years' experience. However, he was in no way connected with the case I am talking about. I want to make that clear. He not only was not connected with it, but I do not believe he would have engaged in such a plan.

Mr. FORT. I think the record shows that this is the only transaction in sugar that Mr. Watson ever had.

Mr. JONES. That may be; but he was in the importing business for 25 years.

Mr. FORT. He was an importer, but he did not deal in sugar.

Mr. JONES. I do not recall whether he handled sugar or not. The gentleman may be correct about that, and I thank him for his statement of correction. But he had been in the importing business for 25 years, and it seems to me that a man engaged in the importing business on a great scale should have known what he was doing. He went to the Government to get in on this thing; the Government did not come to him. That is shown in the hearings on page 26, and it does not seem to me he should have relief unless we are going into payment of all the farmers' claims or losses relative to war activities. While I am more favorably inclined toward his claim than any of these other claims I really do not think the Government is bound, either morally or legally, by any of the claims.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. JONES. Yes.

Mr. JOHNSON of Texas. The gentleman from Michigan read a letter from Armin W. Riley, Special Assistant Attorney General, addressed to Mr. Watson.

Mr. JONES. Well, it is agreed in that letter not to prosecute him under the Lever Act. We are not passing on whether or not he is going to be prosecuted under the Lever Act. I would vote to-day not to prosecute him under the Lever Act, and I suppose all of my colleagues would vote the same way. But this is not a case of prosecuting under the Lever Act.

This is a case of paying losses which were sustained by him, and I say that any man who is fair and who has the instincts of justice in his heart and would vote for this kind of a claim should also vote to repay the wheat men, the elevator men, the wheat owners, and wheat growers for the losses which were occasioned by the action of the Government, and which was a legal action during the war and which furnishes a far more just basis for complaint than any one of these claims.

Mr. JOHNSON of Texas. Assuming the Government was bound with reference to this agreement not to prosecute under the antitrust law——

Mr. JONES. I do not like to assume that, but I will assume it for the purpose of the question.

Mr. JOHNSON of Texas. Assuming that to be the fact, which I doubt, would it result that the Government would be either legally or morally bound for any losses that might occur on a contract between these individuals?

Mr. JONES. I do not think so. As a matter of fact, even the claimants themselves admit there could be no legal claim, because there was no legal authority in the Department of Justice to make these so-called contracts. The claimants themselves and their attorneys and those who testified for them universally admitted there was no legal claim and could be no legal claim because of the lack of authority to make a binding agreement, and thus any attempt to do so would be an ultra vires contract. However, that, of course, should not keep us from paying a claim if it is a just one.

Mr. KETCHAM and Mr. LAGUARDIA rose.

Mr. JONES. I yield first to the gentleman from Michigan.

Mr. KETCHAM. Referring to this very matter, will not the gentleman concede that if Mr. Watson had had a free hand to make contracts before the arrival of his sugar there would not have been any loss.

Mr. JONES. But the very letter the gentleman read showed him in advance that he would have to comply with certain regulations in order to have the privilege of bringing in this sugar, and the gentleman's own letter shows he knew that before he ever bought a pound of sugar.

Mr. KETCHAM. Will the gentleman yield further?

Mr. JONES. Yes.

Mr. KETCHAM. Did not the text of that letter prescribe the price at which he would have to sell and the distribution that would have to be made?

Mr. JONES. It only prescribed that he could not sell at above 20 cents a pound, and that he knew also before he bought the sugar.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. JONES. Yes.

Mr. LAGUARDIA. As I recall the Lever Act, the only provision of that act under which he might have been prosecuted is the one with respect to profiteering?

Mr. JONES. Yes.

Mr. LAGUARDIA. So the Attorney General permitted him to profiteer, as they say, in order to break the price of sugar at 20 cents a pound.

Mr. JONES. That is a matter of opinion.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Chairman, I do not intend to rehearse all the details of this transaction, but I do want to advert to some of the statements that have heretofore been made with respect to this particular claim.

The gentleman from Washington [Mr. JOHNSON] referred to a Captain Lewis, whoever he may be, apparently a soldier of fortune who fought in the Boer war, but when his own country was at war was down in Argentina; who claims that with respect to this case, as the gentleman from Washington says, he was supposed to have a profit and was offered $150,000, or something of that sort, in connection with this transaction.

I do not know who this Lewis may be, but I can say that Watson bought this sugar in the Argentine for the purpose of carrying out an agreement with the United States Government to bring this sugar to the United States and sell it at a profit to himself of 1¼ cents per pound, and before he had that sugar loaded on a vessel in the Argentine the price of sugar in the Argentine went to 23 cents. He could have sold every pound of that sugar in the Argentine at a profit of 7 cents a pound. Now, why was he paying or offering to pay anybody $150,000 for the privilege of bringing that sugar here and taking all the risks in connection with bringing it to the United States and then selling it at a cent and a quarter profit instead of selling it at a profit of 7 cents a pound in the Argentine? There was no Lever Act in the Argentine. He could have sold it for any price he wanted. Why did he not do that? Because he had entered into an agreement as an American citizen with his country to perform a service for his country, and no money could tempt him to swerve from that purpose or from rendering that service. [Applause.]

Buying Cuban sugar, holding back the Argentine sugar, and making a profit on Cuban sugar? Not Watson, because when this transaction was finished there was no profit on Cuban sugar to fall back on, because Watson was stone broke as a result of the transaction.

No agreement? There is no contract which under the statutes can be enforced against the Government of the United States or against the Sugar Equalization Board; but if the same arrangement that the representatives of the Department of Justice entered into with Watson had been made by a private citizen, of course there is a contract and of course there is an enforcible agreement.

The agreement was that Watson should purchase this Argentine sugar, should finance the transaction, should bring it to New York, should pay the customs duties, and then sell it to such buyers of sugar as the Department of Justice designated and to no others, he to make a cent and a quarter per pound profit on the transaction, and the Sugar Equalization Board to make 1 cent a pound profit on the transaction—a joint under-

taking under an enforcible agreement against anybody in the world except the Government of the United States.

Mr. OLIVER of New York. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. OLIVER of New York. What was the Sugar Equalization Board? I do not happen to recall now.

Mr. LEHLBACH. It was a corporation created under a war act for the purpose of enforcing the Lever Act, and for the purpose of securing an equitable distribution of sugar at reasonable prices and to prevent profiteering in sugar. It was a stock company, all the stock of which was owned by the President of the United States. Let me say in this connection that in these undertakings which the Sugar Equalization Board and its agency, the Canners Supplies Co., directed by the Department of Justice, entered into, the result was they broke the price of sugar from 27 cents a pound to 5 cents a pound, and they saved the consumers of the United States $1,000,000,000 in the cost of sugar, and they turned into the Treasury a profit on their part of the transaction of $30,000,000, and they are still holding back over $12,000,000 of this profit in order to settle this and similar claims. As a result of the joint transaction, while the Sugar Equalization Board made vast profits, they broke this man, and now there is the suggestion that there is no moral or legal obligation; that there is no inherent equity and justice to say that out of these inordinate profits that the Government, through the Sugar Equalization Board, made on the transactions, this man should not be made whole, when his entire loss was due to the fact he lived up to the letter and the spirit of his contract with the Government in every particular.

Mr. LOZIER. Will the gentleman yield?

Mr. LEHLBACH. I will.

Mr. LOZIER. Does the gentleman contend that there was any agreement on the part of the Government to stabilize and hold the price of sugar at a definite point or to underwrite Mr. Watson against loss on that speculative investment?

Mr. LEHLBACH. This is what the Government undertook to do. The Government undertook to furnish Mr. Watson with a list of buyers of sugar to whom he was to transfer this sugar at a profit to himself of a cent and a quarter and a profit to the Government of 1 cent. Mr. Watson could have sold the sugar at a profit of 7 cents and could have entered into contracts at a much greater profit with buyers in the United States, but refrained under his agreement to sell the sugar to such buyers as the Government designated. He preferred to live up to his agreement with the Government in order to sell to buyers whom the Government might dictate, in order that the sugar might go where it was most needed, and although he importuned the department to tell him where the sugar should go they held back until sugar was 5 cents a pound and he was broke.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. LAGUARDIA. If Watson had a contract with this corporation and agreed to give the corporation a profit of 1 cent that they might furnish him with a list of buyers, why can not he sue the corporation?

Mr. LEHLBACH. Because this corporation is a quasi public corporation, the stock of which is held by the President of the United States and the agreement in behalf of the corporation was made by a special Attorney General, and the statute prescribes what kind of contracts and in what form the contracts must be entered into by an official of the Government with a private person. If this contract was made with a private concern instead of the Government, of course, it would be enforcible in law and could be collected.

Mr. UNDERHILL. The Court of Claims can adjust claims under a contract whether they be quasi contracts or not, can they not?

Mr. LEHLBACH. My understanding is that the jurisdiction of the Court of Claims extends only to claims against the Government of the United States. Now, technically the Sugar Equalization Board being a corporation under a special act of Congress, the jurisdiction of the Court of Claims does not extend—I have not examined the question very thoroughly, but I am informed that that is a fact by gentlemen who have studied it.

Mr. UNDERHILL. It extends to any subdivision under the Government as well.

Mr. LEHLBACH. Not to corporations.

Mr. UNDERHILL. An act of Congress could be had authorizing the taking of this case before the Court of Claims, could it not?

Mr. LEHLBACH. We are simply authorizing the Equalization Board to adjudicate it.

Mr. UNDERHILL. We are directing them to do it.

Mr. LEHLBACH. This Sugar Equalization Board is as competent to adjudicate it as is the Court of Claims, and more so.

Mr. TINCHER. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. TINCHER. The facts are that at the time the transaction was had between the Department of Justice and Mr. Watson the executive heads of the Government had undertaken to break the price of sugar without reference to the Sugar Equalization Board. It ignored the equalization board and undertook to break the price of sugar.

Mr. LEHLBACH. The functions of the various departments at that time were scrambled and mingled together and there was no clear demarcation of the bounds of jurisdiction by reason of the chaotic condition of things at that time.

Mr. OLIVER of New York. The gentleman says that the sugar board was to have a part of the profits of this transaction. The committee report does not show that.

Mr. LEHLBACH. A letter in the hearings regarding the price quoted by Mr. Watson to the Canner's Supply Co., which was another Government corporation, shows that. I will read the letter. It is as follows:

CANNERS SUPPLIES CO. (INC.),
New York, July 23, 1920.

Mr. WATSON, Esq.,
New York City.

DEAR SIR: Relative to the sale of 1 car lot of 60,000 to 80,000 pounds of Argentine grade A granulated refined sugar to F. B. Lovelace, of Poughkeepsie, N. Y., at 21 cents net per pound f. o. b. car New York, would advise that I have just written acknowledging this order, and in consideration of you reducing the price of this sugar to 19 cents net per pound f. o. b. New York, I have quoted a price to Mr. Lovelace of 20 cents per pound f. o. b. New York.

Will you kindly note this order on your books and oblige,

Very truly yours,

CANNERS SUPPLIES CO. (INC.),
By JAMES BOYD, *President.*

The buyers who were to be designated were to pay 1 cent more than Mr. Watson stated to the Government, so that the result was that in the sale of the sugar to be marketed under the joint partnership Mr. Watson was to profit 1¼ cents a pound and the Government profit 1 cent a pound.

Mr. BYRNS. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. BYRNS. I understand this claim arises in this way: The trading company, or Mr. Watson, wanted to buy sugar and bring it into the United States at a profit. It was the question of profit with him and not a question of serving the public.

Mr. LEHLBACH. I will say that Mr. Watson has been an exporter and an importer for 25 years, and he never engaged in a sugar transaction in his experience until this one, and he went into this doing what he was requested to do.

The testimony in some of the other cases shows that meetings were called by the Attorney General, Mr. Palmer, of various exporters and importers. They met here in Washington, and they were urged to import sugar as a patriotic duty.

Mr. BYRNS. But when you get down to rock bottom, are not the facts these, that Mr. Watson saw an opportunity to make some profit on importing sugar from Argentina into this country, and thereupon requested the Department of Justice to give him permission to bring that sugar in here and to make sales of it, and the Department of Justice complied with his request and told him he could bring that sugar into this country under certain conditions and requirements. After he had bought the sugar in the Argentine, the gentleman says that he could have sold it there for a profit of 7 cents; but Mr. Watson did not know that when he was making overtures to the Department of Justice for permission to bring that sugar in. Under those circumstances, the sugar having been brought in here, Mr. Watson having understood the terms and requirements upon which he could bring it in here, the price of sugar having gone down and he having made a loss, why should the people of the United States be taxed because he failed to make his profit and suffered a loss?

Mr. LEHLBACH. For two reasons. In the first place, the gentleman states the facts, but he inverts them. The initiative was not taken by Mr. Watson asking the Government for permission. The initiative was taken, and every Government witness has so testified, by the Department of Justice approaching the importers and asking them to bring in sugar. The second answer is that Mr. Watson had plenty of opportunity when that sugar came into his possession and while in transit from Argentina to New York to sell it at a profit at the price limited by the Government, but according to a further agreement with

the Government he withheld it from sale in order to await the designation of buyers by the Government.

Mr. BYRNS. The report of the committee shows, as I read it, that Mr. Watson's testimony was that during the shortage of 1920 he consulted with the Department of Justice, to whom he stated he had made an arrangement to import this sugar.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield the gentleman two minutes more.

Mr. LEHLBACH. I just want to say one word with regard to the wording of the letter to which reference has been made:

> You are further informed that if you carry out the department's requirements as to the price and distribution as so set forth, no prosecutions under the Lever Act, as amended, will arise therefrom.

The impression is sought to be conveyed that that was all of the agreement there was. Let me call your attention to the fact that that letter was not written in the department, was not written by Mr. Watson, but was written by an attorney in a bank to meet a situation which Mr. Watson had to meet. It was meeting the proposition that they might run foul of the Lever Act. The letter is not inclusive of the entire understanding, whatsoever.

Mr. LOZIER. Is it not true from the letter of Mr. Watson of June 19 that the correspondence was initiated solely with a view of ascertaining the attitude of the Government under the Lever Act in case he imported the sugar?

Mr. LEHLBACH. No; that is not the fact.

Mr. KINCHELOE. Mr. Chairman, I yield 12 minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is one of a number of claims brought to the attention of the Committee on Agriculture several years ago, to which as a member of that committee I gave a great deal of attention. This claim has been compared to the claim of the American Trading Co. In explaining why it is not the same, not at all similar, I shall be as brief as possible. The American Trading Co. was employed as the purchasing agent of the Government by agreement between the State Department and the Department of Justice, representing our Government, and the company. The records of both departments are loaded with letters passing between them and the United States ambassador at Buenos Aires, in which they speak of the American Trading Co. as "our purchasing agent," and after the sugar was purchased down there there was some question about it, and the settlement of it was taken up directly by our ambassador with the authorities at Buenos Aires. It was dealt with in correspondence and otherwise by the American ambassador and the American Secretary of State in his letters as "our sugar," the "Government's sugar." Other claimants tried to get in under the same tent with the American Trading Co., so we went to the office of the Secretary of State to see this correspondence and examine his records. I was the chairman of the subcommittee. With me were Mr. Jacoway, of Arkansas, and Mr. Ward, of New York. We saw every paper, and besides we have a letter over the signature of the Secretary of State, Mr. Charles E. Hughes, in which he says that the American Trading Co. was the sole company with which the Government of the United States ever had any such relations as to sugar or any arrangement under which the Government assumed any obligation whatever.

It is said that this claimant made an arrangement with Mr. Riley. What did Mr. Riley do?

Mr. LEHLBACH. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I have not the time. I am sorry. What did Mr. Riley do? The Sugar Equalization Board had been organized to function for six months. It had got through. The six months had expired.

In a way it turned over its duties, responsibilities, and authority, properly or not, to the Department of Justice, and Mr. Riley was an employee of the Department of Justice. He undertook to take up their work, and the correspondence between him and Mr. Watson was in that capacity, so far as Mr. Riley was concerned. Here is what Mr. Riley says he imposed upon Mr. Watson:

> 1. That you keep within what I thought then was a reasonable margin of profit.
> 2. That you sell to essential industries.

Gentlemen will remember that the department was controlling those essential products, controlling their use, and in a way controlling the price against profiteering. As to the arrangement between Mr. Riley and Mr. Watson when this sugar came in. When Mr. Riley was a witness he testified as follows:

> Mr. VOIGHT. And did you attempt to give any direction as to the disposition of that sugar?
> Mr. RILEY. On its arrival?
> Mr. VOIGHT. Yes, sir.
> Mr. RILEY. No, sir.
> Mr. McLAUGHLIN of Nebraska. You did in some cases, didn't you?
> Mr. RILEY. That was before it arrived.

They were prepared to direct this sugar into essential channels—those that most needed the sugar—for the welfare of the country. He says:

> That was before it arrived. You see, after it arrived the price was so much in excess of what the market was that it was out of the question for me to do anything, because nobody would pay anything. These names that I had of men who required sugar—they would not undertake to take the sugar at any price, particularly above the market.

Here was the effort of Mr. Watson that has been referred to so often, and which has been stressed so much, that he asked Mr. Riley to give him the names of purchasers. Riley says he learned that Mr. Watson was clamoring for the names of those to whom he might sell sugar. Mr. Riley says:

> I told them it was impossible for me to get anybody to take the sugar at those prices. The market was demoralized at that time.

Why was it demoralized? Because incorrect and misleading newspaper reports came to and were published in the United States as to the amount of sugar available in Argentina and the amount that was arranged for to come into this country. When that news was spread abroad in this country the bottom dropped out of the price of sugar, and the price went down, almost if not quite, to 5 cents, when it had been up almost to 30 cents. That is why Mr. Watson would not sell in Argentina when he had a chance to make a large profit.

Mr. LEHLBACH. Was not his contract limited to a profit of a cent and a quarter a pound?

Mr. McLAUGHLIN of Michigan. His opportunity for profit in this country was satisfactory to him, anyway; and he did not care to sell in Argentina. There was no contract or understanding, no obligation on him to bring his sugar to this country against his own interest, or, if he wished, to sell in Argentina. That is the same thing that the American Trading Co. said. That is the same thing that De Ronde said; the same thing that Watson said.

This matter was settled four or five years ago when this man, Watson, had not the nerve to assert his claim. It had no merit and, besides, there were at that time men in the departments, familiar with all facts and circumstances, able to inform and advise the Congress. Now he takes the record of other cases and picks out this and that and the other fact that seems to be favorable to him and makes up the record himself.

This report of the committee is made up of two matters: One is Mr. Watson's statement, solely his statement, in which he puts his own construction upon the correspondence between him and Riley and his own understanding of the conversation between him and Riley, which he assumes to quote five years after the conversations were held; and the only other thing contained in the committee's report is a letter from Mr. Riley directed to Mr. Watson, in which he says:

> If you follow our directions you will be permitted to bring in the sugar.

Now, his directions were simply that there should be no profiteering, it being the duty of the Department of Justice to prevent profiteering and extortion, and that the sugar should go to the essential industries, it being important and absolutely necessary so to distribute available sugar that there might be no monopoly or waste, so that it might reach needy and deserving hands. That is all there was to it. There was no obligation, legal or moral, assumed by our Government to insure Watson or anyone else a profit on sugar, no obligation to insure him purchasers except at prices prevailing at the time his sugar reached this country; and, as we know, when his sugar did reach this country the sugar market had broken and no one would buy at his prices or so as to save him from loss.

I have been in this House, Mr. Chairman, a long time and have often differed from officials of the Government as to the moral obligations of the Government, and have often been displeased—very, very much displeased—at the attitude of many of them in refusing to recognize moral obligations. I believe sincerely from my heart that it ought to be impossible for

the Government of the United States to do a wrong or mean thing; but the attitude of many of the departments in refusing to recognize moral obligations is, in my judgment, most reprehensible.

I believe in the recognition by our Government of every moral obligation, but I insist that there is not even a moral obligation in this case, and nobody went into these claims more deeply than I did at the time they were presented, when facts and records were fresh. As chairman of the subcommittee, I went through the papers in the State Department, had copies of them made and filed with the Committee on Agriculture. In all papers so examined, everything in the departments, we found nothing to justify this claim. The only one that I judged should be considered favorably was that of the American Trading Co., and the men composing that organization, we are told, are now quarreling among themselves about the division of the money they obtained from the Government.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. KETCHAM. The gentleman stated that nothing appears in the hearing except certain statements of Mr. Watson. The gentleman evidently has not seen the hearings that were held a year ago, in which all these matters were thoroughly threshed out. Several complete hearings were held, with the testimony of several witnesses.

Mr. McLAUGHLIN of Michigan. I said there is nothing more in the committee's report on this bill. I have seen the hearings, including the statement of Mr. Watson, which I do not accept at face value. I have also seen the statement of Mr. Riley, which upholds exactly the position I now take. He was trying to enforce the pure food law, and he assured Mr. Watson that there would be no prosecution if he kept within the law. But taking the statements of Mr. Watson at one time and another, I am not willing to accept them without corroborative testimony, and I do not find it. Corroboration is altogether lacking.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, will the gentleman from Kentucky [Mr. KINCHELOE] use some of his time?

Mr. KINCHELOE. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Kentucky has 30 minutes remaining, and the gentleman from Nebraska has 25 minutes.

Mr. KINCHELOE. Mr. Chairman, I think there ought to be a quorum here. I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and three gentlemen are present—a quorum.

Mr. KINCHELOE. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr BLACK].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BLACK of Texas. Mr. Chairman, if I believed the Government of the United States was under any contract of any kind to make Mr. Watson whole in this transaction, of course, I would vote for this bill. Anyone who reads the hearings is bound to sympathize with Mr. Watson in his loss on this transaction. I happen to know of a great many wholesale grocers in this country who lost very large amounts on sugar which they had on hand at the time this price decline took place. Many of them had paid from 22 to 24 cents a pound for this sugar and suffered losses all the way from $8 to $10 per 100 pounds on it before they were finally able to liquidate. In other words, they had to follow the market on down until the sugar was disposed of. I happen to be connected with a wholesale grocery business in a small way and I know that for nearly a year after that price decline began it was impossible to handle sugar without a loss. You would buy a car to-day at the market price and before you could possibly dispose of it the market had declined to levels where you were bound to lose, and for more than a year, or nearly a year, after this price decline began it was absolutely impossible to handle sugar without a loss. Everybody knows that who is familiar with the business.

But that was not true as to sugar alone. It was true as to cotton, as to wheat, and as to meat products. Probably some of you gentlemen who are not familiar with the cotton situation will be amazed when I tell you that within a period of a very few months raw cotton declined from 40 cents a pound to 12 cents a pound, a decline of 28 cents a pound. Now, what happened by reason of these tremendous declines? Many bankers, many business men, and many farmers were wiped off the board, financially speaking, just like Mr. Watson was wiped off the board. But I have not heard anybody proposing that the Government step in and make good their losses.

This tremendous decline has been attributed to many causes. Some have said it was due to a deflation policy of the Federal Reserve Board; some have said it was due to the exhaustion of European credit in the United States in the middle of 1920; while others have said it was due to a buyers' strike, when the public refused any longer to buy at these high prices. Take sugar, for example. The public had seen it go on up from 20 cents to 21, to 22, to 23, to 24, and to 25 cents; then they stopped and said, "We will not buy." It reminds me of a story I used to hear on Governor Hogg, of my State. He went over to the city of London on a visit. He went into one of hotels there and met the tipping nuisance on every hand. He had to tip the bellboy; he had to tip the waiter; he had to tip the hotel clerk, and everybody else around the hotel. Finally he went up to his room and went to the basin to wash his face and hands, and right above the basin was a sign, "Tip the basin." He said, "By Gattlings I will not do it; I am getting tired of this tipping nuisance." [Laughter.] The American public had gotten tired of piling on one price advance after the other, and the buyers' strike as much as anything else brought about this precipitate decline in sugar, and before Mr. Watson could get from under he was a broke man. His situation is not different in that respect from many others, though of course I greatly sympathize with it.

Is there anything in these hearings to show that the Department of Justice agreed to buy 10,000 tons, or any part of 10,000 tons, of sugar from Mr. Watson? No. Nobody will contend that. Is there anything in this record that shows that any officials on the part of the Government guaranteed or undertook to guarantee that Mr. Watson would receive any particular price for this sugar? I can not find it. I have looked in vain for any guaranty of that kind.

Mr. McLAUGHLIN of Nebraska. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. McLAUGHLIN of Nebraska. The gentleman will recall that when the other cases of this kind were up the fact was brought out very clearly to the House, as is the case here, that at the time sugar was 27 to 30 cents a pound, and the Government was doing its best to break the price of sugar in the interest of the American public, that nobody thought of a loss, not even the Government itself.

Mr. BLACK of Texas. Oh, no; they were not thinking of a loss. Everybody thought these high prices would remain until they could get from under, and that was why so many went broke.

Mr. JONES. They were thinking of the profits.

Mr. BLACK of Texas. Let me tell you this: Mr. Watson was thinking of making 2½ cents a pound.

Mr. McLAUGHLIN of Nebraska. No; 1¼.

Mr. BLACK of Texas. Well, there was a spread; he was allowed a spread from 17½ cents to 20 cents.

Mr. McLAUGHLIN of Nebraska. And the other party got the 1 cent; the Government got that.

Mr. BLACK of Texas. I will convince the gentleman he is incorrect about that in a moment. But here is what he was thinking of. Ten thousand tons of sugar made 20,000,000 pounds, and even at 1 cent a pound profit, if I calculate correctly, it would be about $200,000. Reasonable profits were legitimate and I do not complain about Mr. Watson expecting to make a profit.

Now, let us take Mr. Watson's statement, his own statement, and see whether the Government is either legally or morally bound to pay this claim. Here is his statement, writing to Mr. Riley, of the Department of Justice. He says:

I am prepared to do my best to carry the transaction through, provided your department will write me a letter giving its sanction to the importation of sugar from Argentina upon the following conditions.

Now, listen:

1. Upon the basis of the present cost price to me of refined Argentine sugar, approximately 17¼ cents per pound c. i. f. American ports, I propose to market the sugar at not exceeding 20 cents per pound.

Which would be a spread of 2½ cents, which, by the way, is a pretty good spread on sugar.

2. Should the cost price to me of refined Argentine sugar change, the sale price to me would increase or decrease proportionately, as the case may be, so that the sale price might be either greater or less than 20 cents per pound, dependent upon the cost price to me.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KINCHELOE. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BLACK of Texas (reading further)—

3. I agree to permit your office to designate the channels through which this sugar shall be distributed, provided that the ultimate purchasers satisfy me as to their financial standing, and as to the terms of settlement.

There was no difference in principle in this agreement than the license that was granted to all the wholesale grocers of the country. Every wholesale grocer, before he could sell a pound of sugar, had to get a license and bind himself that he would not make a larger profit than 1 cent a pound. That was all right. That was high enough and that is all they ought to have had, but the Government did not guarantee that they would not suffer a loss, and, as a matter of fact, as I said a while ago, many wholesale grocers of the United States lost as high as from $8 to $10 and $12 on a sack of sugar.

Mr. FORT. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. FORT. In the first place, the gentleman understands that the phrase "17¼ cents per pound c. i. f. in New York" means unloaded?

Mr. BLACK of Texas. Yes.

Mr. FORT. On board ship. Therefore, the 2½ cents spread the gentleman speaks about is not after the sugar is landed but while it is on board ship.

Mr. BLACK of Texas. I would like to conclude and I have just one word more to say.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BLACK of Texas. I merely want to add in conclusion that if the Government is not to make good the loss which thousands of citizens suffered by reason of the heavy price decline, then I do not see why Mr. Watson and a few others should be singled out for preferential treatment. Therefore, I shall feel compelled to vote against the bill.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman and gentlemen of the committee, I hope I may have your careful attention. I realize there are not many votes influenced by debate in the House, but this is a matter which I have gone into very thoroughly, and we are going to decide very soon whether we will authorize the Sugar Equalization Board to adjust the losses of an individual, not a corporation, but a single individual, who was induced to import sugar for the purpose of breaking the market in this country when sugar was high. This man went into the proposition and as a result of the break in the market, which the Department of Justice wanted to bring about, he has lost everything, all of his life's savings, and is out of business. His home has been mortgaged and has been sold for taxes. He has nothing left at all, and he is a man who has reached that age in life when it is impossible for him to start over. That is the reason, gentlemen, I am serious about this matter.

My friend, the gentleman from Michigan [Mr. McLAUGHLIN], attempted to explain to you that the American Trading Co.'s claim was the only just claim in connection with these importations. The only difference in the world between the American Trading Co.'s claim and this claim and the other claim that was passed by Congress is this: After going to the Department of Justice, the same as these other gentlemen did, and after having agreed with the Department of Justice to bring in this sugar, Mr. Franklin, of the American Trading Co., then went to the Department of State to try to make arrangements with them to keep from depositing the proportion of pelee sugar, as it was called, that it was necessary to deposit in the Argentine before sugar could be exported from the Argentine. After a series of negotiations, the Department of State did arrange it so the American Trading Co. would not have to expend the money to deposit that pelee sugar. Every other person who went into this proposition had to go down in his pocket and pay his money and put up this pelee sugar because they did not go to the State Department.

Mr. LEHLBACH. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. LEHLBACH. If Mr. Watson had gone to the State Department, would not that department have made the same representations in his behalf?

Mr. McLAUGHLIN of Nebraska. Absolutely. That is the only difference between the claim the gentleman from Michigan refers to and the Watson claim.

Gentlemen, I want to call your attention for a moment to the history of this Watson claim. The gentleman from Michigan said that this is one of the claims that came up years ago. The gentleman from Michigan told me three days ago when I handed him the report on this matter that he had never heard of the claim before, and asked what it was. That is true, because the claim did not come up until after the gentleman was off of our committee and was on the Ways and Means Committee.

This Watson claim was twice reported unanimously by the Senate Committee on Agriculture, and in the last Congress it passed the Senate by a unanimous vote. There was not a single vote recorded against it. It came out of our committee of the House the other day with a unanimous report. There are three gentlemen who are opposed to it who happened to be absent, but they did not choose to file a minority report.

Mr. JONES. If the gentleman will permit, I will state that I was there and voted against it, but I did not file a minority report.

Mr. McLAUGHLIN of Nebraska. I was there and did not hear the gentleman's voice, but I will concede that if the gentleman says he voted no, of course, he did, but the report comes out, as the gentleman understands, as a unanimous report.

As I pointed out a moment ago with reference to the matter of profits and losses that have been talked about, because of the high price of sugar at the time these discussions were on, and when the Department of Justice placed its agency in New York for the purpose of bringing in these importers and inducing them to bring in this sugar to break the price of sugar in the interest of the American people, nobody thought of a loss because of the high price at that time. But what happened when the sugar was on its way? The newspapers came out with statements of this sugar coming in, with reports from the Department of Justice that great quantities of sugar were coming up from the Argentine, and it was such advertising propaganda which broke the price of sugar and brought quantities of sugar out of hiding and forced the price down from 27 cents a pound to 5 cents a pound.

In the case of Mr. Watson the Department of Justice, as is clearly shown, did tell him they would furnish the agencies through which he was to distribute his sugar.

Mr. KETCHAM. Will the gentleman again tell the House about how much the people of the United States saved by this depression of the price of sugar?

Mr. McLAUGHLIN of Nebraska. According to the statements of Mr. Figg and Mr. Riley, which were made two or three years ago, it saved the American people over $1,000,000,000 in a single year, and it has been much more than that since.

The gentleman from Texas asks, Should we reimburse men who went broke on this account? I should say yes; when the American people admittedly saved more than $1,000,000,000 the first year the price was reduced. Are the American people not under some moral obligation to the men who entered into arrangements with the Government to break the price of sugar, thereby losing everything they had?

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Very briefly.

Mr. CONNALLY of Texas. Would the gentleman reimburse all the domestic wholesale grocers who had sugar when the price went down?

Mr. McLAUGHLIN of Nebraska. I will say to the gentleman that that line of talk is all demagoguery. That broad kind of talk means nothing. I am here as one Member of Congress——

Mr. CONNALLY of Texas. Answer the question and we will see if it is demagoguery.

Mr. McLAUGHLIN of Nebraska. I do not yield further. I am here as one Member of Congress to take up any claim that comes here, and am ready to consider each one on its merits. This talk about reimbursing everybody who sustained losses, without bringing in any definite claim, means nothing at all. I sympathize with all who lost money as a result of the war, but we can only consider each case as it arises.

Mr. BANKHEAD. Will the gentleman yield for just one brief question, because I really have an open mind on this case up to date. I want to do what is right. If this man has a good moral claim, I want to pay him his money.

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. BANKHEAD. As I understand it, his claim is based from the moral standpoint on his letter to the Department of Justice, dated June 19, 1920, in which he sets out the conditions under which he is willing to enter into this transaction.

Mr. McLAUGHLIN of Nebraska. If the gentleman has the complete hearing of the House and Senate held last year, the gentleman will see there are many other letters confirming the department's agreement with Watson.

Mr. BANKHEAD. In reply to that the Department of Justice, through its representatives, answered:

You will be permitted to import the sugar mentioned upon the terms set forth in your said letter.

That is the basis, as I understand it, of the claim.

Mr. McLAUGHLIN of Nebraska. That is part of it. Yes; and there are other reasons.

Mr. BANKHEAD. That is all I can find as a written agreement.

Mr. McLAUGHLIN of Nebraska. I want to say that if you will look at the hearings before the House and the Senate that have been held on this case when Mr. Watson's claim was before the Senate, the Department of Justice sent a letter to the chairman of the Senate committee, and also to the chairman of the House committee, to the effect that the department believed that these claims were meritorious, on a par, and should be paid. I will say to the House that three different Attorneys General—Palmer, Daugherty, and the present Attorney General, either personally or by their representative—have all indicated that these claims were just and that these men should be reimbursed, and if that is not instruction to this House I do not know what is.

The gentleman from Texas [Mr. JONES] says the department's agents did not have the authority to enter into these contracts. Whether they did or did not makes no difference. They did enter into these contracts, and how can an ordinary citizen of the Government know if the department comes to him whether the department is acting legally or not? If the department is at fault we ought not to place the blame and responsibility on the private citizen who carried out the contracts of the department.

Mr. GILBERT. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. GILBERT. Conceding that, will the gentleman point out where the Government guaranteed him the price?

Mr. McLAUGHLIN of Nebraska. The department did not guarantee him any price, but when sugar was selling in this country at 27 cents a pound the department made him agree that if he brought the sugar in he would not make more than 1¼ cents a pound, and the United Canners' Association, a quasi Government corporation of the Department of Justice, was to get 1 cent a pound. He could not make any more than that, and, further, he was bound by an ironclad agreement not to let his sugar go through any channel except that which the Department of Justice should designate.

Mr. LEHLBACH. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. LEHLBACH. Did not Mr. Watson have ample opportunity to sell sugar at a profit before the market broke?

Mr. McLAUGHLIN of Nebraska. He could have sold his sugar after he bought it in the Argentine at 7 cents a pound profit, and the only reason he did not do it was that he considered he was duty bound to the Department of Justice to carry out his agreement.

Now, gentlemen, I am going to make this concluding statement: When I came down here seven years ago I took a solemn obligation to support the Constitution of the United States, and I say to you that when an agency of the Government by any pretense whatever leads a humble citizen of this Commonwealth into a program that results in his complete ruin and destruction financially, it is no more nor less than confiscation of that man's property. If we stand by any agency of our Government that actually confiscates a citizen's property, then we are getting pretty close to Russia. I could not stand idly by and watch anything of that kind go on without my protest, and I hope that when this question comes to a vote that we in fairness to ourselves and Mr. Watson, on the basis of the golden rule, "That we should do to others as we would be done by," that we will put ourselves in Mr. Watson's place and realize that if the Government had caused us to lose our homes and our life savings, we would ask and deserve reimbursement. Yes, gentlemen, if we were in the same place as this man, we would be here day and night trying to get the Government to settle a just obligation, and the Sugar Equalization Board should by all means pay this obligation. The board has already recovered in the Treasury over thirty millions of profits resulting from the board's operations.

The board has yet in its possession over twelve millions for the purpose of settling these loses, and they should, in the name of right and justice, make such settlement. [Applause.]

Mr. BLACK of Texas. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] One hundred and eight Members present, a quorum.

Mr. KINCHELOE. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Kentucky has 18 minutes and the gentleman from Nebraska 11 minutes remaining.

Mr. KINCHELOE. Mr. Chairman, I yield three minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman and gentlemen, there seems to be some controversy as to the merits of the bill now under consideration. I shall not address my remarks to that bill, but I shall bring to your attention an amendment, which I propose to offer, concerning the merits of which there should be no division in the House.

At the end of this bill I shall propose this amendment:

Provided, That the President is authorized to require the United States Grain Corporation to equitably distribute to the wheat growers of the United States $75,000,000 profits accumulated by the United States Grain Corporation in handling wheat grown in the United States during the World War.

The situation, as I understand it, is this. A board was appointed to fix the price of wheat during the World War. They met and after much controversy finally compromised on a price of about $1 a bushel below the price the farmers were receiving at that time. It was understood that the price agreed upon was to be the price at the primary market and was meant to be a minimum price. Instead of that it was construed by those who administered the act as being the price at the terminal markets and as a maximum price. As a result of this, according to those familiar with the situation, the American wheat growers suffered a loss of from one to two billion dollars.

So far as I can learn, there was an accumulated profit of $75,000,000, and some say more than $100,000,000, and some say $56,000,000. A while ago I called up the United States Grain Corporation and undertook to ascertain the exact figures. I was informed that the corporation is in the course of liquidation, and that all books and figures are in New York. Then I recalled that I tried to ascertain some information in regard to this same subject three or four years ago, and the representative of the United States Grain Corporation in this city was absolutely unable to give me any information, except that everything is in the city of New York. I submit this for your consideration when the time comes to offer the amendment.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes; I yield to the gentleman from Oklahoma.

Mr. HASTINGS. Would the gentleman be willing to accept an amendment to his amendment appropriating $50,000,000 to be distributed to pay back to the southern people for their cotton taken during the Civil War?

Mr. SUMMERS of Washington. The gentleman will have to make a statement of his case; and if he presents the facts clearly, I then will be willing to consider it.

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, I have been a member of the Committee on Agriculture ever since these sugar claims have been pending before that committee. I think I have been present and have heard all the hearings on these bills. I have no unkind word to say against Mr. Watson. There is no doubt from this record that he is broke, and I am sure he is a good man. I want to lay before you in the little time that I have just the mental attitude of these gentlemen who went into this sugar business, and what action the Government took in order to get them in. There is no doubt that there was a shortage of sugar at that time, and that the price of sugar soared, and that the Government undertook to break that market. They did call several of these sugar men into conference here, and some of them in New York, for the purpose of getting them to import some sugar, but there is a difference between this claim and some of the others. Mr. Watson was not conscripted to go into the sugar business by the Government. He was not asked to go into the sugar business by the Government. On the other hand, he heard of it, and he went in of his own volition. He came from New York to Washington to get in touch with the representatives of the Department of Justice here for the sole purpose of getting the contract for the profit that he could make out of it, which was a perfectly legitimate ambition on his part. They said to him that they had placed the matter altogether in the hands of their representative in New York, Mr. Riley, and that he would have to go and see him. Mr. Watson got on the train and went back to New York and looked up Mr. Riley. Do not think that Mr. Watson was conscripted or persuaded to go into this business. He wanted to get into it. He then said that he did not want the Lever Act to apply against him and they said "all right, write out your agreement." He asked the Government to waive that, which it did, but the Government said it wanted to find the channels of distribution for the sugar when it got here, and Mr. Watson said:

I agree to permit your officer to designate the channels through which this sugar shall be distributed, provided that the ultimate purchasers satisfy me as to their financial standing and as to the terms of settlement.

Mr. LAGUARDIA. Why was that necessary?

Mr. KINCHELOE. Because the Government wanted to protect the public from being gouged by sugar speculators which might buy it and raise the price. He agreed to that. What else? He went down and bought the sugar and before the sugar ever arrived here the price had gone to pieces. When the sugar got into the port of New York the price was broken. In his examination at that time, I asked him whether he claimed the Government was delinquent. He said that had no agreement been made, he would not have had to accept the distribution by the Government of his sugar. But, Mr. Chairman, when his sugar got here the price was broken. There was no channel through the Government for his sugar to go for the price was broken.

I want to talk to you a minute about Mr. Riley. He was a member of the department and their representative. When Mr. Riley was on the witness stand I said to him:

And if I understand you, your department never asked Mr. Watson to buy any sugar at all, but, on the other hand, he came to you?

Mr. RILEY. Yes, sir; that is so.

He then went on to elaborate that and said that Mr. Watson came to him and said he wanted to make those contracts to buy this sugar.

These gentlemen made the defense that if he had been permitted to sell the sugar in the Argentine he could have sold it at a profit. The truth is that the Argentine Government would not permit him to sell a pound of sugar in the Argentine. So far as the American Trading Co. is concerned they got the State Department to intercede in their behalf to let them import the sugar out of the Argentine without putting up the 30 per cent pelee sugar, and after they got here and the bottom had dropped out of the price of sugar they wanted to sell it in the Argentine.

The State Department said that they would not ask the Argentine Government to permit them to have any special privilege in the way of shipping it out, without depositing the 30 per cent pelee sugar, and then turn around and flood the Argentine market with it. If there was such a profit on sugar in the Argentine, why would the Argentine Government permit the American buyers to come there and buy sugar and export it to the United States for consumption? If there was a shortage there and a great demand for sugar in the Argentine, they would not do such a thing.

As I say, this is an unfortunate matter. This man is broke, and the gentleman from Nebraska [Mr. MCLAUGHLIN] says that this is a single individual. That is true. The gentleman from Nebraska [Mr. MCLAUGHLIN] said in answer to a question from the gentleman from Texas [Mr. CONNALLY] about the retailers of sugar and the wholesalers of sugar throughout this country losing, that that statement is absolute demagoguery. The truth about the matter is that there were thousands of retailers of sugar and thousands of wholesalers of sugar in the country who had their sugar on hand when this crisis came who suffered the same loss that Mr. Watson did, just the same as the farmers of this country did, as the gentleman from Washington [Mr. SUMMERS] has just said.

The United States Sugar Equalization Board made a profit, but simply because this Sugar Equalization Board has some surplus on hand, claims such as this are brought in. That money belongs to the Government, and there is no difference in principle between taking money from the Sugar Equalization Board, that expects to turn it into the Treasury, and taking it out of the Treasury of the United States direct to reimburse these people.

I am familiar with this proceeding, and I have never seen a more insidious lobby in the time that I have served here. I never have seen a more insidious lobby infesting this Capitol than the lobby that pushed the other sugar claims. I am not saying that about Mr. Watson's claim. But as to the other claims, there never was a greater outrage. There is no moral or legal obligation here. If there is a legal obligation, they would have been before the Court of Claims months and years ago to assert their rights.

These men were not inexperienced, guileless business men. I asked Mr. Watson several times, "Did the Government ever say to you directly, or even by innuendo, that it would stand any loss that might accrue to you in case you did not make a profit out of this?" He always said it did not.

Gentlemen, war is a conglomeration of inequalities. Not only these people in the sugar business went broke, but thousands of farmers throughout this country after the war went broke through deflation. The farmers of the Northwest particularly have been knocking at the doors of the Committee on Agriculture for several weeks for hearings, telling of the precarious condition in which agriculture is situated with respect to all the various commodities raised on the farms of the United States. It is true they have asked us to provide a revolving fund out of the Treasury of the United States in order to save them and in order to uplift farming into a profitable industry. Over 700,000 farmers in this country have gone into bankruptcy in the last four years. That means a population of more than four and a half million people who have been driven from the farms of this country into the congested cities through no fault of their own, not through lack of industry; and yet you are going to say to-day that you will take one individual and pay him $735,000 out of the Treasury of the United States and let all others who suffered losses go unreimbursed. That is what it means.

This bill means to reimburse a man who went into this business at arms' length. He was not a novice in the importing business when he went in. He went in, of course, with the legitimate purpose of making money, but when the price broke it made him a pauper. But that is only one of a million cases in the United States of men engaged in all lines of endeavor that have gone broke since 1920 in this country.

Yet, in effect, by the passage of this bill you would be telling me that I must go back to my farmers, who went broke during the war, as were many retail sugar dealers and many wholesalers—you say I must go back to my people and face them after this House has acted favorably on this claim in behalf of one man who claims to have suffered loss. I do not believe in that kind of equality. I believe that this is all an afterthought. These people knew they could not stand 10 minutes in the Court of Claims, but they thought if they could come to Congress they could put this through and it would save them. In the two bills that passed this House the President referred only one to the Equalization Board. Any of these claims is a better claim that passed this Congress which was paid. It is a question at last for you to decide as to whether or not you are going to take over $735,000 of the taxpayers' money and reimburse one man. That is what it is in the last analysis.

This man, a broad, seasoned business man, looked up the department's representatives and said, "I want to get into this business," and he went into it on the same footing that the rest of them did. There are other claims that have never been reported. The Lamborn claim and the De Ronde claim are just as just as this is. Other men have gone broke under circumstances over which they had no control; they have gone broke in legitimate, honest business and in an honest endeavor to receive emoluments for themselves. If we undertook to pay them all, it would bankrupt the Treasury of the United States; it would bankrupt the United States Government to reimburse them for their losses.

What is the difference in principle between taking money and reimbursing these fellows who went into the sugar game and taking money out of the Grain Corporation treasury and reimbursing the farmers who went broke in the war? [Applause.] I would like to ask some one for this bill to rise in his place now and tell me the difference in principle.

Mr. MCLAUGHLIN of Nebraska. I will say to the gentleman that I would have voted for that, but it was not advocated.

Mr. KINCHELOE. Of course, it was not advocated. Because the farmer is not able to come here and lobby and provide big dinners at the Willard Hotel. He is not able to come here and stand here in the Capitol day in and day out and year in and year out, as a lot of these gentlemen did. I do not mean that to apply to Mr. Watson.

Mr. LEHLBACH. You do not mean Mr. Watson?

Mr. KINCHELOE. No; I do not. But I will ask the gentleman from New Jersey this question: If you reimburse Mr. Watson, why not reimburse De Ronde?

Mr. LEHLBACH. I say, "Reimburse him!"

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. LOZIER. Did not Congress ask the farmers of the country to produce more wheat and pork?

Mr. KINCHELOE. Yes; and when they went broke we did not undertake to reimburse them. I am going to stand consistent with the taxpayers as a whole in these matters. [Applause.]

Mr. MCLAUGHLIN of Nebraska. Mr. Chairman, I yield two minutes to the gentleman from Ohio [Mr. MCSWEENEY].

The CHAIRMAN. The gentleman from Ohio is recognized for two minutes.

Mr. McSWEENEY. Mr. Chairman and gentlemen of the committee, I am trying to interpret my obligation as a Representative, which I think to a certain extent is that of being a mediator between the people at home and that invisible thing called the Government.

One thing is that I can not see where Mr. Watson had a right, when he got this sugar to America, to sell it; and if he was deprived of that right, it seems to me an obligation devolves on us as a government to take care of him. I am not questioning his right to sell it back in the Argentine, but I do question his right to sell it here in America, and I can find no place where the Department of Justice gave him the right to sell it to private purchasers.

There is another question that arises in my mind. I can not find anywhere that Mr. De Ronde has the right to carry his case into court; but if by the action of the Congress he is given that right, certainly we should give that right to Mr. Watson. We should do as the gentleman from New York [Mr. LaGUARDIA] suggested, permit him to carry his case into court. I feel we should open that channel to him. As I say, I do not understand the difference here. Mr. Watson, under the present circumstances, can not go into court, while Mr. De Ronde can. If our action will give Mr. Watson that right, I say we should take that action and let him have civil procedure to get some adjustment of what, it seems to me, is a deprivation of his rights on the part of our Government.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I yield nine minutes to the gentleman from New Jersey [Mr. FORT].

Mr. FORT. Mr. Chairman and gentlemen of the committee, in order that we may clear the situation a little in the minds of those who have heard only a part of the debate, I want to picture again for a moment the condition that existed in this country in 1920. As to that condition I have some direct personal knowledge, because at that time, having just retired from the Food Administration, I was asked by the Attorney General through his assistants to assist in a campaign to break the price of sugar through public agitation. At that time the price of sugar in this country was approaching the 30-cent level. The Attorney General, without strict legal authority, assumed under the provisions of the Lever Act—which had been a war-time law—a measure of control over sugar in this country which, I think, he did not legally possess, but in accordance with that assumption of power, in the interests of the whole people as he believed, I honestly think, Attorney General Palmer sought to induce the importation into the United States of sugar from whatever market it could be procured. He solicited the assistance of the importers of the United States in that effort. This solicitation was both public and private. In response to that solicitation Mr. Watson, an importer and exporter of long standing and familiar with the channels of trade, found that he could buy sugar in the Argentine. He went to the Attorney General and he said:

I have a chance to get 10,000 tons of sugar in the Argentine. Can I bring it in and can I charge enough profit to cover the financing and other costs necessary to bring 10,000 tons of sugar from the Argentine?

The Attorney General said:

Yes; provided, first, you will limit your profit to 1¼ cents per pound; and, second, provided you will let me tell you to whom you can sell it when you get it.

Mr. Watson agreed.

Now, the big controversy in the debate to-day seems to have turned on the price factor, but that is not the important thing. The important thing is that Mr. Watson agreed with the Attorney General of the United States that when that sugar got here he would only deliver it to people that the Attorney General approved. Throughout the entire time, from the day he made his agreement with the Attorney General to the day the sugar arrived in New York, Mr. Watson solicited the Attorney General to give him instructions for distribution. The Attorney General said: "I want to keep this sugar to relieve the places that are in the greatest distress when the cargo arrives in America." Therefore, in two months, out of 10,000 tons of sugar, he gave him distribution directions for only 120 tons of sugar. Under those conditions Watson could not protect himself. Watson could not make a contract to sell the sugar when it should get here, as the ordinary importer could have done. He was estopped, and yet, honorable man that he was, Robert A. Watson refused to sell it in the market of the Argentine at a 7-cent profit because he had given his word to the Attorney General of the United States that he would bring that sugar in here and take a profit of a cent and a quarter. Then these gentlemen say he was working for a profit. I say to you, gentlemen of this House, that Mr. Watson did a patriotic act and that it was the acts of such men as Watson that broke the price of sugar in America and saved the people of America $1,000,000,000 in one year.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. FORT. I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. Suppose this transaction had been between private parties? Does the gentleman think Mr. Watson would have a cause of action?

Mr. FORT. Absolutely; as I understand the facts.

Mr. MOORE of Virginia. Then I understand there would be no objection to amending the bill so as to say to this board that they are to decide it upon that basis.

Mr. FORT. That is exactly the basis that the Sugar Equalization Board has taken on the other claims. I know nothing about the legal effect of that, but my own feeling is, as Mr. Watson has said to me—his home is about 100 feet out of my district, and although I never met him until this thing came up, I know that he ranks in our community as one of our leading and most honorable citizens—"The issue in this matter as I see it, Mr. Fort, is whether the United States Government and myself are both honest." And as I see the issue, gentlemen, that is the issue for this House to settle.

I have studied the record from one end to the other, and I can not find where Robert A. Watson did a dishonest thing or a dishonorable thing, but everywhere from start to finish of that record he did what you or I, if we stood in his place to-day, would be proud we had done, even though it did bankrupt us. [Applause.]

Mr. KETCHAM. Will the gentleman yield?

Mr. FORT. Yes.

Mr. KETCHAM. Did he not do more than that in his offer to take a cent less?

Mr. FORT. The gentleman from Michigan [Mr. KETCHAM] reminds me that when the Argentine Government removed the export tax on sugar of 1 cent a pound, our Government had no official advices, but Mr. Watson wrote the Attorney General of the United States:

The Argentine Government has taken off its export tax of 1 cent. My price to you is reduced 1 cent.

One other thing is true also. He was directed by the Attorney General, and it was the only direction he ever had, that he must distribute his sugar through a certain channel of distribution, namely, the Canners Supplies Co., an agency set up by the Attorney General, which the record shows expected to make, merely for giving Watson orders, a profit of 1 cent a pound, when all Watson was allowed to make was 1¼ cents a pound for finding it, bringing it up from the Argentine, and financing it, and now that gentleman is assuming all the loss resulting, where he would have had to share the profit. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has expired. All time has expired, and the Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the President is authorized to require the United States Sugar Equalization Board (Inc.) to adjust with Robert A. Watson, of South Orange, N. J., a certain transaction entered into and carried on by said Watson under the direction of the Department of Justice, which transaction involved the purchase in the Argentine Republic between the 11th day of June, 1920, and the 30th day of June, 1920, of 3,500 tons of Argentine refined sugar, the importation thereof into the United States, and the distribution of the same within the United States, and to require the said United States Sugar Equalization Board (Inc.) to liquidate and adjust the entire transaction in such manner as may be deemed by said board to be equitable and proper in the premises, paying to the said Watson such sums as may be found by said board to represent the actual loss sustained by him in said transaction, and for this purpose the President is authorized to vote or use the stock of the corporation held by him, or otherwise exercise or use his control over the said United States Sugar Equalization Board and its directors, and to continue the said corporation for such time as may be necessary to carry out the intention of this act.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out all after the enacting clause.

Mr. Chairman and gentleman of the committee, a short time ago I asked a gentleman on the floor here who seemed from the heat and enthusiasm with which he discussed it to know a great deal about this bill for some pertinent information, and the gentleman from Nebraska [Mr. McLAUGHLIN], in a rather imperious and haughty tone, said that my question was demagogic.

I find the gentleman from Nebraska was not always of the same opinion that he now is with reference to this kind of

claims. I find in the CONGRESSIONAL RECORD of May 25, 1922, when the American Trading Co. bill, I believe it was called, another sugar case on exactly all fours, so gentlemen say, with this claim—I find the gentleman from Nebraska making this kind of a statement. He was then as now very much aroused about the injustice being done to a citizen. He said:

Mr. Chairman and gentlemen of the committee, I was one of the members of the Committee on Agriculture who was at first naturally prejudiced against this claim. I voted several times to defer the claim and postpone final action on it from time to time and even signed the minority report in the Sixty-sixth Congress—not that the evidence at that time convinced me that the claim was not just, but certain members of the committee had said to me that they had something to disclose. They said, "You act with us and hold this matter back, because we have some testimony that can be brought in after a while to show that there is something underhanded, something crooked in this transaction." I waited until the final hearing was held before the committee, at which time a gentleman came before the committee and gave testimony on hearsay, which he afterwards withdrew.

And so forth and so on.

The purport of the gentleman's speech was that at first, like the rest of us uninformed Members, he was naturally prejudiced against the claim; and though he sat on the committee and it came up time after time, he voted to postpone it and voted to postpone it because they had told him there was something wrong about it, and then finally, after investigating and postponing, the gentleman signed the minority report against the bill; and then, forsooth, because some gentleman who is not informed asks him a civil question as to whether or not he would favor reimbursing domestic purchasers of sugar who lost in the same way as this claimant, he denounces the question as being demagogic.

The gentleman reminds me very much of an old gentleman from South Carolina who was in this House some years ago. One of his colleagues began to inquire of him about some rather questionable practices and asked him, "Now, would you, or not, under those circumstances do a certain thing?" He said, "Now, look here, old boy, you stop right where you are. You are fixing to ask me a lie." [Laughter.]

The gentleman almost stamped a hole in the floor here about his concern under the Constitution of the United States and told how he held up his hand seven years ago and swore that he was going to uphold the Constitution——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. The gentleman said he swore when he first came here seven years ago with his hand uplifted that he was going to uphold the Constitution of the United States, and that he did not propose in the case of any citizen who had a claim that the Constitution should be disregarded. [Laughter.]

It has taken the gentleman almost seven years under that burning oath of his to find out that this kind of claim ought to be allowed because way back in 1922 he had been in Congress then some years and had not found out then that under this oath of his he was bound to pay the American Trading Co. on a claim similar to the one now before the House.

This claim may be a just claim; I do not know. I was trying to ask the gentleman from Nebraska to get information about it, and although he stood out and brought in a minority report, he, like all new converts, has more zeal and enthusiasm than those fighting in the same ranks all the time possess. I wonder why the gentleman changed his views. I wonder what operated on his mind.

Mr. McLAUGHLIN of Nebraska. Does the gentleman want me to answer it?

Mr. CONNALLY of Texas. I will let the gentleman from Nebraska answer.

Mr. McLAUGHLIN of Nebraska. The gentleman asked me in reference to the American Trading Co. bill.

Mr. CONNALLY of Texas. No; I did not. I asked the gentleman if he would favor reimbursement of those domestic dealers in sugar who lost money by the breaking of the price?

Mr. McLAUGHLIN of Nebraska. If the gentleman will read the rest of the statement, he will find that I supported the American Trading Co. bill.

Mr. CONNALLY of Texas. The gentleman did not at first.

Mr. McLAUGHLIN of Nebraska. For the reasons given, but they did not discover anything and I supported the bill.

Mr. CONNALLY of Texas. The gentleman was on the committee. It was his business to investigate the merits of that claim and not listen to other gentlemen on the committee who intimated that there was something wrong. [Applause.] The gentleman from Nebraska somewhere along the line saw a great light and changed his mind, and because some of the rest of us want to know what the light was, in order that we may be advised about the bill, the gentleman undertakes in a pleasant, polite way to insult us. That is the difference between the gentleman from Nebraska and the gentleman from Texas in that regard.

Mr. HOWARD. Which gentleman from Nebraska?

Mr. CONNALLY of Texas. I mean the gentleman from Nebraska, Mr. McLAUGHLIN. The gentleman in a speech said that he had access to hundreds of pages of letters and that he had read them—letters which seemingly the full committee did not see. I wonder what access the gentleman had, what particular facilities he had, for discovering the truth that other members of the committee did not possess.

Now, I am not denouncing this bill; I want information; but when a gentleman in favor of the bill is so very enthusiastic but so irritable, when other gentlemen want to know about it, that he becomes offensive, there is a chance that we may form a conclusion that the bill is not what it ought to be. [Applause.]

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the enacting clause. I do not think I care to be heard on it.

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky.

Mr. HOWARD. Mr. Chairman, can not I be heard?

The CHAIRMAN. There may be five minutes' debate in favor and five minutes against it.

Mr. HOWARD. Mr. Chairman and gentlemen, this is a very perplexing situation for me. What am I to do? If I vote to strike out the enacting clause, I vote to kill the bill. If I vote to kill the bill, I am carrying discouragement to the hearts of the magnificent members of the Agricultural Committee.

Here they have labored all winter in an effort to bring out some matter of legislation granting relief to agriculture. Here is the first offering they have made to their fellow Members. [Laughter.]

Now suppose I vote ruthlessly to destroy this first child which they have presented to us. [Laughter.] If I were on the Agricultural Committee and my first offering to my fellow Members on the floor should be destroyed, then I know I should be discouraged, and so I greatly fear that our vote here, if it shall be in opposition to this bill in behalf of agriculture, will be discouraging to the committee. [Laughter.]

It is true, Mr. Chairman and gentlemen, that the fellow in whose behalf this bill has been drawn is not actually a sure-enough farmer, but if we can induce ourselves to grant him this three-quarters of a million dollars for the loss he sustained in gambling in sugar, who knows but we may reimburse the loss of all the farmers who gambled in wheat in war times. [Laughter.]

It may be a good thing for those of us who want to see agriculture properly cared for—it may be, I say—for us to vote for this bill. It is a rather nasty looking bill to me, but if it will produce good results in some other direction, perhaps we might better vote for it. I am like the gentleman from Texas [Mr. CONNALLY]. I have on open mind, but my mind is more or less against the bill. [Laughter.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes; I yield to the gentleman from Texas, but I meant the other one. [Laughter.]

Mr. BLANTON. Does the gentleman believe that if the committee can get us to pay $750,000 to somebody who just happened to handle an agricultural product that that will be some encouragement to agriculture?

Mr. HOWARD. That is my only hope. If I shall vote for the bill, it will be with the thought in mind that it may so encourage the Agricultural Committee that perhaps before breakfast to-morrow they will bring out something better than this in behalf of agriculture. Who knows? I do not.

A MEMBER. Ask Colonel House.

Mr. HOWARD. Yes; Colonel House might know, but he has gone abroad on a mission now—and I am informed, by the way, that he has gone on a mission for the biggest man in the United States of America.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. HOWARD. That is all. [Laughter.]

Mr. LEHLBACH. Mr. Chairman, I rise in opposition to the amendment to strike out the enacting clause. In common with all of the members of the committee I have been amused and edified by the inimitable speech made by the gentleman from Nebraska [Mr. HOWARD]. He mentioned—and others have mentioned—relief to the farmer, both present and past. Of course we all hope and expect to pass legislation at this session of Congress which will afford substantial relief to the farmer. The limitation of profits by fixing prices during the war has nothing in common with the situation calling for the existing bill, nor has the fact that wholesale and retail sugar dealers and grocers might have sustained a loss by the break in the price any analogy with the situation with which we are confronted in this bill. Those people acted in accordance with their own judgment, and they were not limited in their dealings with the public nor, in their judgment, by the Government in any way.

However, we ought again to fix our minds on this fact. Mr. Watson purchased the sugar in accordance with a nation-wide campaign soliciting the purchase and importation of such sugar. The price is immaterial, although he had agreed to sell it at a cent and a quarter profit and allow the Government as a joint transactor a cent of profit. The fact remains that from the time that Mr. Watson purchased this sugar until it actually landed in New York City, during the entire period, he could have sold it in the Argentine at six times the profit he was to get in New York, and while the sugar was in transit he could have sold it in the United States at the profit called for by his agreement, and the reason why he sustained the loss was not because there was a break in the price of sugar after he acquired it, but because between the time that the sugar was acquired in the Argentine and the time it landed in New York City he could have made contracts with buyers of sugar at 20 cents a pound at any time if his hands had not been tied by his agreement with the Government, which prevented him from entering into such contracts with purchasers.

Mr. KINCHELOE. Why does the gentleman say that? The American Trading Co. in the hearings showed that they tried to sell it in the Argentine and the Argentine Republic would not stand for it, and the State Department said no they would not stand for it after they had asked the Argentine Government to relieve the trading company of the 30 per cent pelee sugar.

Mr. LEHLBACH. But Mr. Watson was not relieved from the deposit of the 30 per cent.

Mr. KINCHELOE. That is right.

Mr. LEHLBACH. Therefore, he had a right to sell it back in the Argentine any time that he wanted to. The limitation on the American Trading Co. with respect to resale was predicated upon the representation of the State Department that this was Government sugar.

The CHAIRMAN. The time of the gentleman from New Jersey has expired. The question is on the motion to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were—ayes 108, noes 42.

So the motion to strike out the enacting clause was agreed to.

Mr. KINCHELOE. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 358, and had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

Mr. KINCHELOE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on striking out the enacting clause.

The question was taken; and on a division (demanded by Mr. LEHLBACH) there were—ayes 122, noes 44.

Mr. LEHLBACH. Mr. Speaker, I make the point of order that there is no quorum present, and object to the vote upon that ground.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-five Members are present—not a quorum. The question is on the motion to strike out the enacting clause. As many as are in favor of the motion will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 218, nays 76, not voting 137, as follows:

[Roll No. 73]

YEAS—218

Adkins	Driver	Kvale	Romjue
Allen	Edwards	LaGuardia	Rouse
Allgood	Eslick	Lampert	Rubey
Almon	Evans	Lanham	Rutherford
Andresen	Faust	Lankford	Sanders, Tex.
Andrew	Fisher	Larsen	Sandlin
Arentz	Fitzgerald, W. T.	Lazaro	Schafer
Arnold	Fletcher	Leatherwood	Schneider
Ayres	French	Leavitt	Scott
Bachmann	Fulmer	Letts	Shallenberger
Bailey	Furlow	Little	Shreve
Barbour	Gambrill	Lowrey	Simmons
Beck	Gardner, Ind.	Lozier	Smithwick
Beedy	Garner, Tex.	Lyon	Sproul, Kans.
Beers	Garrett, Tenn.	McClintic	Stedman
Bell	Garrett, Tex.	McFadden	Stevenson
Black, N. Y.	Gasque	McKeown	Strong, Kans.
Black, Tex.	Gilbert	McLaughlin, Mich.	Strother
Blanton	Goldsborough	McLeod	Summers, Wash.
Bowling	Goodwin	McMillan	Sumners, Tex.
Box	Green, Fla.	McReynolds	Swank
Brand, Ga.	Greenwood	McSwain	Swing
Briggs	Hall, Ind.	Madden	Taber
Browne	Hammer	Magee, N. Y.	Taylor, W. Va.
Browning	Hardy	Major	Temple
Buchanan	Hare	Mansfield	Thatcher
Bulwinkle	Hastings	Mapes	Thurston
Busby	Haugen	Martin, La.	Tillman
Byrns	Hayden	Miller	Timberlake
Canfield	Hersey	Milligan	Tincher
Cannon	Hill, Ala.	Montague	Treadway
Carew	Hill, Wash.	Mooney	Tucker
Carss	Hoch	Moore, Ky.	Underhill
Carter, Calif.	Hogg	Moore, Va.	Underwood
Chalmers	Holaday	Morehead	Upshaw
Clague	Hooper	Morrow	Vincent, Mich.
Cole	Howard	Nelson, Me.	Vinson, Ky.
Collier	Huddleston	Nelson, Mo.	Wainwright
Collins	Hudspeth	O'Connell, R. I.	Warren
Connally, Tex.	Hull, Morton D.	Oldfield	Watres
Cooper, Wis.	Jacobstein	Oliver, Ala.	Weaver
Corning	James	Oliver, N. Y.	Wefald
Cox	Jenkins	Peavey	Wheeler
Cramton	Johnson, Ind.	Porter	White, Kans.
Crisp	Johnson, S. Dak.	Prall	Whitehead
Crosser	Johnson, Tex.	Quin	Whittington
Crumpacker	Johnson, Wash.	Ragon	Williams, Tex.
Davenport	Jones	Rainey	Williamson
Davis	Kelly	Ramseyer	Wilson, La.
Dickinson, Mo.	Kemp	Rankin	Wingo
Dominick	Kerr	Rathbone	Woodrum
Doughton	Kiefner	Rayburn	Wright
Douglass	Kincheloe	Reed, Ark.	Wurzbach
Dowell	Kindred	Robinson, Iowa	
Drane	Kirk	Rogers	

NAYS—76

Ackerman	Dempsey	Kopp	Rowbottom
Aswell	Elliott	Lea, Calif.	Sears, Nebr.
Bacharach	Fairchild	Lehlbach	Seger
Bacon	Fenn	Luce	Sinclair
Bankhead	Fort	McDuffie	Smith
Begg	Foss	McLaughlin, Nebr.	Snell
Berger	Gifford	McSweeney	Somers, N. Y.
Bixler	Hall, N. Dak.	Manlove	Speaks
Bloom	Hawley	Menges	Stephens
Bowles	Hickey	Michener	Stobbs
Brigham	Hill, Md.	Montgomery	Taylor, N. J.
Burton	Houston	Moore, Ohio	Tilson
Chindblom	Hudson	Morgan	Tinkham
Colton	Hull, William E.	Murphy	Tolley
Coyle	Jeffers	Newton, Minn.	Wason
Crowther	Kahn	O'Connor, La.	Watson
Cullen	Ketcham	Patterson	Williams, Ill.
Curry	King	Pratt	Winter
Darrow	Knutson	Purnell	Zihlman

NOT VOTING—137

Abernethy	Doyle	Irwin	Perlman
Aldrich	Drewry	Johnson, Ill.	Phillips
Anthony	Dyer	Johnson, Ky.	Pou
Appleby	Eaton	Kearns	Quayle
Auf der Heide	Ellis	Keller	Ransley
Barkley	Esterly	Kendall	Reece
Bland	Fish	Kiess	Reed, N. Y.
Boies	Fitzgerald, Roy G.	Kunz	Reid, Ill.
Bowman	Flaherty	Kurtz	Robsion, Ky.
Boylan	Frear	Lee, Ga.	Sabath
Brand, Ohio	Fredericks	Lindsay	Sanders, N. Y.
Britten	Free	Lineberger	Sears, Fla.
Brumm	Freeman	Linthicum	Sinnott
Burdick	Frothingham	MacGregor	Sosnowski
Burtness	Fuller	Magee, Pa.	Spearing
Butler	Funk	Magrady	Sproul, Ill.
Campbell	Gallivan	Martin, Mass.	Stalker
Carpenter	Garber	Mead	Steagall
Carter, Okla.	Gibson	Merritt	Strong, Pa.
Celler	Glynn	Michaelson	Sullivan
Chapman	Golder	Mills	Swartz
Christopherson	Gorman	Morin	Sweet
Cleary	Graham	Nelson, Wis.	Swoope
Connery	Green, Iowa	Newton, Mo.	Taylor, Colo.
Connolly, Pa.	Griest	Norton	Taylor, Tenn.
Cooper, Ohio	Griffin	O'Connell, N. Y.	Thomas
Davey	Hadley	O'Connor, N. Y.	Thompson
Deal	Hale	Parker	Tydings
Denison	Harrison	Parks	Updike
Dickinson, Iowa	Hawes	Peery	Valle
Dickstein	Hull, Tenn.	Perkins	Vare

Vestal	Weller	Wolverton	Yates
Vinson, Ga.	Welsh	Wood	
Voigt	White, Me.	Woodruff	
Walters	Wilson, Miss.	Wyant	

So the motion to strike out the enacting clause was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hull of Tennessee (for) with Mr. Magrady (against).
Mr. Abernethy (for) with Mr. Perkins (against).
Mr. Lee of Georgia (for) with Mr. Appleby (against).

Until further notice:

Mr. Connolly of Pennsylvania with Mr. Hawes.
Mr. Dickinson of Iowa with Mr. Bland.
Mr. Eaton with Mr. Griffin.
Mr. Free with Mr. Lindsay.
Mr. Reid of Illinois with Mrs. Norton.
Mr. Frothingham with Mr. Sabath.
Mr. MacGregor with Mr. Sullivan.
Mr. Mills with Mr. Tydings.
Mr. Gorman with Mr. Celler.
Mr. Wyant with Mr. Linthicum.
Mr. Sweet with Mr. Carter of Oklahoma.
Mr. Sosnowski with Mr. Deal.
Mr. Campbell with Mr. Vinson of Georgia.
Mr. Dyer with Mr. Spearing.
Mr. Hill of Maryland with Mr. O'Connor of New York.
Mr. Newton of Missouri with Mr. Boylan.
Mr. Griest with Mr. Connery.
Mr. Vestal with Mr. Peery.
Mr. Magee of Pennsylvania with Mr. Taylor of Colorado.
Mr. White of Maine with Mr. Steagall.
Mr. Welsh with Mr. Nelson of Wisconsin.
Mr. Wood with Mr. Harrison.

The result of the vote was announced as above recorded.

On motion of Mr. KINCHELOE, a motion to reconsider the vote whereby the enacting clause was stricken out was laid on the table.

THE TARIFF—SOUND FUTURE PROSPERITY IMPERATIVELY REQUIRES IMMEDIATE TARIFF REDUCTION—OUR DOMESTIC AND INTERNATIONAL TRADE

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on trade, commerce, and tariff subjects.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD on trade, commerce, and tariff subjects. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Speaker, the most important domestic inquiry in the public mind is, What economic policies will afford the best basis for our industrial and business growth and sound, permanent prosperity in the future? This tremendously vital question must be asked and answered in the light of the present postwar financial, industrial, and commercial conditions rather than those existing 100 years ago, or 50 years ago, or 10 years ago, if a wise and correct conclusion is to be reached. The postwar period reveals the United States as not only the foremost producer of foodstuffs and raw materials but the foremost manufacturing Nation in the world. Shall the United States adopt the permanent policy of manufacturing and producing for itself, gauging production as nearly as possible to equal domestic consumption, and "dumping" any surpluses arising, or shall it, from the standpoint of its own enlightened self-interest, readjust industries and industrial policies for the purpose of meeting both the home market capacity and a healthy growing foreign trade? I profoundly believe that, whether willingly or not, destiny has brought us into the position of an essentially exporting and trading Nation.

The question of tariffs and their related economic policies injects itself here. Our foreign markets depend both on the efficiency of our production and the tariffs of countries in which we would sell. Our own tariffs are an important factor in each. They injure the former and invite the latter. Their inflationary effects on all prices in our home market and their extortion upon the people will be discussed later. These excesses and infamies are but too well known.

A brief glance at its history and development in this country will more strikingly reveal the heights and true nature of our present tariff structure. The tariff has been a subject of never-ending controversy because of the deep-seated belief that it is grossly unequal in its effects upon the people. During the first 20 years after the formation of our Government the tariff was so essentially a minor question and was so submerged by bigger problems that no distinct opinion for or against protective duties existed. The tariff rates were trivial as compared with those of the present day. The maximum rate in the act of 1789 was 12½ per cent. The views, or rather the impressions, of Madison and others shifted from time to time. The entirely casual expressions of statesmen about the unimportant subject of the tariff in that remote period and under wholly different conditions from those of to-day shed no light upon the question of what their settled views would now be were they alive. I therefore attach no importance to isolated quotations from them which we occasionally see brought out in support of existing tariffs. We can only obtain their true attitude by applying their political philosophy to our present tariff and general economic situation. There is nothing uncertain about what that philosophy was. Imagine, therefore, if you can, Jefferson, Madison, Jackson, and Polk under their well-known banner of "equal rights to all and special privilege to none," marching at the head of the army of professional tariff lobbyists that came to Washington in 1921 and proclaimed themselves in favor of the high, extortionate, and unconscionable rates which they proceeded to write into the Fordney tariff law—rates designed to enrich one small class at the expense of the balance of the people. Any attempt to make the political philosophy of these early statesmen and patriots square with any important portion of the Fordney law is an outrageous libel on those great doctrines of human equality for which they stood and fought throughout their lives.

After the war of 1812–1814 the average tariff was raised to 20 per cent to pay the war debt and its interest. The "tariff of abominations" of 1828, with 30 to 45 per cent on textiles, was passed by accident due to political jockeying. It was greatly moderated under the acts of 1832–33, so that by 1842 it was lower than in 1816. There was no well-defined party division on the tariff until 1831–32. During this period protection was sought on the representation that the infant industries would within a reasonable time be able to stand alone without artificial stimulants, and that such industries would ultimately supply products as cheaply as they could be procured elsewhere. During the two generations following 1842 protection of "infant industries" was abandoned as a tariff slogan and "labor" was substituted. The Walker tariff of 1846 imposed 30 per cent rates on most manufactures, with lower rates or none at all on other articles. The tariff act of 1857 cut these rates to a level of 24 per cent. This was a nonpolitical revision. The Civil War tariffs were piled high and yet higher, 47 per cent average, primarily to offset the large internal-revenue taxes imposed, and with the distinct announcement at the time that no protectionist even dreamed of making them permanent. They were to be reduced as other war taxes following the war. But to the amazement of the country the tariff beneficiaries, after the war, proceeded to form a close alliance with the Republican Party, then in power, and thereupon announced that these high war tariffs would not only be retained intact as a permanent peace system but that they would even be increased from time to time in the future. This is precisely what later occurred. They went to 50 per cent under the McKinley tariff and 52 per cent under the Dingley law. Trusts and monopolies sprang up everywhere from 1897 to 1913.

This, in brief, is the story of tariff protection for industries, many of which were infants more than a hundred years ago. The principal tariff beneficiaries have completely dominated the Republican Party since 1867, and through it have written their own tariff rates in successive measures, with two exceptions, down to the Fordney Act of 1922.

Tariff beneficiaries have exhausted their ingenuity during past years in an effort to bolster up their excessive rates. They have even lugged in the name of Abraham Lincoln as one who if alive would stand for their extravagant rates enacted since the Civil War. In the light of Lincoln's political philosophy, entirely derived from the teachings of Thomas Jefferson, this has been a prostitution and perversion of his true views. Lincoln said:

> The principles of Jefferson are the definitions and axioms of free society.

He then referred to the contentions of the opposition and stated that their object and effect were—

> the supplanting of the principles of free government and restoring those of classification, caste, and legitimacy. They would delight a convocation of crowned heads plotting against the people. They are the vanguard—the miners and sappers of returning despotism. We must repulse them or they will subjugate us.

If Lincoln's philosophy against government by a class and legislation for a class means anything, it means that he would, if living, denounce the unholy combination between modern tariff beneficiaries and the Republican Party and brand the high customs rates as an economic outrage.

A singular fact is that the Republican Party never attempted to define tariff protection until driven to do so in 1904. That party for a generation was accustomed to take a steam shovel and pile tariffs on tariffs until the greed of the beneficiaries cried "enough." There was no time for rules of measurement nor desire for restraints. In 1904, under threatened political stress, the Republican platform suggested the difference in pre-

duction costs at home and abroad as a tariff basis. In 1908, feeling more secure politically, this definition was supplemented by the words "plus a reasonable profit to the domestic manufacturer." Experience revealed that the manufacturer construed this as unbridled license to extort from everybody through unlimited high tariffs, with the result that this last clause has been omitted from Republican platforms since 1912.

The champion of tariff protection is always ready to urge typical high tariffs as a sure guarantor of prosperity to all classes of persons and all sections of the country. He not only declines to consider any other economic policies, however sound, but strives to avoid the consideration of the true merits of tariffs. There are two popular delusions which have been carefully developed during the past 60 years by cooked-up and paid propaganda. One is that the chief tariff benefits are intended for labor and agriculture. The actual beneficiary, the manufacturer, modestly remains in the background, while his hired agents and lobbyists keep the country flooded with spurious and false propaganda to mislead labor and agriculture. This astonishing impression has been built up in the face of the known fact that not a single farmer raising the staple products, as distinguished from a few minor specialties, has become rich through tariff protection, nor a single laborer, even in manufacturing industries enjoying the highest protection. On the other hand, we have seen a regular annual crop of wealthy individual manufacturers turned out through tariff protection. The other popular delusion is that the American people as a whole thrive better under high tariffs than under moderate or competitive tariffs. The historic facts are that every important panic since the Civil War has occurred either under Republican high-tariff administrations or their high-tariff legislation. The panic of 1873, under the Morrill high tariff; the panic of 1890–1894, under the McKinley high tariff, which was not repealed until August, 1894; the panic of 1907–8, under the Dingley high tariff; and the agricultural panic of 1921–1924, under the Harding administration elected in November, 1920, and the high agricultural tariffs in May, 1921, supplemented by the Fordney general tariff of September, 1922.

High tariffs have thus demonstrated, if anything, that while they can not create prosperity, they can wreck prosperity. To pursue the bedrock facts, I call attention to an exhaustive study of business depressions by Leonard P. Ayres, vice president of the Cleveland Trust Co., and one of the ablest economic authorities of the opposite political faith, and his conclusion to the effect that during 60 years preceding 1922, 4 years in every 10 were years of serious depression. No economic authority has challenged this finding, which was widely published.

For all practical purposes there are but two classes of tariff thought in this country to-day. One class thinks of tariffs in terms of revenue for the Federal Treasury. The other thinks of tariffs in terms of protection for some favored industry in this country. A tariff under the Constitution is a tax levied on articles imported from abroad. Under the doctrine of ability to pay, tariff taxes are the most inequitable of all, because they compel the poor man with a large family to pay more than the rich man with a small family. Since the arrival of income taxation modern high tariffs are more than ever a gift or a subsidy to a small class at the expense of the general public. Their avowed purpose is to increase the prices of domestic articles by restricting or preventing competitive imports. For example, when the Fordney tariff raised the rate 3 cents a pound on aluminum the price to the American people was promptly raised 3 cents. Modern high tariffs operate as as a simple transfer of the property of producers who are not beneficiaries to those manufacturers who are, by making the prices of the latter higher than those of the former. If the tariff does not raise the prices, in what other way can it benefit our manufacturers? No manufacturer would countenance any tariff for a moment that would not enable him to sell his products to the American people at a higher price than he otherwise would. It is amusingly ridiculous to hear tariff champions on this floor become vociferous in proclaiming that the farmer gets 100 per cent benefit from his tariffs in the way of price increases, while they are silent as Julius Cæsar about the manufacturers' tariff price increases. They had promised the farmer tariff prosperity, which they knew he would not get, and it is now a question of make-believe. Another point the student of tariff taxation must not overlook is that the difference between Republican high tariff professions and practices is as wide as the poles. Their professions of tariff theories are as plausible as their practices are outrageous. If the American people could only witness the passage of one Republican high tariff bill through Congress and could see the greedy army of highly paid tariff lobbyists swarming through the Capitol, each knowing just what he wanted and assured in advance that he would get it, a new generation would have to come along before another typical Republican high tariff measure would see the light of day. It presents a continuous round of political and legislative debauches with graft aforethought.

The usual high-tariff system only contemplates a manufacturing output that will meet home consumption. It breaks down completely and becomes a serious impediment when a nation produces substantial surpluses of manufactures or products which must be sold elsewhere. This is true for the reason that high-tariff beneficiaries always welcome every person who joins in demanding any rates he may desire on his products. This policy insures wider support for the general scheme. The inevitable result is that not only raw materials, semimanufactures, and finished manufactures, but many materials we do not produce in sufficient quantities or at all, and others the production of which is not economically justifiable, are plastered all over with tariffs. This means increased prices, higher artificial costs of production of finished manufactures, and a corresponding disadvantage in competing in international markets. Our adversaries are not heard to condemn high costs of production or high living costs for the obvious reason that they would be obliged to repudiate the logical effects of high tariffs. We urgently need more economics and less selfishness and politics in dealing with tariffs.

Ultrahigh tariffs contemplate the prevention of any appreciable competition from abroad. Such tariff policy requires a network of provisions for discriminations, restrictions, reprisals, embargoes, boycotts, and retaliations. The Fordney tariff law bristles with all of these. They in turn invite, or rather challenge, any and every sort of reprisals or unfair trade treatment, such as our rubber and coffee price hold-ups. This shortsighted and suicidal policy is in striking contrast with the Democratic doctrine of moderate or competitive tariffs for revenue, accompanied by liberal, fair, and friendly trade policies and methods. This policy also leads to such absurd and destructive acts as those of the present administration in objecting to American loans to British rubber monopoly producers or to the German nitrate monopoly or the Brazilian coffee monopoly, with the result that they turned elsewhere for the money and then proceeded to hold up American citizens on prices.

The Democratic tariff and trade viewpoint would have favored these loans, since we must have their products, but with the condition precedent that they would guarantee to us fair trade treatment and fair prices in the future. This wonderful opportunity was recently thrown away by the administration and the people are now paying the penalty to the tune of hundreds of millions of dollars annually.

No highly protected country has been able to maintain a growing and successful merchant marine for the reason that it is only desired to sell and not buy, whereas vessels must be loaded in both directions in order to succeed. And in addition, the tariffs on virtually all the hundreds of materials entering into the construction of vessels greatly enhance their costs, thereby necessitating higher freight rates.

High-tariff countries which undertake to do a substantial exporting business are obliged both to sell on long credits and to grant subsidies, rebates, drawbacks, and other gratuities both on the transportation and sale of surpluses. This is an arbitrary, artificial arrangement which sooner or later works disaster to the domestic economic structure, as was illustrated by Germany's experience during the years prior to the war. A general collapse of her network of artificial industrial and trade conditions was imminent when the war broke out.

Our foreign trade is a tremendous factor in our domestic prosperity. Every country has an internal and external trade. Internal trade simply involves a distribution of products produced; external or foreign trade is a system of barter between nations. Each has something to sell and desires to purchase something. The sales may take the form of goods or services or both. By services is meant amounts realized from shipping, banking, insurance, tourist expenditures, and immigrant remittances. Capital loans, which means selling on a credit, are also a factor. Imagine the collapse in all industry if the United States could not export and sell her vast surpluses of cotton, tobacco, mineral oils, wheat, automobiles, lard, coal, copper, and an immense quantity of finished manufactures.

Foreign trade is really the mutually profitable exchange by nations of their surpluses. Europe, for example, must import foodstuffs and raw materials, while she desires to sell the more finished manufactures of many kinds. Her best customers are the more backward countries in finished manufactures, but which have surplus raw materials and other goods which Europe can profitably utilize. The United States is more nearly self-contained than any other nation. Its chief needs from abroad are such raw materials as rubber, silk, tin, sisal,

potash, nitrates, flax, hemp, and jute, and such other commodities as coffee, tea, sugar, and tropical fruits. This country, on the other hand, desires to exchange large surpluses such as those already mentioned. With our surplus of materials and our superior manufacturing capacity, how can we stay out of a large world trade? How can our debts abroad be paid and our surpluses of agriculture, of textiles, of iron and steel products, of coal, of automobiles, of leather products, and numerous others be disposed of? The alternative policy is "dumping" and periodical slumps and stagnation at home, such as are probably ahead for this year. Prices advanced 15 per cent during the period near the Fordney enactment, and except for overproduction they would have continued, but, as in 1923 and 1924, we will have fluctuations upward and downward. After the war there should, but for the tariff, have been a gradual recession of prices, as in the auto trade, the prices of which are now lower than before the war.

International trade does not mean that one nation would seriously displace the products of another any more than the Ford car has been displaced by other cars of different quality and price. It means, as a rule, that a nation goes out into the world and locates and develops new markets for its surpluses. This progressive course increases business, increases foreign living standards, and increases the demand for our goods. The world to-day offers America a most inviting opportunity to extend her foreign markets and develop her foreign trade to the extent of our surpluses in every line. This view is evidenced by the fact that the actual volume of international commerce is still below the level of 1914, nothwithstanding the great increase of population in the meantime. The United States, England, Germany, and France, with less than 300,000,000 people, are the workshop of the world, which contains 1,800,000,000 population. Resolute action on our part, however, is required if we would take our rightful place in the field of world commerce. This is where high tariffs offer a tremendous obstruction.

I am a friend of legitimate business of every kind, big and little, and would do anything feasible to advance its welfare. It is my strong conviction that our tariff-protected manufacturers are wholly wrong in their view that this country can best succeed behind high-tariff walls. This is simply a difference of opinion. It is my unqualified belief that as this country becomes economically independent it is vital that it should correspondingly throw off artificial restrictions and restraints on its production and trade, such as high tariffs. They breed inefficiency, waste, and absentee management, as well as high cost of production.

To our credit, however, be it said that despite burdensome tariffs on their materials and machinery, a few manufacturing industries have established a wonderful state of efficiency and hence fairly low production costs and are selling their goods in all world markets. The automobile, the machinery, the cotton-cloth, the boot-and-shoe, and other industries are shining illustrations. We must buy more, however, if we would sell in increasing quantities. We shall otherwise be obliged to increase our importations of gold, of which we have already drained the world, or reduce exports, or make foreign loans to cover the difference, and the latter can not be continued indefinitely. And besides, the more we loan the more must be paid back with interest by some means. High-tariff champions, realizing that increased exports necessarily mean increased imports, bitterly oppose loans abroad. Floor Leader Fordney proclaimed in the House of Representatives in 1921 that a "dollar loaned abroad was a dollar lost." America, of course, can never establish herself in growing world trade to the fullest extent unless some of her surplus is placed in foreign productive enterprise, thereby enabling others to produce and to secure the purchasing power necessary to buy from us.

This condition also calls attention to the outstanding fact that high tariff advocates since 1920 have deliberately planned to junk our foreign governmental debts. Tariffs not only breed selfishness but an unreasoning fear. Our debts as rapidly as possible must be canceled on account of the fear that their payment might force more liberal tariff and trade policies. Already we have scaled these debts many billions of dollars in principal and interest. Since our virtual cancellation of the Italian debt the English and others seem to have commenced their expected drive for further readjustment downward of their respective debts. We are in the act of canceling our debt against Germany, $255,000,000, for our Army occupation on the Rhine. Within two or three years I predict that the Dawes reparation plan will be greatly curtailed or emasculated. These incalculable losses are in considerable measure our penalty for high tariffs and economic isolation. This and the preceding administration at Washington will go down in history as the costliest administrations to the American taxpayers during peace time since the beginning of the Government.

I now desire to call attention to the complete transformation in our entire financial, industrial, commercial, and general economic affairs that occurred during the war period. Our national wealth jumped from $186,000,000,000 in 1912 to $320,000,000,000 in 1920. The factory value of manufactured products rose from $23,987,000,000 in 1914 to $43,653,000,000 in 1921. The capital of manufacturers leaped from $22,773,000,000 in 1914 to $44,325,000,000 in 1919. The value of farm products increased from $7,886,000,000 in 1913 to $14,034,000,000 in 1920. The value of farm property rose from $41,000,000,000 in 1910 to $78,000,000,000 in 1920. Our foreign commerce went from $3,900,000,000 in 1914 to $13,500,000,000 in 1920. Exports for 1920 alone aggregated $8,228,000,000. Nearly one-half the gold of the world gravitated to this country. The Nation possessed unlimited supplies of foodstuffs, most raw materials, and a huge manufacturing plant never before equaled in efficiency and output. Our national savings were $18,000,000,000.

The other half of the world in 1920, on the other hand, was denuded of foodstuffs, raw materials, and manufactures; overwhelmed with debt; cursed with collapsed exchanges, depreciated currencies, and unbalanced budgets. Their one great need was foodstuffs and raw materials. Then was the time for America, dominating the world as she was—financially, industrially, and commercially—to adjust herself to both domestic and international finance and commerce. She could easily obtain and preserve a commercial foothold on every continent and in every country if she only willed to do so. The world was at our feet. The United States had but to pursue a policy of moderate or competitive tariffs for revenue, liberal trade policies, and fair trade methods. Her productive capacity was far beyond the needs of domestic consumption. The opposite course was pursued, and why?

The group of high-tariff manufacturers in this country again asserted their autocratic control of the Republican national leadership and decreed that America should pursue economic policies of aloofness and isolation and seek to live unto herself alone. They demanded and directed the rapid construction of extreme high tariffs around this country bristling with a network of trade obstructions and restrictions. This Nation, with its great prestige, then assumed world leadership in propagating high-tariff systems everywhere. Fifty-one of the 70 other countries proceeded to follow our example, and so sought to restrict to the very minimum trade with each other. One result has been that the international trade of all countries—except the United States, Canada, and one or two others—is to-day far below the pre-war level. Bitter trade wars have raged, as in the case of Germany and Poland. Many countries—such as Canada, the Argentine, Czechoslovakia, and others—not advanced in manufacturing are attempting to develop this class of industry and correspondingly to diminish their purchases of finished products from the United States, England, Germany, and France. In the meantime, the United States, shrinking from her unexampled world trade opportunities, kept her mind almost solely on the problem of erecting tariff obstructions against imaginary competition from every country.

Upon the deliberately false representation that agriculture was suffering injury under moderate tariff rates the Republican Congress sought in the latter part of 1920 to substitute extreme high rates on all agricultural products, and succeeded in so doing in May, 1921. They pointed to certain temporary driblets of increased competitive imports, but cunningly ignored the outstanding fact that during 1920 we exported in excess of imports $218,000,000 worth of manufactured and raw foodstuffs and food animals, contrasted with an actual excess of imports over exports in 1925. With the enactment of the agricultural high tariff of May, 1921, the farmer was assured that he was then on the primrose path to lasting prosperity. One of the leading political parties solemnly sponsored this colossal fraud on the American farmer. The same political party early in December, 1920, instituted tariff hearings preliminary to broad and sweeping high-tariff legislation at the earliest practicable date. The Fordney general tariff act of September, 1922, was the result. This enactment marked a complete departure from the Republican doctrine of tariffs measured by the difference in production costs here and elsewhere. It was utterly impossible during that period to ascertain costs of production abroad or, to any intelligible extent, at home. Costs were not the same in different sections of the United States and were different in the same industries. Relative costs, therefore, were a mere phantom as a tariff basis. Loud clamor, however, demanded radical rate increases, basis or no basis. The final outcome was that this general tariff law, strange and unprec-

edented as it was, was based on prices, although our domestic prices were never more violently fluctuating, while foreign exchanges were crashing. It was at this brief period of utter instability of production costs, prices, and foreign exchanges that the Republican administration enacted a general permanent tariff law. The pretext on which they predicated this hasty leap in the dark was the so-called flexible tariff provisions, which would enable the President to readjust rates as economic conditions became stabilized and practically remake the Fordney law so as to conform to peace conditions.

The American people overlooked the fact that the planets would be more liable to leave their respective orbits than a high-tariff administration would reduce a single tariff rate unless driven and kicked and clubbed into such righteous action. The truth is that the United States was experiencing an insignificant amount of sporadic items of imports of a purely temporary nature on account of collapsed exchange conditions in certain other countries, and a permanent tariff system was based on this fleeting condition. The rates were made as nearly prohibitive as possible against these temporary and abnormal prices of a limited number of commodities from abroad, while future industrial and trade developments were wholly ignored.

When the lobbyists and Republican politicians were clamoring for the speedy enactment of the Fordney high-tariff measure, an uninformed person would have been convinced that from 1919 our country had been undergoing a ruinous experience from foreign competition. He is surprised now to look back and see that during the four years from 1919 to 1922 our exports were $24,465,000,000 while our imports were $14,804,000,000; that is, we were selling $9,661,000,000 more than we were buying. This is the way America was "ruined" during that four-year period. Hired tariff lobbyists and their political supporters wildly pointed out that imports during 1922 were greatly exceeding those of 1921, and that home manufacturers were about to be overwhelmed. It is true that in dollars imports for 1922 exceeded those of the previous year by $603,000,000, but the big fact in this connection is that $514,000,000 of this amount comprised raw and other materials for finished manufacturing here, while the increase of imports of finished manufactures was the insignificant sum of $44,500,000, or less than the average annual increase before the war, when prices are equalized. Following the war, and especially the panic year of 1921, our domestic stocks of raw materials had become low, with the result that an increased amount of these products, almost solely those not produced in this country, were imported during 1922 and 1923.

The total imports of finished manufactures, dutiable and free, ready for consumption in 1921 were $619,000,000, or in quantity not above the pre-war volume. But our exports of finished manufactures for 1921 were $1,626,000,000, compared with the five-year pre-war average of $654,000,000. The imports of all foodstuffs for 1922, chiefly noncompetitive, exceeded those of 1921 only $45,000,000. These figures show how the farmers were being "flooded" by imports from abroad when the Fordney law was enacted to "protect" them from the "foreign avalanche."

This utterly sleeveless state of trade facts was grossly magnified to make it appear that American producers and manufacturers were being overwhelmed to the point of imminent destruction by oceans of foreign imports of foodstuffs and finished manufactures, and a huge economic scarecrow was thus constructed in order to frighten the people into acquiescing in the Fordney tariff outrage. During this very period the balance of the world was hungry and crying for our foodstuffs, raw materials, and finished manufactures. No home market was ever so impregnable and secure as ours.

The most amazing misunderstanding exists in regard to the application of the Fordney Act to existing industrial and trade conditions and also to its revenue yield, then and since, due to the fact that the tariff beneficiaries have constantly kept the country doped almost to death with false propaganda. The Fordney tariff law flew in the face of every sound economic policy and of every industrial and trade condition in this country. Its proponents at the time diverted attention from the main facts revealing our high state of industrial and trade development and pointed alone to certain scattering import increases.

Before entering upon a detailed analysis of the Fordney law and its misfit applications to our new postwar economic conditions I desire to comment briefly upon the two points which its sponsors now suggest in justification of the law. One is that it yields a Treasury revenue of nearly $550,000,000, and the other that the nominal trade figures show an increase of imports and exports. The amount of revenue derived does not necessarily afford the remotest index to the kind and character of the rates and the tariff level. A tariff law might raise all its revenue from imports we do not produce or from raw material rather than from competitive manufactures. A general tariff law, again, might raise all its revenue from sugar, raw wool, tea, and coffee, while prohibitive as to all finished manufactures. The recent English rates on sugar alone would yield nearly $500,000,000 revenue to our Treasury without a dollar from any other tariff item. Since the coming of the income tax the true test of the scope and nature of tariffs in the most vital respect is not the revenue yield but their effects on imports of finished manufactures ready for consumption. These relate to the tens of billions dollars' worth of articles of a million different kinds and qualities which our 115,000,000 people purchase to wear and to use.

The average tariff rate, for example, on finished woolen manufactures is 61½ per cent; cotton, 47 per cent; silk, 60 per cent; metals, 49 per cent; sugar, 40 per cent; sundries, 40 per cent; pottery and earthenware, 60 per cent. This shows an average tariff rate for these seven groups comprising in the main finished manufactures ready for consumption of 49.7 per cent.

The average citizen has been falsely taught by propaganda that the increase of customs revenues from $305,000,000 in 1921 to nearly $550,000,000 in 1925, which is only $350,000,000 in 1913 tax dollars, was due in important measure to increased imports of these finished manufactures as distinguished from raw materials and other crude commodities. Nothing is further from the truth.

The yield from sugar and raw wool alone approaches one-third of our total tariff revenue. We could easily raise a billion dollars from these and a few other crude-material sources, but, like the present yield from the Fordney law, it would be the costliest revenue to the taxpayers and to industry that ever went into a government treasury. A well-balanced, moderate, or competitive tariff system for revenue would remove the tariffs from most imported products we do not produce, excepting some purely luxuries, and afford competitive imports an opportunity in our markets to the extent of 5 to 10 per cent of our domestic production. This also would prevent monopoly of domestic prices and would insure a reasonable revenue yield from each scale of rates.

It is clear that the present tariff revenue yield is derived from raw materials and other crude stuffs rather than competitive finished manufactures. This fact is illustrated by the increase of customs revenues of $153,000,000 for 1922 over 1921, whereas the imports of finished manufactures ready for consumption only increased in value—not in customs receipts—$44,500,000. If we equalize pre-war with postwar values, the imports of dutiable finished manufactures even to-day are less than like imports prior to the war, notwithstanding our individual consumption has doubled during past years and the factory value of our manufactured products went from $43,000,000,000 in 1921 to $63,000,000,000 in 1925. This is an astonishing condition, which shows the absurdity of making the revenue receipts a test of the true nature of a general tariff structure and its economic wisdom.

I desire now to direct attention to the wholly misleading character of the figures of imports and exports under the operation of the Fordney tariff. When the figures of imports for 1923, the first full year of the Fordney Act, showed an increase of $697,000,000, high-tariff beneficiaries professed astonishment and left the impression that a great volume of competitive imports were pouring in over the extreme high rates of this law.

Secretary Hoover's Yearbook of Commerce for 1923 utterly dispels this myth. The book says:

> Higher prices account for almost all of the increase.

Figures are then cited showing a net price increase of $670,000,000, leaving an increase of quantity or volume of increased imports for 1923 of the puny amount of $23,700,000. Silk, sugar, coffee, rubber, wool, newsprint paper, burlaps, tin, and copper were chiefly responsible for this import situation. The increase of dutiable imports was due to the transfer of many articles from the free to the dutiable list by the Fordney law. Do not overlook this fact. The imports for 1924 were less than those of 1923 by $180,000,000, chiefly on account of the decline in silk, wool, hides, and lumber imports. In 1925 the imports exceeded those of 1924 by $618,000,000. But again to quote the official reports from Secretary Hoover's Department of Commerce:

> Fully half of that increase has been owing to price advances.

I may also add that $584,000,000 of this apparent import increase comprised raw and other materials for finished manufactures, while the increase of imports of finished manufactures during 1925 was only $47,000,000, and the two chief items in

this increase were art products on the free list, $15,000,000, and burlaps we do not produce, $25,000,000.

These plain citations tell an entirely different story from that fed out to the American public intimating great imaginary sluices of competitive imports under the Fordney law. When import values have been swollen several hundred million dollars by foreign monopoly holdups, such as rubber, coffee, tin, and potash, high-tariff champions have proclaimed them as a large increase of our foreign trade under the Fordney Act.

The true story of the so-called growth of our exports is found on page 464 of Secretary Hoover's Yearbook of Commerce of 1924, to the effect that—

> Making due allowance for the influence of price changes, the trends of the statistics for a longer period of time, exports do not appear quite to have reached the level that would have been reached by this time had the average rate of increase for the 10 or 15 years prior to the war continued.

In other words, had there been no war and no great expansion of business, of prices, of consumption, and of surpluses in this country, our exports now would occupy as high or higher level than they actually do.

This great country to-day should, and easily could, without tariff obstructions, be exporting around $10,000,000,000 of surplus instead of less than $5,000,000,000. Apart from the exports of finished manufactures that were made possible during the past four years by our foreign loans and by gold imports, what this country has been doing, and virtually all it has been doing, was making an exchange of near the same amount of foodstuffs and raw materials for foreign foodstuffs and raw materials not produced, or if so, in insufficient quantities, and manufacturing increased amounts of finished goods chiefly to meet the increased American consumption demand, which has doubled since 1900. This country should instead be manufacturing into finished products larger quantities of its own raw materials and of imported materials and selling the finished surpluses throughout the world. This we are not doing and the Nation is not making sound progress by restricting its finished exports virtually to the amount of our loans made abroad with which to pay for same. Secretary Hoover was unfortunate in his recent high-tariff plea when he intimated that our position as a great creditor Nation was not materially affecting our import and export situation and that the tariff was not destroying the ability of other nations to buy from us. The answer is patent. Europe in the first place has paid next to nothing of the principal and interest of her debt; secondly, she has drained herself of her gold with which to make partial payment for our exports; thirdly, our high tariffs have measurably checked imports, with the inevitable result that our exports will continue far below their sound and proper level.

In 1923 the actual production of the United States manufacturing industries averaged 72.2 per cent of their maximum possible output; iron and steel, 64 to 85 per cent; rubber goods, 66 to 73 per cent; paints and varnishes, 70 per cent; cotton textiles, 57 to 83 per cent; silk manufactures, 73 per cent; furniture, 79 per cent, and so on. Herein is stored future American prosperity, to be brought about by a constantly expanding international trade. Between 1890 and 1924 our exports were near one-sixth of our total trade, and there is no greater factor in our future economic welfare at home.

In the light of the obvious and controlling facts and figures which I have recited, let me repeat, just what was the object of the Fordney high-tariff enactment? We have seen that such tariffs greatly restrict trade among nations; that a nation can only buy to the extent that it is able to sell to some other nation, and that production costs artificially enhanced by tariffs are a tremendous impediment to exports and to world commerce. American industry during the years 1916–1920 had cleared 16⅛ billion dollars. Exports, as shown, were far outstripping imports. The sponsors of the Fordney tariff law were loudest in the claim that its chief purpose was to create and maintain high wages and higher living standards for American labor. They ignored the fact that we already had high wages. The impression was deliberately created, too, that all American labor was thus included. This is an astounding misstatement of fact. The United States Census of Manufactures for 1923 gives the number of wage earners in manufacturing industries at 8,778,156, whereas under the Federal census there are more than 40,000,000 wage earners in the United States. What relation have the Fordney high tariffs to the 860,000 coal miners, except to inflict upon them higher prices for all they buy to wear or use? There is no tariff on coal. What relation have these tariffs to the 1,777,000 railway employees, except to penalize them with high prices for the things they purchase? What tariff benefits are received by the 270,000 employees of electric railways; the 139,000 employees in the petroleum and iron-ore industries; the 43,000 in the copper industry; the 9,000,000 farmers and farm laborers not connected with the minor agricultural specialties claiming tariff benefits; the 887,000 carpenters; the 117,000 laborers in the slaughtering and meat-packing industry; the 131,000 brick and stone masons; the 195,000 blacksmiths; the 212,000 electricians; the 206,000 plumbers; the 323,000 painters; the 281,000 other mechanics; the 1,117,000 salesmen and saleswomen; the 414,000 clerks in stores; and on through the huge list of around 34,000,000 American wage earners not remotely in contact with tariff benefits, but only with its burdensome prices? There are not over six to six and one-half million wage earners in the industries which actually secure tariff benefits.

Notwithstanding these plain official facts, the false cry of protection to American labor, implying all labor, has resounded through this country for two generations. And the fact may be here noted that in the highest protected industries, such as the textiles, there have been more strikes, lockouts, and wage reductions than in any other. If high tariffs are so potent in increasing wages and living standards, why have they not been thus affected in scores of other nations which have maintained tariff protection, and why are wages lower in the highest protected industries in this country than in those other industries securing no tariff benefits, such as the building trades, the shoe industry, the automobile industry, the railway industry, and a long list of others?

The truth is that power and machinery are the great factors in American production. From 1914 to 1923 our primary horsepower in industry increased from 22,401,000 to 33,904,000. From 1899 to 1923 the volume of production increased 185 per cent; the number of wage earners, 90 per cent; installed primary power, 236 per cent. Intelligence and skill of labor, efficiency, new machinery, improved management, elimination of waste, mass production, and increased horsepower tell the story of manufacturing success in a number of lines. In these circumstances the highest-paid labor is the cheapest labor. The output per man, and not the money wage, is the test. And furthermore, we are blest with most ample foodstuffs, while such competitors as England must import two-thirds of her foodstuffs and 80 per cent of her raw materials. It is under these methods and conditions that America increases her per capita productivity and hence maintains the highest wages, the highest living standards, and lowest production costs in a number of lines. One American laborer who a few years ago operated five looms now operates 36 automatic looms. New brick machinery in Chicago enables one person to turn out 49,000 bricks per hour, compared with 60,000 per day in Germany a few years ago.

One American laborer produces four times the amount of tin plate than one in England. In the cotton textiles the output per laborer in the United States is four times as great as in Japan. Japanese cotton mills require four times the number of employees for the same amount of machinery as an American mill. The result is that the money cost per yard of cloth is three-eighths of a cent in Japan and one-fourth of a cent in America with automatic looms. The production of pig iron per man in the United States has increased from 671 tons in 1909 to 1,179 tons in 1925. In 1916 it required one man 1 hour and 42 minutes to produce a pair of shoes, while to-day 54 minutes are required. The output of workers in the cotton mills has increased three and four fold. One woman, for example, operating 25 machines, makes 150 dozen pairs of socks daily.

The wage cost of total manufacturing production in 1923 was only $11,090,000,000 compared with products with a factory value of $60,555,000,000, or a value added by manufacture of $25,850,000,000. These interesting facts show that labor is receiving no more than its due and not as much in some industries. In 1925 we exported and sold countries abroad, including all those with so-called cheap pauper labor, $1,800,000,000 of finished manufactures. Nothing is more false or absurd than the citation of money wages abroad for the sake of American labor comparisons. There are a number of other factors entering into the wage situation, and besides the output per man is the test. And again, money wages in countries with depreciated currencies often have twice the purchasing power internally than externally when converted into dollars. Experience has taught that efficiency and consequent reduction of production costs contain the chief secret of high wages. If given an opportunity, American labor will continue to demonstrate the folly of high tariffs, and that to afford the fullest measure of employment at the highest wages, trade among nations should be extended instead of restricted by excessive tariffs.

Probably the silliest twaddle ever injected into a tariff argument is the statement, made in the worst of bad faith, that on

account of our tariffs some 4,000,000 laborers were idle in the fall of 1920. Labor was receiving a wonderful high level of wages at this time, there were no hurtful imports, but on the contrary we exported $8,228,000,000 during 1920. Hence the ground is cut completely from under the usual tariff arguments about low wages and excessive imports and resulting unemployment. The fact was that the Republican Congress had deadlocked the Government for two years and opposed every effort at international economic cooperation designed to keep our foreign trade channels open for the disposal of surpluses, while at the same time the millions of American soldiers were gradually being fitted back into industry amidst all sorts of temporary confusion and delay. The truth of the whole matter is best told by Secretary Hoover's Year Book of Commerce for 1922, as follows:

The President's conference on unemployment was called at Washington in September, 1921, to consider relief for the four to five million workers who were unemployed as a result of the depression of 1921.

Note the words "depression of 1921." The report of the Secretary of Labor states that 5,735,000 were unemployed in 1921, and most of them until the spring or summer of 1922. Not tariffs, but new highway building, new railway improvements, the automobile boom, and the building boom to catch up after the war—all temporary except one—finally relieved the labor situation.

Revenue considerations were not even thought of when the Fordney law was framed and enacted. The internal tax reduction bill was pending part of the time. Republican leaders were shouting that internal taxes must be reduced in order to reduce the cost of living, and at the same time they were valiantly heaping on high tariff rates in order to increase the cost of living. It so happened that there were those who desired large duties on such articles as sugar, raw wool, burlaps, and a number of similar materials for finished manufactures, otherwise the revenue yield would have been less than normal.

For the year 1924, compared with 1921, there was an actual decrease of customs revenues from the silk schedule of $916,000, although the luxurious products of this industry retailed to the American people at $1,000 000,000 to $1,250,000,000, and raw silk consumption increased from 45,000,000 pounds to 63,000,000 pounds. The great cotton schedule only showed an increase of $1,568,000 for the same period. These illustrations are sufficient to negative the popular impression about the chief sources of tariff revenue increases.

The average ad valorem rates of the schedules in the Fordney law obtained by dividing the amount of duties collected by the values of dutiable imports is grossly misleading as an index to the true and full level of the various tariff rates. Too many of these rates are prohibitive and hence concealed to render this sort of calculation at all accurate. Even this test, however, shows an increase of the chemical rates from 21 per cent in 1921 to 31 per cent in 1924; an increase of earthenware schedule from 34 to 40 per cent; of metals from 21 to 49 per cent; of wood manufactures from 15 to 22 per cent; and of sugar from below 30 to 40 per cent. The average ad valorem rate on all dutiable imports, 1924, is thus revealed as 36.56 per cent. From the standpoint of protection our postwar railway freight rates have afforded to all inland sections of the country the advantages of a reasonable tariff system. The Fordney law was designed to afford double protection, including sufficient tariff to cover freight rates from coast to coast when necessary. Probably two-thirds of the rates or classifications or both are either prohibitive in their effects or entirely useless from the standpoint of revenue or appreciable competition. The unnecessary rates are intended to keep out local or sporadic imports and also to enable the domestic manufacturer without the risk of outside competition to raise prices abnormally in case of threatened scarcity, as was recently illustrated by the large increase in the prices of automobile tires, which carried a 10 per cent tariff.

At the very time the Nation was thus proceeding to fence itself in from "destructive" foreign competition, our imports of finished manufactures did not exceed 2½ per cent of the much more than $30,000,000,000 of merchandise retailed in this country to the American people. Most of this huge total, however, has since been sold at prices enhanced by the new tariff. In appraising or comparing imports, exports, and other trade figures it is important to bear in mind both price and quantity changes during recent years, because values depend on both.

Let us see what happened to the chemical schedule proper. Thirty-three new rates and classifications were added to the dutiable list. Virtually all other rates were greatly increased, some tenfold. The imports of chemicals proper for 1921 were $40,309,000, and for 1924, $42,700,000, with duties for the latter year of only $7,642,000. These general facts reveal the rates as highly excessive in the light of our largely increased consumption of chemicals. Most of the rates of acids are practically prohibitive, as is also true of indigo and other natural dyes. Potassium compounds, sodium compounds, flavoring extracts, lead compounds, calciums, and most other dutiable chemicals are so heavily tariff laden that only $21,160,000 subject to duties under the chemical schedule proper were imported in 1924, including many we produce in insufficient quantities or not at all. The factory value of chemicals in this country in 1923 was $630,000,000, wage cost 16 per cent, and dutiable imports slightly over 3 per cent. Chemicals are a serious cost factor in textiles, leather, steel, and most other important industries. Paints, colors, and pigments, for illustration, carry duties averaging 32 per cent, and the imports for 1924 were $2,840,000, compared with $2,362,000 in 1921, while the factory value of the domestic output for 1923 was $404,000,000 and wages 7½ per cent. The imports were about one-half of 1 per cent, while the exports for 1924 were $14,326,000. This one instance illustrates hundreds of cases existing throughout the Fordney tariff law. Soap is taxed from 24 to 30 per cent, with imports of $556,000 and exports of $7,400,000 for 1924, and more than that amount for 1925; value of production, $276,000,000; wages, 7¼ per cent.

Sulphate of ammonia, an important fertilizer ingredient, is given a tariff of 9.82 per cent, although exports greatly exceed imports. New duties on casein, coal-tar products, dyeing extracts, quebracho, vegetable and other oils, and caustic potash, and acids, are chiefly responsible for increased revenues. It is little wonder that average wholesale prices of all commodities rose 15 per cent.

Authors of the Fordney Act surprised the country by the number of new and high rates which they prescribed for the iron and steel schedule. Iron and steel products are a major cost factor in virtually every industry in America. Coal and iron are the two great basic commodities which underlie all industry. Twenty-five years ago Carnegie and his men boasted that they could produce the cheapest steel in the world and would soon control the world's markets. Ours was the greatest and richest iron-ore reserves, the largest coal reserves, best skilled labor, and best business management. In the face of these facts and conditions, and of our 100-year-old tariffs on iron and steel, we now find new tariffs restored on pig iron, steel rails, and the ferro-alloys, abrasives, and most other raw materials except iron ore, and largely increased rates on all iron and steel products, commencing with crude iron and steel, although the United States produces 60 per cent of the world's pig iron and steel. The new tariff on pig iron, iron in slabs, blooms, loops, bars, wire rods, boiler and other plate, of iron or steel, range from 4.19 per cent on the former to 36 per cent on the latter. Steel ingots are given 20 to 26 per cent; structural iron and steel, 13 to 25 per cent; tubular products, 25 to 33 per cent; steel rails, 7.41 per cent; wire, 17 to 45 per cent; nails, 3½ to 24 per cent; bolts, nuts, and rivets, 5 to 18 per cent; cast-iron plates, wheels, axles, forgings, and so forth, 16 to 25 per cent; builders' hardware, 40 per cent, imports, $1,354; tinware, 40 per cent, imports, $18,185; bathtubs, 56 per cent, imports, $51,269; padlocks, 60 to 68 per cent, imports, $38,000; hinges, 40 per cent, imports, $126; horse and mule shoes, 4½ to 11 per cent, imports, $87,000; imitation and other jewelry, 80 per cent, imports, $1,566,000, while the value of domestic products is $174,000,000; tools, such as axes, saws, files, shovels, and others used by mechanics, 29 to 49 per cent, imports, $260,000.

The cutlery tariff provisions average 107 per cent. Table and kitchen cutlery 74 per cent, imports $40,715; pocketknives $1.25 to $3 per dozen, 146 per cent, imports $78,691; cheaper pocketknives 179 per cent; safety-razor blades 87 per cent, imports $1,473; exports over $4,000,000; pruning and sheep shears under $1.75 per dozen, 151 per cent, imports $2,883; other scissors and shears, 185 per cent, imports $38,108. These amazing rates cost the people near $50,000,000 annually.

Internal-combustion engines, 25 to 40 per cent, imports $50,000; electrical machinery and apparatus, 20 to 50 per cent, imports $2,748,000, exports $69,827,000, factory value of domestic products in 1923, $1,293,000,000, wages 24 per cent; other machinery, such as machine tools, textile machinery, printing presses, cash registers, lawn mowers, and most other, except agricultural, 30, 35, and 40 per cent; imports, including agricultural, $11,755,000, while the exports are $317,000,000. Why all these excessive tariff rates?

The iron and steel schedule proper shows imports of $28,578,000 and revenues of $7,834,000, or an average tariff rate of near 29 per cent. The total exports are $221,000,000, while the factory value of iron and steel products, not including machinery, in 1923 was $6,828,000,000; wages, 16½ per cent.

The imports are comparatively nominal. The cost of production in the iron and steel industry are measurably enhanced by high duties on ferro-alloys, chemicals, and other materials. The gradual decline of iron and steel exports since 1920 offers a striking illustration of the disastrous effects of extreme high tariffs on all raw materials, regardless of whether needed or whether the same are produced here in sufficient quantities, as it also makes plain the enhanced cost of production in all other industries.

The railroads consumed 22⅔ per cent of iron and steel products, or 5,986,000 tons, during 1925. On these and other products purchased for all purposes the railroads pay increased tariff prices of nearly $200,000,000 annually, which they pass on to shippers in the form of higher freight rates. The farmer not only pays his share of this but he also is a consumer of iron and steel products in the amount of nearly 20 per cent of the entire output, so that he falls heir to this additional tariff burden. The building and bridge trades consume nearly 18 per cent, thereby unduly enhancing the cost of all building.

In its treatment of the earthenware schedule the Fordney law heaped new duties on such crude materials as beauxite, 22 per cent; magnesite, 22 per cent; graphite, 10 to 49 per cent; crude talc, common blue clay, burrstone, 15 per cent, and in addition took from the free list and imposed a duty of 65 per cent on chemical, surgical, and similar articles and utensils, and a new duty of 45 per cent on optical glass for laboratory, hospital, and school purposes, while the Underwood rates on china and other vitrified wares, painted, enameled, and so forth, was increased from 55 to 70 per cent; from 25 to 40 per cent on decorated articles made of earthy or mineral substances; from 40 to 50 per cent on painted, decorated, and so forth, earthenware and crockery ware; from 50 to 60 per cent on plain china, porcelain, and other vitrified wares; from 30 and 45 per cent to a single rate of 50 per cent on table and kitchen articles and utensils of glass; from 50 to 100 per cent above the Underwood rates on glass; from 25 per cent advalorem to 40 per cent on lenses; from 30 to 50 per cent on stained glass windows.

The imports under virtually every rate in the earthenware schedule are either nominal or of minor values with the following exceptions: China, porcelain, painted, enameled, gilded, 70 per cent; earthenware and crockery ware painted, enameled, gilded; and plate glass not exceeding 720 square inches. The special earthenware imports just described aggregate nearly $13,000,000 of the total of $16,700,000 of pottery and earthenware for 1924, while the plate glass imports mentioned were $9,950,000 of the total of $10,374,000 for plate glass.

This increase of glass imports under high tariffs was due to the great auto expansion. This industry consumes over 40 per cent of our plate-glass supply, and with the building boom added we were obliged to procure a substantial amount of plate glass from abroad in order to supplement our domestic supply, thereby meeting abnormal demands since 1922. Tariffs or no tariffs, we had to have it, even though enhanced tariff prices correspondingly, increased production costs in both the auto and building industries.

Many Americans, especially the wealthy, insist on purchasing from abroad the more beautiful and artistic articles of tableware, such as china, porcelain, earthenware, and crockery ware, which are decorated, enameled, or gilded. They pay the price, regardless of tariffs, just as the general public would pay the increased price for coffee if it were subject to tariffs of 5 and 10 cents a pound. They want these things, and they are either not satisfactorily produced at home or they believe they are not. The factory value of domestic products of stone, clay, and glass products, 1923, was $1,538,000,000; wages, 28½ per cent. Total imports, 1924, $54,480,000, or a small fraction of 1 per cent. What the masses buy of earthenware does not come in over the tariff.

The Fordney tariffs in the flax, hemp, and jute schedule again illustrate the two important points already stated to the effect that unnecessary rates on raw products and raw materials, especially when we do not produce them, greatly increase costs to the consumer, and that the figures purporting to show increased dutiable imports under the Fordney law are very deceptive. For example, there were imported in 1921 $46,000,000 worth of jute bagging, cordage, unmanufactured flax, hemp, and burlaps of plain woven fabrics of single jute yarns not colored or dyed. These articles and their values were transferred from the free list to the dutiable list by the Fordney law, and quantities valued at $62,575,000 came in as dutiable in 1924. This shows only a transfer from the free to the dutiable list, rather than an increase of imports.

The United States must import all its jute, and to every practical extent its flax and hemp. It was monstrous economics to enlarge the dutiable list, as just pointed out, and it was equally unjustifiable to increase the tariff rates on other manufactures of flax, hemp, and jute. Why place a duty of 4 to 9 per cent on unmanufactured flax and hemp; 8.60 per cent on imports of burlap, aggregating $59,000,000; 20 to 27 per cent on jute bags; 10 per cent on jute bagging for cotton; and from 25 to 50 per cent on many jute fabrics? The first result we see of the new tariff on raw flax and hemp is an increase in the tariff on certain woven flax and hemp fabrics from 35 per cent, Underwood law, to 55 per cent, and an increase as to certain other woven fabrics from 30 to 55 per cent. The 35 per cent tariff on towels and napkins of flax, hemp, or ramie was increased to 55 per cent as to some and 40 per cent as to others. The tariff on linoleum was increased, although the imports for 1924 were $1,456,000, compared with factory domestic production of $52,527,000 in 1923, or less than 3 per cent imports. The American people feel obliged to import certain quantities of the flax, hemp, and jute industry just as they feel it necessary to import many other products we do not produce either at all or in sufficient quantities. The tariff load in such cases is as burdensome as it is unnecessary. It is this class of imports, and others we do not produce in sufficient quantities, or at all, that the people demand from abroad which accounts for most increased imports and increased revenues under the Fordney law.

The Fordney woolen tariffs are far higher than any others in the modern world. They impose 31 cents a pound on raw wool upon the pretended theory that the American woolgrower will have his prices correspondingly enhanced. The specific rate of 31 cents on wool, regardless of price, is a severe discrimination against the cheaper wools. The United States Department of Agriculture in February, 1926, stated the fundamental economic law underlying the wool situation as follows:

> Wool prices in this country are governed very largely by world conditions, but any slackening in business conditions in this country may temporarily depress American wool prices below their usual relation to world prices.

For 50 years prior to the World War, under high tariffs on raw wool, the prices of comparable wools in the Boston and London or world market upon the average were not materially different. During February, March, and April, 1921, fine territory wool prices ranged from 87½ to 90 cents a pound, whereas after the high Fordney rates of May, 1921, the prices ranged from 82½ to 86½ cents the remainder of that year. During July, August, and September, 1924, the price of the same wool in Boston was lower than similar prices in London. For the year 1924 the average price of fine territory wools in Boston was only 6½ cents above the average world price, and if this should be attributed solely to the tariff, our woolgrowers only received $7,500,000 in tariff benefits, or about one-fifth of the tariff rates. If we allow 13½ cents as an average higher price per pound for our three best grades of wool above the London average price for 1924 and attribute this solely to the tariff, which is economically absurd, the woolgrowers' benefits are only $16,200,000 on a wool output of 200,000,000 pounds. The Farm Bureau Federation early in 1923 estimated that the raw wool tariff cost the American farmers alone $27,300,000. This is not the worst feature, because the woolen manufacturer increases his tariffs to correspond to a full-tariff benefit of 31 cents a pound to the woolgrower, with the result that the manufacturer procures the lion's share of tariff benefits. It is an economic axiom that the price of any commodity of world-wide production and consumption swings along near the world price level regardless of artificial tariff efforts to regulate and control it. Our woolen tariffs are sadly in need of the application of sound economics. There are 57,000,000 less sheep in the world than before the war.

The woolen schedule begins with 31 cents a pound on raw wool and proceeds with 63 per cent on wool yarns, with chief imports of $2,666,000. Cheaper yarns are shut out with 75 per cent. We have the usual imports of specialties under the woolen and worsted tariff provisions, aggregating $19,000,000 and carrying tariffs of 68 to 73 per cent. These are purchased by our wealthy class at near $2 per pound. Cheaper woolen and worsted cloths are virtually shut out by tariffs of 67 to 101 per cent, so that only $1,400,000 are imported. Total imports of woolen wearing apparel are $9,498,000 under tariffs of 57 to 86 per cent. This item comprises English overcoats and other special foreign designs which a small group of our wealthy citizens prefer, regardless of tariffs. The same class of citizens also purchased certain very costly oriental carpets at $7 per square yard, and 55 per cent tariff rate, in the aggregate amount of $12,067,000. We see that virtually nothing the average citizen or the masses use or wear comes in under the woolen tariff schedule. Most of his tariff rates, being prohibitive, are concealed from the import figures. The total imports of wool manufactures, such as I have described, are

$52,153,000, whereas the factory value of domestic woolen products is over a billion dollars and they are retailed at 33⅓ to 50 per cent higher. The wage cost is 23 per cent. The American people are undoubtedly penalized by the woolen tariff schedule to the extent of $250,000,000 to $300,000,000 annually. In this connection it is pertinent to call attention to the fact that many concerns engaged in textile manufacturing have built up an enormous capital out of profits through stock *dividend operations* and insist on tariffs high enough to permit 10 to 20 per cent profit on such swollen capital without the hazard of outside competition. This condition applies more or less to all the textile industries.

The cotton tariffs call for general readjustment downward. We again find that the rates are either grossly excessive or prohibitive as to virtually all cotton products except a small amount of fine yarns or fabrics which we either do not produce or produce in limited quantities, and specialties which wealthy Americans insist on purchasing from abroad. The factory value of domestic production in 1923 was $2,000,000,000; average labor cost, 21 per cent; average number of laborers, 495,000. The imports of cotton manufactures for 1925 were $79,273,000; exports, $148,238,000. A great outcry for new cotton tariffs was made in 1921 upon the ground that imports for 1920 were $137,583,000. The fact that during the same year exports were $402,000,000 was ignored. During the six years, 1920 to 1925, our exports of cotton manufactures exceeded imports over $500,000,000. In 1925, imports of cotton cloth, $26,424,000; exports, $85,000,000. The cotton-yarn tariff runs as high as 25 to 34 per cent, with imports of only $4,687,000. The tariffs on cotton cloth run from 11¼ to 45 per cent. We find such duties as the following on cotton wearing apparel: Fifty to 75 per cent on knit gloves, but $3,187,000 of the total imports of $4,379,000 are embroidered and imported by the well-to-do at 75 per cent tariff rate. The imports of hosiery are of the costly quality and $1,103,000 of the total imports of $1,239,000 pay a duty of 50 per cent. Exports of hosiery, 1924, were $9,095,000. Cotton shirts, 35 per cent tariff, with imports of $7,128; exports, $2,218,000. Knit underwear and other knit apparel, 45 per cent, with imports of $167,914. Handkerchiefs, 30 to 90 per cent, with no imports under the 30 per cent bracket, while $1,250,000 of the total imports of $2,284,000 come in under the 75 and 90 per cent rates through purchases of wealthy citizens. Cotton sheets and pillowcases, 25 per cent, with imports of $13,525.

These citations show the range and useless or prohibitive nature of the cotton tariff rates. In return for this high schedule the cotton manufacturer was obliged to acquiesce in exorbitant rates on his acids, dyestuffs, machinery, and most other materials entering into manufacturing costs. High-tariff protection thus inevitably means excesses and abuses. The English exports of cotton manufactures are 40 per cent below the pre-war level, while ours are higher than for any year since 1920. What could our cotton manufacturers not do if they were only relieved of many artificial increased-cost items resulting from existing tariffs? Unless the cotton manufacturer were inflating his prices behind the shelter of these extreme tariffs he would not so strenuously cling to them. The people are thus mulcted to the extent of several hundred millions annually.

The silk schedule is clearly prohibitive or excessive from the standpoint of both revenue and competition. Imports of silk manufactures, 1924, were $36,938,000, or less than those of 1921, notwithstanding the great increase in silk consumption in the United States, as heretofore pointed out. The revenues, as I have already stated, also show a decline. The principal silk fabrics, comprising silk in gray and velvets, come in at 55 and 60 per cent, respectively, while the tariff on silk wearing apparel averages more than 70 per cent, with imports of only $7,590,000, of which $6,500,000 constitutes ready-made clothing at 75 per cent. The tariff on handkerchiefs runs from 60 to 90 per cent, with imports of $625,000, which is nominal.

The factory value of domestic silk production, 1923, was $761,322,000; average wages, 16⅔ per cent. It is manifest that this great class of luxuries, retailing at $1,000,000,000 to $1,250,000,000, should pay more than $17,629,000 tariff revenues into the Federal Treasury, and in order thus to raise this pittance of revenue it is amazing to contemplate the enhanced tariff prices the country is paying on this huge amount of silk goods consumed.

The sugar tariff is 1.764 cents per pound against raw sugar from Cuba and 2.20 cents against imports from other countries, excluding our insular possessions, from which sugar is admitted free. The net revenue to the Treasury from sugar imports for 1924 was $130,401,943. This makes allowance for drawback on sugar reexported. American sugar refineries import the raw, chiefly from Cuba, pay the duty, and refine and sell to the general public. One hundred and seven pounds of raw sugar under the tariff make 100 pounds of refined. Other costs, because of the tariff levy, swells the total cost of refined sugar to near 2 cents a pound. The sugar refining companies must fix their selling price so as to include this 2 cents per pound tariff. The United States in 1925 consumed about 12,342,534,000 pounds of sugar, which at 2 cents per pound amounts to $246,850,000. Of this latter amount $130,401,000 went into the Treasury, leaving near $116,450,000 paid by American consumers of sugar to the beet and cane sugar manufacturers in the United States and our insular possessions.

We imported 6,516,240,000 pounds from Cuba at 1.76 cents tariff, and 75,734,000 pounds from full duty-paying countries at 2.20 cents per pound. When the American sugar refineries, importing from Cuba, fix their price of refined sugar to the public, the beet sugar producer at home and the cane sugar manufacturer in our insular possessions and Louisiana, proceed then to fix their sugar prices along with or very close to the price level of the American sugar refineries. The result is that the prices of our domestic and insular sugar manufacturers and producers include the 2 cents per pound tariff, although they are not subject to any tariff. This 2 cents per pound multiplied by 5,750,559,000, which is the number of pounds of sugar produced in the United States and our insular possessions, gives a total of $115,011,000, which the sugar tariff costs the American consumers in addition to what they pay into the Federal Treasury; or, at the naked tariff of 1.76 cents a pound it would be $100,000,000.

The amount or subsidy goes to the domestic producer in the form of higher prices than he would otherwise be in a situation to charge. For every $5 sugar tariff tax that consumers pay into the Treasury they pay $4 and more to the domestic manufacturer. President Coolidge in his published statement of June 14, 1925, declining to reduce the sugar tariff, gave as one reason that it would mean a revenue loss of $40,000,000. This is paradoxical, because he was even then urging a reduction of income taxes and Treasury revenues. May the country be saved from this selfish sort of economic philosophy!

Agricultural tariffs call for special comment. Figures have already been cited revealing the great strides of both agriculture and industry to 1921, and of the continued expansion of manufacturing industry since that time. The story of agriculture for the years 1921–1925 is tragic. The value of farm lands alone declined 31 per cent, or $17,000,000,000. This colossal loss, together with abnormal losses on farm products, make the farmer $25,000,000,000 to $30,000,000,000 worse off than in 1920, and worse off than he was before the war, despite unprecedented high tariffs on all agricultural products since May, 1921. His indebtedness aggregates near $12,000,000,000. Most countries have erected tariff barriers against his export surpluses. Farm failures during past years increased 1,000 per cent in contrast with commercial failures. Near $8,000,000,000 of our $10,500,000,000 loans made abroad since the war have been placed in Canada and South and Central America, where they would aid exports of our finished manufactures, but would not aid our food exports to Europe. The farmer has seen high tariffs thoroughly tried out in practice, and if he can not now see that he is receiving tariff burdens and not tariff benefits it would be in vain to reason with him. The absurdity of 20 cents a bushel on barley, 15 cents on corn, 15 cents on oats and rye, 42 cents on wheat, 3 cents a pound on fresh beef!

Agriculture has never gone to the heart of the tariff question; but should it fail soon to do so, it is destined to a state of permanent decay in this country. There is no more sound economic law than that tariffs are helpless to benefit an industry with a substantial surplus which must be annually sold abroad in competition with important quantities of like products from other countries. The American farmer, therefore, who produces of the total agricultural output some 80 to 85 per cent of the staple agricultural products, such as corn, cotton, wheat, oats, rye, hay, lard, meat products, and tobacco, much of which must be exported, can not hope to receive any appreciable tariff benefits. The existing tariffs, on the contrary, hurt the American farmer by (1) increasing his production costs, (2) his cost of living, (3) his transportation rates on both land and sea, (4) decreasing his foreign markets and his exports, and (5) decreasing his property value by surplus congestion. The tariff is a tremendous factor in the farmer's production costs, as it is in his living costs. There is scarcely an article he can purchase for any purpose at a price that is not tariff inflated. His agricultural machinery was placed on the free list, while high duties were imposed on all the materials entering into the same, and the fact that the manufacturer dominates the world compels the farmer to pay high-tariff prices just the same. While the inevitable logic of high tariffs is that home production

should not exceed home consumption ultraprotectionists are striving to expand the exports of industry while they are advising the farmer to restrict his output to the home demand. They tell him that he should be content with home markets. In the first place, the farmer's home market is secure, regardless of tariffs; secondly, of what concern is the home or any market to the farmer unless he can sell at a price above the cost of production? The farmer is interested in prices above all else. High-tariff advocates also tell the farmer that his collapse in 1921 was primarily due to commercial depression, whereas in truth the commercial depression was primarily due to the agricultural collapse and loss of purchasing power.

Agriculture continues as the basis of all sound domestic prosperity. Under existing tariff and trade policies industry will soon submerge agriculture and then the rule will be reversed. The farmer undoubtedly knows now just what has been happening to him during the past five years. In 1920 the exports of all foodstuffs and food animals were $2,034,000,000, compared with similar exports of $892,000,000 in 1925. Only 17 per cent of our imports of foodstuffs in 1925 were competitive. Attempts are at times made to mislead the farmer by pointing to the large volume of agricultural importations. They dodge the controlling facts that most importations of foodstuffs are tropical fruits, coffee, sugar, tea, and other products that we do not produce at all, or if so, in insufficient quantities. Tea, coffee, sugar, spices, and cocoa comprise $620,000,000 of food imports for 1925. We produce none of these except some sugar. We must import wool and Egyptian cotton to the extent of $162,000,000 unless we are to freeze; raw silks amounted to $396,000,000 and crude rubber to $437,000,000. We produce neither. A fair volume of winter fruits and vegetables come in from southern countries at a time not to compete with our own. We do not produce enough hides, and so we purchased $96,000,000 of hides in 1925.

These are the principal scarecrow items of agricultural imports. There will naturally and inevitably filter into this country sporadic items of competitive imports, such as 12,635,000 pounds of fresh beef in 1924, but since we eat more than 7,000,000,000 pounds of beef annually, this insignificant quantity would not afford rations for two meals. It is these small driblets of imported foodstuffs which come in in the natural course of international trade, tariffs or no tariffs, on which protectionists base their plea to the farmer. I am not discussing here a few minor agricultural specialties in this country which now and then claim some tariff advantages, but which comprise scarcely more than 15 per cent of American agriculture. One class of wheat growers now and then gets a slight whiff of tariff benefits, in no sense comparable to his injuries or to the far broader benefits he would derive from moderate tariffs, with the result that he is enlisted in support of all high-tariff programs.

This is in the face of the fact that probably three-fourths of the time competitive wheat in Winnipeg is higher than in Minneapolis, with the result that the American grower gets virtually nothing except some advantage against price fluctuations across the border, which occasionally occur. What most generally happens is that American and Canadian wheat moves on parallel routes to the world market in Liverpool, where they meet in competition and where the price of our domestic wheat at home is measurably fixed.

It is thus seen that mountainous tariff rates which are utterly meaningless are scooped out to the farmer, while he in return supports such unconscionable rates on iron and steel products, wearing apparel, house furnishings, and others I have detailed, which are wholly effective in increasing the prices of all articles and commodities the farmer must purchase. Under the existing tariff and related economic policies there is an irreconcilable conflict between industry and agriculture in this country. I am opposed to destroying one for the benefit of the other. I favor such fair and constructive treatment of both as will conserve and develop them to the fullest possible extent.

In conclusion, the Fordney law was written for protection and not for revenue. The increased revenues from the manufacture of the four great industries, iron and steel, cotton, wool, and silk, with products retailing at more than $15,000,000,000, were less than $20,000,000 for 1924 over the Treasury revenues of 1921. The Coolidge administration continues to pile up tariff taxes under the flexible provision, while it preaches internal-revenue tax reduction. The increase in imports has comprised either price increases or increases of materials for finished manufacturing, chiefly to supply our largely increased domestic consumption of finished products. With pre-war and post-war values equalized, imports were $2,550,000,000 for 1913; $2,898,000,000 for 1921; $3,367,000,000 for 1922; $3,792,000,000 for 1923, $3,611,000,000 for 1924, and $4,228,000,000 for 1925. The imports of dutiable finished manufactures for 1924 are less than in 1914, notwithstanding our tremendous business expansion.

Many finished articles ready for consumption which the people wear and use as stated were transferred from the free to the dutiable list by the Fordney law. Burlap is one of such articles made dutiable. Deducting burlap imports of $85,000,000 for 1925 for the sake of comparison, we have the following imports of dutiable finished manufactures, which are $321,810,000 for 1914, $350,922,000 for 1921, and $442,000,000 for 1925. Equalizing 1914 values with 1925 values shows imports of $465,450,000 for 1914, compared with $442,000,000 for 1925. And again, imports of finished cotton, silk, and wool manufactures for 1921 were $175,000,000, as compared with $161,000,000 for 1924.

These outstanding and amazing facts expose the big fraud in the Fordney rates. The metals schedule, for example, averages 49.32 per cent ad valorem, the highest since the average of the McKinley Act in 1893–94.

Save for loans of $10,500,000,000 and gold imports of near $2,000,000,000, the volume of our exports during recent years would have been humiliatingly and disastrously low, while large overproduction in many industries would have created stagnation and idleness of labor and capital at home. The excess of exports for the 10 years 1916–1925 was $22,500,000,000. It is folly longer to continue the great productive plant of the Nation—the greatest of all time—in a high-tariff strait-jacket. Taking as a basis $26,000,000,000 the increase of factory value of domestic products by manufacture, which is ultra conservative, if we assume that the Fordney tariff increases prices an average of 15 per cent to the American people, a tariff cost of $3,900,000,000 in prices in excess of a reasonable price is the result. During the present period of high prices this is extremely conservative. A high-tariff policy means the writing of tariffs by the beneficiaries and their constant jacking up to higher levels under the flexible provision, with the result that correspondingly higher artificial prices—prices out of line with world prices—are brought about. This condition will later even invite imports and also will destroy finished exports. Import tariffs do not aid exports, but correspondingly depress them.

America is no weakling, but an economic giant, standing at the head of the column of nations in finance and industrial efficiency and capacity, and she can not maintain a healthy growth in an industrial hothouse. Why wait for a crisis or a panic before correcting unsound policies? The rights and the welfare of both industry and agriculture alike must be recognized and promoted, and this can not be done through a system of ultra high tariffs. The flexible provision as an agency of tariff reduction is a colossal failure.

The existing tariffs should be reduced gradually and with careful regard for industry, which has been accustomed to artificial stimulants and influences. There should be no disposition to destroy or materially injure any efficient industry economically justifiable in this country. From the standpoint of adequate tariff protection even there is room to-day for a great economic issue on whether the enormous excesses and abuses in the Fordney law shall be eliminated. The Republican Party, however, is not the agency through which even this partial and patriotic step can be taken. That party has been the faithful servant of the extreme high tariff manufacturer since the Civil War. The latter has furnished the chief finances for that party during campaigns, and in turn has dominated the Republican national leadership with respect to its important legislative and other national policies The result has been that the Republican organization has left colossal scandals and wholesale corruption in its trail during the past 60 years. It would be idle to propose honest tariff revision through the Republican Party. This would be equivalent to a proposal that the chief tariff beneficiaries themselves should revise the tariff. We have but to recall their fraudulent tariff revisions of 1884 and 1909. The ghost of Banquo did not disturb Macbeth's party more than a hint at tariff revision frightens high-tariff champions. It would be necessary for the Republican Party first to reform itself before reforming the tariff. It is helpless to do either.

The Democratic Party alone, disinterested, fair, and friendly as it is toward every class of legitimate business and every section of the country, can be looked to to revise the tariff to a moderate or competitive level for revenue, to establish fair and liberal trade policies and methods, and, in brief, to restore to this country sound economic policies, both domestic and international.

The conclusion is inescapable that under mossback, reactionary Republican rule the small group of extreme high-tariff manufacturers are in complete control. They dominate the Government; they in every practical sense are the Government. They have degraded our political life to the lowest level in history. All minor groups seeking special Government favors must operate through this all-powerful high-tariff group which constitutes the real citadel of what is known as special privilege. It is folly to condemn minor acts and policies of Government favoritism and to attempt to prosecute a program for their suppression until the strongly intrenched high-tariff group is first attacked, dislodged, and divorced from the Government. Some political party must resolutely enter upon this righteous task; and unless it is ready to turn its back on all its great traditions, principles, and achievements in opposition to vicious class legislation, governmental favoritism, and government by a class, the Democratic Party will welcome the combat.

PERMISSION TO ADDRESS THE HOUSE

Mr. HUDSON. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Michigan asks unanimous consent to address the House for one minute. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I ask the gentleman on what subject?

Mr. HUDSON. For the purpose of asking unanimous consent to insert in the RECORD a letter addressed to me.

Mr. LAGUARDIA. Mr. Speaker, still further reserving the right to object, I would like to follow the gentleman for one minute, because the gentleman has kindly informed me of the subject matter of the letter.

The SPEAKER. The gentleman from New York also asks unanimous consent to speak for one minute. Is there objection to these requests?

There was no objection.

Mr. HUDSON. Mr. Speaker, on March 24 in the RECORD, on page 6174, and succeeding pages, my colleague from New York [Mr. LAGUARDIA] brought to the attention of the House certain matters connected with the famous Remus case, and in connection therewith brought to the attention of the House one Franklin L. Dodge. Mr. Frank Dodge, the father of this gentleman, has been a lifelong resident of my home city, Lansing, Mich., and he is a highly honored and respected attorney of that city. Mr. Franklin L. Dodge is not known to me personally, but I have his letter addressed to me under date of April 10, in which he refutes the charges read into the RECORD by the gentleman from New York [Mr. LAGUARDIA], and I ask unanimous consent to insert that letter in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to insert in the RECORD the letter referred to. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, and in the minute granted to me by the House, I desire to state that I made no charges against the father of Franklin L. Dodge, whom I will concede is a gentleman of very high standing in the gentleman's community. I want to inform the House that my information was taken from sworn affidavits, depositions, and examinations before trial under oath.

Mr. HUDSON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. HUDSON. Is it not a fact that the case is now on trial before the courts and has not been decided?

Mr. LAGUARDIA. I stated on examinations before trial under oath by order of the court. I do not want to extend these affidavits in the RECORD, because the very character of the case is such that the information in these affidavits is not of a nature that the membership of the House wants in the CONGRESSIONAL RECORD. I serve notice on the House that I will obtain certified copies of the sworn testimony and file it with the clerk of the Committee on the Judiciary so that the membership of the House may obtain the information from the same authentic source that I obtained it. I shall not object to the gentleman's request.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LETTER FROM FRANKLIN L. DODGE, OF CLEVELAND, OHIO

The letter is as follows:

CLEVELAND, OHIO, *April 10, 1926.*

HON. GRANT M. HUDSON,
House of Representatives, Washington, D. C.

SIR: My attention has been called to a speech by Congressman LAGUARDIA, of New York, appearing in the CONGRESSIONAL RECORD for Wednesday, March 24, 1926, on pages 6174, 6175, and 6176, in which he attacks my character and my conduct both in public and private life. I feel in justice to myself and my family that the Congress of the United States and the public ought to be placed in possession of the facts.

The charges are absolutely false; I deny them without qualification; they have no foundation in fact and the attack upon me is wholly unwarranted and manifestly unfair.

The provisions of section 6 of Article I of the Constitution of the United States preclude me from instituting any legal proceedings against Mr. LAGUARDIA for making and causing the publication of those charges in the course of his remarks on that occasion, and I must therefore content myself with presenting the true facts concerning the matters to which he referred in the form of a letter to you which I feel, in fairness, should appear in the CONGRESSIONAL RECORD and be given as wide publicity as the remarks of Mr. LAGUARDIA.

The charges were made by Mr. LAGUARDIA, but in my judgment he was the instrument by means of which George Remus placed before the Congress and the people of the United States his propaganda to ruin and blacken the fair name of his wife, Mrs. Imogene Remus, and to attempt to ruin my reputation and bring disgrace to an honorable family, of which I am a member. In the language of the Bible—

"The voice is Jacob's voice, but the hands are the hands of Esau." (Genesis, 27:2.)

It is my belief that Mr. LAGUARDIA in making these charges has unwittingly become the tool of George Remus, one of the most unscrupulous men who ever immigrated to and resided in this country.

Mr. LAGUARDIA said on page 6176 of the CONGRESSIONAL RECORD on March 24, 1920:

"He violated another statute of the United States while in the employ of the Department of Justice, and he was permitted to resign."

I deny that I was permitted to resign as a special agent of the Bureau of Investigation of the Department of Justice because I violated a statute of the United States. I resigned to accept a position with the investigation department of the National Credit Men's Association. During the later part of June, 1925, the investigation department of the National Credit Men's Association entered into negotiations with me with a view of having me enter its employ to do investigative work, and on or about the 11th day of June, 1925, I transmitted my resignation to the Bureau of Investigation, Department of Justice, Washington, D. C., to take effect at its pleasure, and the said resignation was accepted effective on August 10, 1925. I defy any person to point to any act of commission or omission during my entire official life inconsistent with the proper discharge of my official duties.

I was assigned to some of the most important cases under investigation by the Government during my connection with it, and I do not hesitate to say that I can properly point with pride to the manner in which I handled the investigation of those cases and the results obtained by me under very difficult circumstances. In the performance of my duties I was thrown in contact with men who were using their talents and their wits to violate the laws of the United States and escape punishment for their offenses, and on one occasion I was offered 100 one thousand dollar bills if I would permit a certain person to escape the punishment which my work made it possible to impose upon him under the law. I thank God that I was true to my trust and that I did not for a moment swerve a hair's breadth from the path of duty. Of course, in my investigative work I had to enter and live in an environment at times which was not of my choosing, but in the performance of my duties it was not for me to reason why, but to do and die. It has often been said that republics are ungrateful. I have never been a cynic, but when I read the speech of Congressman LAGUARDIA attacking me and my record made on the floor of the House of Representatives of my country, I could not help but think that after all there was a grain of truth in that saying.

During my employment with the Government of the United States I never knew that George Remus or his wife, Mrs. Imogene Remus, owned or possessed any whisky certificates. Neither did I know anything about their property or their domestic affairs.

I never met Mrs. Imogene Remus until January 16, 1925. I met her in the presence of her husband in the Clark County jail at Athens, Ga., where George Remus, her husband, was confined at that time, and I was introduced to her by George Remus himself in the presence of United States District Attorney Clint W. Hager, of Atlanta, Ga., and Capt. Charles Redding, assistant United States attorney, of Savannah, Ga., who were with me at the time on official business connected with the investigation of certain alleged irregularities in the conduct of the United States penitentiary at Atlanta, Ga.

Thereafter I saw Mrs. Imogene Remus in the presence of her husband occasionally in the United States district attorney's office at Atlanta, Ga., when her husband, George Remus, was brought from Athens, Ga., to the Federal building at Atlanta, Ga., to testify before the grand jury at Atlanta, Ga., which grand jury was then investigating alleged irregularities in the conduct of the United States penitentiary, and to which grand jury there was being presented the evidence secured through the investigation conducted by myself and other Federal officials, and during the first trial of Warden Sartain and other peni-

tentiary officials at Atlanta, Ga., during the month of February, 1925, in the Federal building in the presence of her husband, George Remus, who had been brought from Athens, Ga., to Atlanta, Ga., as a witness for the Government during the said trial in February, 1925. During his stay in Atlanta, Ga., at this time he was guarded by Max Goldman, of Athens, Ga., and during the daytime was kept in the United States attorney's office, Atlanta, Ga., and at night in the Robert Fulton Hotel, in Atlanta, Ga., always under the surveillance of Max Goldman and other guards, and Mrs. Remus was permitted by the guards to be with him on these occasions.

I was never in the presence of Mrs. Remus at Atlanta, Ga., or at Athens, Ga., or at any other place at any time except when she was in the presence of her husband or members of her family or friends or her attorney. I was never alone with her at any time or at any place in my life.

Mr. LAGUARDIA, in his speech, on page 6174, is recorded as saying: "While he was investigating the conduct of the warden and other officials he became very friendly with the wife of the prisoner, Remus, and the conduct in the very warden's office is too obscene to relate at this time."

That charge is absolutely untrue. The depositions taken on behalf of Mrs. Imogene Remus and on file in the court of common pleas, division of domestic relations for the county of Hamilton and State of Ohio, at Cincinnati, Ohio, in the case entitled Imogene Remus *v.* George Remus, docket No. 196557, absolutely disprove that charge.

The foundation for that statement of Mr. LAGUARDIA no doubt is an ex parte deposition made on behalf of George Remus by one Vernon R. Chumbley, who served two terms of imprisonment in the United States penitentiary at Atlanta, Ga., and one term of imprisonment at the United States penitentiary at Leavenworth, Kans., and who, I understand, at one time was also confined in the State insane asylum in Tennessee.

The depositions of Warden John W. Snook, the present warden of the United States penitentiary, and other penitentiary officials on file in the above-entitled case at Cincinnati, Ohio, prove to a moral certainty that that charge is absolutely false. On March 19, upon motion of former Common Pleas Judge Edward T. Dixon, of Cincinnati, Ohio, counsel for Mrs. Remus, the cross petition naming me corespondent and the ex parte depositions filed by George Remus were thrown out of court. Every charge of improper conduct on my part with Mrs. Imogene Remus is shown to be false by the testimony contained in the depositions on file in that case and at the hearing of the divorce case I expect to be present to take the witness stand to meet the charges made against me by George Remus in his cross petition and by Mr. LAGUARDIA in his speech delivered on March 24, 1926.

Mr. LAGUARDIA'S speech is replete with inaccuracies. The reader who is not in possession of the facts irresistibly comes to the conclusion that I was endeavoring to keep George Remus in the penitentiary, in jail, or in the workhouse at Dayton, Ohio, in order that I might enjoy the society of his wife and the use of his property, and that I was instrumental in having his bail in connection with the indictment pending against him in the district court of the United States at St. Louis, Mo., fixed at $50,000, and that I had something to do with the institution of proceedings in the United States Circuit Court of Appeals for the Sixth Circuit at Cincinnati, Ohio, through which the Government of the United States is seeking to reverse the ruling of the United States district judge, Smith Hickenlopper, in allowing the writ of habeas corpus.

I had nothing to do with the investigation of the offense involved in the illegal removal of whisky from the Jack Daniels distillery at St. Louis, Mo., during the summer and fall of 1923 and the returning of an indictment against George Remus and his codefendants in that case. I was never assigned to the investigation of that crime and never knew such a crime was committed and had no knowledge that the facts concerning that offense were being investigated and that such facts had been presented to a Federal grand jury until I read in the newspapers of the return of the indictment at St. Louis, Mo. I never had and have not now any official knowledge of that offense and the evidence in the possession of the Government to prove the allegations of that indictment.

If Mr. LAGUARDIA had taken the trouble to make an investigation, he would have learned that the amount of the bond in that case was fixed upon the recommendation of Hon. Havath E. Mau, United States attorney at Cincinnati, Ohio, and that at that time Mr. Remus was not a Government witness but a fugitive from justice.

I never spoke to Mr. Mau on that subject in my life. My guess is that the bond was fixed at that amount because George Remus was the archconspirator and the master mind in the conspiracy which brought about the illegal removal of the whisky from the Jack Daniels distillery at St. Louis, Mo., and its diversion into unlawful channels. Mr. Remus's bond was furnished by a professional bondsman, and some time after his release he appeared before the grand jury at Indianapolis, Ind., and, I understand, testified before that grand jury, and although he was the archconspirator in the conspiracy case presented to the grand jury he received immunity for his testimony and was not indicted, though he himself had been indicted for the same transaction by the United States grand jury at St. Louis, Mo.

I had nothing whatsoever to do with the error proceedings instituted by the Government in the United States circuit court of appeals at Cincinnati, Ohio, to have the court of appeals pass upon the question whether the sentence of imprisonment of one year in the workhouse at Dayton, Ohio, was to be served concurrently with his sentence of two years in the United States penitentiary at Atlanta, Ga.

I never discussed that question with any Government official in my life, and I was not instrumental in having those proceedings instituted. My judgment is that those proceedings are being pressed because of the decision of the United States Supreme Court in the case entitled United States of America, petitioner, *v.* James Daugherty, argued December 1, 1925, and decided January 4, 1926.

I never offered to sell whisky certificates to George W. Wallenstein, 30 Broad Street, New York City, nor did I ever used the name of John Gray, of Cleveland, Ohio, in that or any other connection.

The statement of Mr. LAGUARDIA, appearing on page 6176 of the CONGRESSIONAL RECORD of March 24, 1926, does not contain a word of truth. If Mr. LAGUARDIA has made an investigation, he would have learned that the whisky certificates belonging to Mr. Remus had been hypothecated by him in connection with the purchase by him of a distillery at Utica, N. Y., and that part of the whisky certificates which he hypothecated in that connection are forged and spurious whisky certificates. If Mr. LAGUARDIA had made an investigation, he would have learned that it was the practice of Mr. Remus to forge and counterfeit whisky certificates and to cheat and double-cross those with whom he transacted business.

Mr. LAGUARDIA in the course of his remarks charged me with attempting to bootleg Remus's whisky and to divert whisky into bootleg channels. His statements in that connection are also untrue.

Mr. Mat Hinkel, to whom Mr. LAGUARDIA also referred in his speech, is a man of upright character and a man of honor and integrity.

Mr. LAGUARDIA in the course of his remarks refers to a libel proceeding in Indianapolis, Ind., against 1,500 cases of whisky seized by the Prohibition Department at the Squibb Distillery at Lawrenceburg, Ind. I know nothing about that proceeding. I never had anything to do with it while in the Government service or since I left the Government service. I have learned, however, that those 1,500 cases of whisky was whisky which George Remus was attempting to divert into unlawful channels and that in order to save it for himself he caused Miss Blanche Watson, of Covington, Ky., to claim it as her whisky.

The district court at Indianapolis and the circuit court of appeals at Chicago, however, did not seem to put much faith in her claim and ordered the whisky confiscated to the United States.

As I said before, I have never had anything to do with this whisky and never saw it, and I had nothing to do with its custody, but Mr. Remus's action in connection with these 1,500 cases and his reference to the alleged diversion of 350 cases out of the 1,500 cases is in line with his past conduct. He is like the theif who cries "stop thief" to divert attention from himself to someone else.

George Remus is an atheist. He has no regard for the laws of God or man. He immigrated to the United States when a young man and is still unnaturalized. He claims to be a citizen by virtue of the naturalization of his father, and his claim to citizenship is false, as he well knows.

While practicing law in the city of Chicago he was notorious as a framer of evidence in divorce cases. He was disbarred from practicing law in the courts of that city. He was expelled from membership in the Masonic Order and the Illinois Athletic Club.

His first wife, Lillian Hansen Remus, instituted divorce proceedings against him on March 5, 1915, in the circuit court of Cook County, Docket No. B 9121, alleging that he addressed her with the most obscene, opprobrious, and violent language and was guilty of extreme and repeated cruelty against her and threatened her life and made her life miserable and violently attacked her and struck her on the face and head, and otherwise ill-treated her.

On April 7, 1915, she withdrew her petition for divorce against George Remus and caused the same to be dismissed upon his most urgent entreaties and promises, but his conduct toward her was such that on February 27, 1919, she again instituted divorce proceedings, alleging substantially the same acts of cruelty, and on March 3, 1919, a decree was entered in the superior court of Cook County, No. 342061, granting her divorce from George Remus on the grounds set forth in her petition.

He married Mrs. Imogene Remus on June 25, 1920, at Newport, Ky., and from that very moment, as the depositions show, he has been guilty of extreme cruelty toward her, and under threats and fear of bodily harm has caused her to do his bidding and brought untold agony, humilitation, degradation, and shame upon herself and family by reason of his repeated violations of law and conviction and confinement in the United States penitentiary.

His egotism knows no bounds. To satisfy his vanity he had a large tombstone erected upon his family lot in Chicago, and under his direction it was located at such a point upon the family lot that the

coffin containing the body of his father had to be cut in two in the construction of its foundation, and it has been his boast that after his death he desires to have a tombstone placed over his body bearing the inscription, "Here lies George Remus, the king of the bootleggers."

I have no property belonging to Mrs. Remus. I never received any property of whatsoever nature from Mrs. Imogene Remus at any time. I have not now nor never have had any property belonging to George Remus.

The title and ownership of the property claimed by George Remus is in litigation in connection with several suits pending in the court of common pleas of Hamilton County, Ohio, and the title and ownership of the whisky certificates which it is charged have been sold to M. J. Hinkel, of Cleveland, Ohio, are in litigation in a case pending in the Mason County circuit at Maysville, in the State of Kentucky. Those tribunals have the power to determine the questions involved and no doubt will decide the issues according to the law and facts. All of his property is hidden away in safety deposit boxes in various parts of the country and he recently made an investment in Florida real estate.

The statements of Mr. LAGUARDIA are as false as the statements of George Remus made before the so-called Wheeler investigating committee and repeated in various newspaper articles to the effect that he gave the late Jesse Smith $250,000 for protection. The fact is that George Remus never knew or talked to Jesse Smith at any time or on any occasion. He asked to come before the Senate investigating committee so that he might have a vacation for a number of weeks from confinement in the United States penitentiary at Atlanta, Ga., and in order that he might achieve newspaper notoriety, knowing that his statement could not be contradicted by a dead man.

I again deny, without qualification, all of the charges made against me in the speech of Mr. LAGUARDIA in the House of Representatives on Wednesday, March 24, 1926, and contained on pages 6174, 6175, and 6176 of the CONGRESSIONAL RECORD on that date.

Respectfully,

FRANKLIN L. DODGE.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 96. An act authorizing an appropriation of not more than $3,000 from the tribal funds of the Indians of the Quinaielt Reservation, Wash., for the construction of a system of water supply at Taholah, on said reservation;

H. R. 187. An act making a grant of land for school purposes, Fort Shaw division, Sun River project, Montana;

H. R. 264. An act to amend an act to provide for the appointment of a commission to standardize screw threads;

H. R. 1944. An act for the relief of Charles Wall;

H. R. 2703. An act granting six months' pay to Anton Kunz, father of Joseph Anthony Kunz, deceased, machinist's mate, first class, United States Navy, in active service;

H. R. 3431. An act for the relief of Frederick S. Easter;

H. R. 3932. An act to amend section 71 of the Judicial Code as amended;

H. R. 4835. An act to remove the charge of desertion from the records of the War Department standing against William J. Dunlap;

H. R. 5210. An act extending the provisions of an act for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona;

H. R. 6355. An act providing for the acquirement by the United States of privately owned lands in San Miguel, Mora, Taos, and Colfax Counties, N. Mex., within the Mora grant, and adjoining one or more national forests, by exchanging therefor lands or timber within the exterior boundaries of any national forest situated within the State of New Mexico or the State of Arizona;

H. R. 6573. An act to extend the time for the completion of the Alaska Anthracite Railroad Co., and for other purposes;

H. R. 7752. An act to authorize the leasing for mining purposes of land reserved for Indian agency and school purposes;

H. R. 8646. An act providing for a grant of land to the county of San Juan, in the State of Washington, for recreational and public-park purposes;

H. R. 9314. An act to provide for the enlargement of the present customs warehouse at San Juan, P. R.;

H. J. Res. 213. Joint resolution for participation of the United States in the Third World's Poultry Congress, to be held at Ottawa, Canada, in 1927;

H. J. Res. 171. Joint resolution authorizing the Secretary of the Interior to approve the application of the State of Idaho to certain lands under an act entitled "An act to authorize the State of Idaho to exchange certain lands heretofore granted for public-school purposes for other Government lands," approved September 22, 1922;

H. R. 9957. An act authorizing a survey for the control of excess flood waters of the Mississippi River below Point Breeze in Louisiana and on the Atchafalaya outlet by the construction and maintenance of controlled and regulated spillway or spillways, and for other purposes;

H. J. Res. 191. Joint resolution authorizing the Federal Reserve Bank of Richmond to contract for and erect in the city of Baltimore, Md., a building for its Baltimore branch;

H. R. 7255. An act to regulate the sale of kosher meat in the District of Columbia;

S. 1550. An act to appropriate certain tribal funds for the benefit of the Indians of the Fort Peck and Blackfeet Reservations; and

S. 3186. An act to promote the production of sulphur upon the public domain within the State of Louisiana.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. CAMPBELL, 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. 96. An act authorizing an appropriation of not more than $3,000 from the tribal funds of the Indians of the Quinaielt Reservation, Wash., for the construction of a system of water supply at Taholah on said reservation.

H. R. 187. An act making a grant of land for school purposes, Fort Shaw division, Sun River project, Montana.

H. R. 264. An act to amend an act to provide for the appointment of a commission to standardize screw threads.

H. R. 1944. An act for the relief of Charles Wall.

H. R. 2703. An act granting six months' pay to Anton Kunz, father of Joseph Anthony Kunz, deceased, machinist's mate, first class, United States Navy, in active service.

H. R. 3431. An act for the relief of Frederick S. Easter.

H. R. 3932. An act to amend section 71 of the Judicial Code as amended.

H. R. 5210. An act extending the provisions of an act for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona.

H. R. 4835. An act to remove the charge of desertion from the records of the War Department standing against William J. Dunlap.

H. R. 6355. An act providing for the acquirement by the United States of privately owned lands in San Miguel, Mora, Taos, and Colfax Counties, N. Mex., within the Mora grant, and adjoining one or more national forests, by exchanging therefore lands or timber within the exterior boundaries of any national forest situated within the State of New Mexico or the State of Arizona.

H. R. 6573. An act to extend the time for the completion of the Alaska Anthracite Railroad Co., and for other purposes.

H. R. 7255. An act to regulate the sale of kosher meat in the District of Columbia.

H. R. 7752. An act to authorize the leasing for mining purposes of land reserved for Indian agency and school purposes.

H. R. 8646. An act providing for a grant of land to the county of San Juan, in the State of Washington, for recreational and public-park purposes.

H. R. 9314. An act to provide for the enlargement of the present customs warehouse at San Juan, Porto Rico.

H. R. 9957. An act authorizing a survey for the control of excess flood waters of the Mississippi River below Point Breeze in Louisiana and on the Atchafalaya outlet by the construction and maintenance of controlled and regulated spillway or spillways, and for other purposes.

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H. J. Res. 191. Joint resolution authorizing the Federal Reserve Bank of Richmond to contract for and erect in the city of Baltimore, Md., a building for its Baltimore branch.

H. J. Res. 213. Joint resolution for participation of the United States in the Third World's Poultry Congress to be held at Ottawa, Canada, in 1927.

ADJOURNMENT

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Thursday, April 15, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for April 15, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON POST OFFICES AND POST ROADS

(10 a. m.)

Fixing postage rates on hotel room keys and tags (H. R. 92)

JOINT COMMITTEE TO INVESTIGATE THE NORTHERN PACIFIC RAILWAY LAND GRANTS

(10.30 a. m.)

Room 347, House Office Building.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To create a commission to be known as the Federal Motion Picture Commission (H. R. 6233 and 4094).

COMMITTEE ON PATENTS

(10 a. m.)

To amend and consolidate all the rights respecting copyrights and to permit the United States to enter the international copyright union (H. R. 10434).

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To provide compensation for employees injured and dependents of employees killed in certain maritime employments, and providing for administration by the United States Employees Compensation Commission (H. R. 9498).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

442. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year ending June 30, 1926, pertaining to the handling of public moneys, $10,000 (H. Doc. No. 309); to the Committee on Appropriations and ordered to be printed.

443. A communication from the President of the United States, transmitting a supplemental estimate of appropriations for the Treasury Department for the fiscal year ending June 30, 1927, pertaining to the enforcement of the narcotic and national prohibition acts, $2,931,010 (H. Doc. No. 310); to the Committee on Appropriations and ordered to be printed.

444. A letter from the Secretary of the Interior, transmitting information as to the boundaries and areas of the Shenandoah and other national parks (H. Doc. No. 311); to the Committee on the Public Lands and ordered to be printed, with accompanying document only.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McLEOD: Committee on the District of Columbia. H. R. 4498. A bill to abolish capital punishment in the District of Columbia; without amendment (Rept. No. 876). Referred to the House Calendar.

Mr. MICHENER: Committee on the Judiciary. S. 1039. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; with amendment (Rept. N. 877). Referred to the House Calendar.

Mr. HILL of Washington: Committee on the Public Lands. H. R. 10126. A bill to revise the boundary of the Mount Rainier National Park, in the State of Washington, and for other purposes; with an amendment (Rept. No. 878). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on the Public Lands. H. R. 10733. A bill to make additions to the Absarokee and Gallatin National Forests and the Yellowstone National Park and to improve and extend the winter feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes; with an amendment (Rept. No. 879). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. 2853. An act to authorize the transfer to the jurisdiction of the Commissioners of the District of Columbia of a certain portion of the Anacostia Park for use as a tree nursery; without amendment (Rept. No. 885). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Kentucky: Committee on Military Affairs. S. 3283. An act to provide for the appointment of Army field clerks and field clerks, Quartermaster Corps, as warrant officers, United States Army; without amendment (Rept. No. 886). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PORTER: Committee on Foreign Affairs. H. R. 7532. A bill to provide payment for services rendered in preparation for the international conference on traffic in habit-forming narcotic drugs; without amendment (Rept. No. 880). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 7930. A bill for the relief of the Broad Brook Bank & Trust Co.; without amendment (Rept. No. 881). Referred to the Committee of the Whole House.

Mr. JOHNSON of Indiana: Committee on Military Affairs. H. R. 9232. A bill for the relief of Isaac A. Chandler; without amendment (Rept. No. 882). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on the Public Lands. H. R. 10446. A bill validating the application for and entry of certain public lands by Myrtle Sullinger; with amendment (Rept. No. 883). Referred to the Committee of the Whole House.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. 1415. An act authorizing and directing the Secretary of the Treasury to immediately reconvey to Charles Murray, sr., and Sarah A. Murray, his wife, of De Funiak Springs, Fla., the title to lots 820, 821, and 822, in the town of De Funiak Springs, Fla., according to the map of Lake De Funiak drawn by W. J. Vankirk; without amendment (Rept. No. 884). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10044) for the relief of Emma Gregory, widow of Charles E. Gregory, who was the heir of Ann Gregory, deceased; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 11238) granting an increase of pension to Josephine Reynolds; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McLEOD: A bill (H. R. 11277) to provide for the incorporation of nonprofit, nonsecret associations of a national character, formed for patriotic and for professional purposes in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CHAPMAN: A bill (H. R. 11278) to authorize the erection of a statue of Henry Clay; to the Committee on Foreign Affairs.

By Mr. BERGER: A bill (H. R. 11279) to combat illiteracy in the several States, and for other purposes; to the Committee on Education.

By Mr. BLACK of New York: A bill (H. R. 11280) to promote temperance in the United States; to the Committee on the Judiciary.

By Mr. CLEARY: A bill (H. R. 11281) to promote temperance in the United States; to the Committee on the Judiciary.

By Mr. PRALL: A bill (H. R. 11282) to promote temperance in the United States; to the Committee on the Judiciary.

By Mr. WELLER: A bill (H. R. 11283) to promote temperance in the United States; to the Committee on the Judiciary.

By Mr. VINSON of Kentucky: A bill (H. R. 11284) to provide for an aircraft procurement board, and for other purposes; to the Committee on Military Affairs.

By Mr. SIMMONS: A bill (H. R. 11285) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. WOODRUM (by request): A bill (H. R. 11286) to extend the provisions of the act approved March 4, 1917, relating to pensions, and to provide for the payment of a pension to certain surviving officers, enlisted men, etc., serving under General Custer in Dakota between August 9, 1869, and August 9, 1874, and to the widows of such; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 11287) to provide for the establishment of the Shenandoah National Park in the State of Virginia and the Great Smoky Mountains National Park in the States of North Carolina and Tennessee, and for other purposes; to the Committee on the Public Lands.

By Mr. KVALE: A bill (H. R. 11288) to provide for buying, storing, processing, and marketing agricultural products in interstate and foreign commerce, and especially for thus handling the exportable surplus of agriculture in the United States, and for other purposes; to the Committee on Agriculture.

By Mr. COLLINS: A bill (H. R. 11289) authorizing the Secretary of State to prescribe what shall be permanent and what shall not be permanent records in embassies, legations, and consulates; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. CHAPMAN: Memorial of the Senate of the State of Kentucky, providing for participation of the Commonwealth of Kentucky in the commemorating the centennial of the Congress of Panama, and urging the President and Congress to appropriate funds for the erection and purchase of a statue of Henry Clay at Caracas, Venezuela; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 11290) granting a pension to James W. O'Neill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11291) granting an increase of pension to Rebecca J. Eaton; to the Committee on Invalid Pensions.

By Mr. BERGER: A bill (H. R. 11292) for the relief of Leo Muller; to the Committee on Claims.

By Mr. BLOOM: A bill (H. R. 11293) granting a pension to Marie Dehmel; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 11294) granting an increase of pension to Harriet L. Dagwell; to the Committee on Invalid Pensions.

By Mr. FROTHINGHAM: A bill (H. R. 11295) granting a pension to Sarah L. Burr; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 11296) for the relief of George F. De Maranville; to the Committee on Military Affairs.

By Mr. LINEBERGER: A bill (H. R. 11297) to extend the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries in the performance of their duties, and for other purposes;" to the Committee on Claims.

By Mr. LOZIER: A bill (H. R. 11298) granting an increase of pension to Margaret E. Stewart; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 11299) granting an increase of pension to Charles M. S. Ronsholdt; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 11300) granting an increase of pension to Mary E. Dolan; to the Committee on Pensions.

By Mr. NELSON of Maine: A bill (H. R. 11301) granting a pension to Ellen Colson; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 11302) granting an increase of pension to Ida Annette Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11303) granting an increase of pension to Elizabeth M. Ashman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11304) granting an increase of pension to Harriet S. Fellows; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11305) granting an increase of pension to Mary Connor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11306) granting an increase of pension to Eliza M. Whiting; to the Committee on Invalid Pensions.

By Mr. PERLMAN (by request): A bill (H. R. 11307) for the relief of Henry Fischer; to the Committee on Claims.

By Mr. PORTER: A bill (H. R. 11308) authorizing the payment of an indemnity to Great Britain on account of the death of Daniel Shaw Williamson, a British subject, who was killed at East St. Louis, Ill., July 1, 1921; to the Committee on Foreign Affairs.

By Mr. REED of New York: A bill (H. R. 11309) granting an increase of pension to Doroleski R. Stratton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11310) granting an increase of pension to Carrie Phillips; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11311) granting an increase of pensions to Annie R. Jewett; to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 11312) granting an increase of pension to Catherine A. Ramsay; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 11313) granting a pension to Rebecca Jane Brady; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 11314) granting an increase of pension to Elizabeth Lewis; to the Committee on Invalid Pensions.

By Mr. WELLER: A bill (H. R. 11315) granting a pension to William Thaden; to the Committee on Pensions.

By Mr. WELSH: A bill (H. R. 11316) for the relief of Helen Rixon; to the Committee on Claims.

By Mr. WURZBACH: A bill (H. R. 11317) for the relief of the heirs of the late Dr. Thomas C. Longino; 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:

1769. By Mr. COOPER of Wisconsin: Memorial of Racine Trades and Labor Council, Racine, Wis., urging Congress to restore to Eugene V. Debs his civil rights; to the Committee on Immigration and Naturalization.

1770. By Mr. CRAMTON: Petition signed by Jessie B. Dove and 13 other residents of Croswell, Mich., urging passage of House bill 10240, to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

1771. By Mr. GALLIVAN: Petition of Massachusetts Fish and Game Protective Association, of Boston, Mass., recommending early and favorable consideration of the migratory bird refuge bill (H. R. 7479); to the Committee on Agriculture.

1772. By Mr. KERR: Petition of Woman's Club, of Raleigh, N. C., and Woman's Missionary Society and organized church workers, of Rockingham, N. C., in respect to the modification of the Volstead Act and the sale of light wine and beer; to the Committee on the Judiciary.

1773. By Mr. LEA of California: Petition of 25 residents of Eureka, Calif., protesting against the passage of House bill 7179; to the Committee on the District of Columbia.

1774. Also, petition of 30 residents of Berkeley, Concord, and Martinez, Calif., protesting against the passage of House bill 7179; to the Committee on the District of Columbia.

1775. By Mr. LINEBERGER: Petition of Mrs. Emma A. Halladay, 137 West Fifth Street, Long Beach, Calif., with 25 others, opposing House bill 7179, and other bills pertaining to subject; to the Committee on the District of Columbia.

1776. Also, petition of Lulu L. Alton, 1427 Harvard Street, Santa Monica, Calif., and about 30 others, opposing House bill 7179, and all legislation pertaining to the subject; to the Committee on the District of Columbia.

1777. Also, petition of W. B. Chedester, of Mayfield, Calif., and 11 others, protesting against pending religious legislation; to the Committee on the District of Columbia.

1778. By Mr. O'CONNELL of New York: Petition of the American Chiropractic Association (Inc.), of Syracuse, N. Y., requesting that disabled veterans be given, at the expense of the Government, chiropractic treatment on the same liberal basis as is accorded medical methods; to the Committee on World War Veterans' Legislation.

1779. By Mr. PRALL: Petition of residents and voters of Staten Island, N. Y., favoring the passage of House bill 6233, the Federal regulation of motion pictures; to the Committee on Education.

1780. By Mr. SWING: Petition of certain residents of San Diego, for the reflooding of Lower Klamath Lake; to the Committee on Irrigation and Reclamation.