

The services at Glenwood Cemetery were concluded by Rev. Thomas C. Clark, who offered the following prayer:

PRAYER BY REV. THOMAS C. CLARK

Our Father in heaven, whose pity is infinite and whose will is sovereign, be pleased to look down upon us sorrowing. For the sake of Thy dear Son enable us so to hear Thy voice speaking to us that, through patience and the comfort of His presence, we may have hope, and grant us the consolation that we, humbly acknowledging our many sins, may nevertheless hold fast to the assurance of Thy mercy and the blessed hope of everlasting life.

We bless Thee for the memory of those who have been faithful unto death and who have accomplished that which Thou hast committed unto them. We pray for those who to-day sorrow, not as those without hope but because of the absence of a loved one. Help them to think of him as not here in this casket. There only the mortal remains repose; the jewel has been taken away; the spirit is already with its Maker. Do Thou sanctify to those who are left behind the sacred memories of the one whom Thou hast called. Thy support, Thy strong arms be given to those who mourn, and let Thy servant who to-day is separated from her husband remember that underneath her are those everlasting arms that are so safe, so strong, and so sympathetic in their embrace. Do Thou bless them all. Bless those who assisted during the days of anxiety, and grant that we may all appreciate more and more the fact that each one of us in his turn shall be where our brother, Senator LADD, is to-day. And grant that we may be, as he was, faithful unto death, and then at last receive the crown of glory of everlasting life.

And now may grace, mercy, and peace from God the Father, the Son, and the Spirit be with us all evermore. Amen.

Mr. NYE. Mr. President, I ask for the adoption of the resolutions submitted by my colleague.

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

The resolutions were unanimously agreed to.

Mr. NYE. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Monday, May 10, 1926, at 12 o'clock meridian.

SENATE

MONDAY, May 10, 1926

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

Our Father and our God, though the clouds may be dark about us, Thou art the same yesterday, to-day, and forever in Thy faithfulness. We come to Thee with the beginning of responsibilities for the week, with the consciousness that Thou wilt lead us. We seek wisdom from Thee. We would trust when we can not trace, and we would honor Thee constantly in every engagement and duty of life. Hear us and help us this day. For Christ Jesus' sake. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Fess	Lenroot	Schall
Bayard	Fletcher	McKellar	Sheppard
Bingham	Frazier	McLean	Shipstead
Blease	George	McMaster	Shortridge
Borah	Gerry	McNary	Simmons
Bratton	Glass	Mayfield	Smoot
Broussard	Goff	Means	Stanfield
Bruce	Gooding	Metcalf	Steck
Butler	Greene	Moses	Stephens
Cameron	Hale	Neely	Swanson
Caraway	Harrel	Norbeck	Trammell
Copeland	Harris	Norris	Tyson
Couzens	Heflin	Nye	Underwood
Cummins	Howell	Oddie	Wadsworth
Curtis	Johnson	Overman	Walsh
Deneen	Jones, N. Mex.	Phipps	Warren
Dill	Jones, Wash.	Ransdell	Watson
Edwards	Kendrick	Reed, Mo.	Weller
Ernst	Keyes	Reed, Pa.	Wheeler
Fernald	King	Robinson, Ind.	Williams
Ferris	La Follette	Sackett	Willis

Mr. CURTIS. Mr. President, I regret to announce the absence of my colleague [Mr. CAPPER] on account of a death in his family. I will let this announcement stand for the day.

Mr. BLEASE. The senior Senator from South Carolina [Mr. SMITH] is confined to a hospital ill. I ask that this announcement may stand until his return.

Mr. JONES of Washington. I was requested to announce that the senior Senator from New Jersey [Mr. EDGE] is absent on account of illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Eighty-four Senators having answered to their names, there is a quorum present.

ADMINISTRATION OF PACKERS AND STOCKYARDS ACT

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Agriculture, transmitting, pursuant to Senate Resolution 145 (by Mr. KENDRICK, agreed to February 16, 1926), a report of the administration of the packers and stockyards act, 1921, from July 1, 1924, to March 30, 1926, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, transmitting, pursuant to law, a list of old records and papers in the Government Printing Office which are not necessary or useful in the transaction of public business and have no permanent value or historic interest, and requesting action looking to their disposition, which was referred to a Special Joint Committee on the Disposition of Useless Executive Documents. The Vice President appointed Mr. SHIPSTEAD and Mr. RANSDELL members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the petition of a Porto Rican delegation to the United States signed by Antonio R. Barcelo, president Senate of Porto Rico; Jose Tous Soto, Speaker House of Representatives of Porto Rico; Miguel Guerra-Mondragon, vice president of the house of representatives; Enrique Gonzales Mena, senator, and J. B. Garcia Mendez, member of the house, praying for a higher degree of self-government for Porto Rico so as to place in the hands of the Porto Rican people the power to control their own internal affairs, which was referred to the Committee on Territories and Insular Possessions.

Mr. GOODING. Mr. President, I am in receipt of resolutions from the Idaho State Export Commission, a farm organization, transmitting resolutions indorsing the Haugen bill. I ask that they be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

(G. P. Mix, president; George N. Lamphere, vice president; George Sievers, secretary)

IDAHO STATE EXPORT COMMISSION,  
Moscow, Idaho, May 1, 1926.

Resolutions

The conditions surrounding the American farmer have brought forth volumes of expressions only. It is not only the time but an absolute necessity that some definite action be taken in his behalf, so as to place his industry on an equality with other industries in this country.

The avowed policy of all parties and all statesmen has been to secure not only the maximum agricultural production through scientific methods but to preserve a prosperous countryside.

Under agriculture the farmer is incapable either of shutting down his plant or turning to nonagricultural pursuits on the farm, like other industries do: Therefore be it

*Resolved*, by the farmers of Latah County, Idaho, and Whitman County, Wash., in meeting assembled at Moscow, Idaho, on May 1, 1926, That we favor the Haugen bill and emphatically urge its passage at this session of Congress; and be it further

*Resolved*, That we are unalterably opposed to the Tincher bill, because it does not address the surplus problem, besides embodying most objectionable and perhaps dangerous provisions.

A. S. LYON,  
GEO. T. DAVIDSON,  
H. C. HALE,  
Committee.

Mr. WILLIS. Mr. President, I present resolutions adopted by the National League of Women Voters at its recent convention at St. Louis, which I ask be referred to the Committee on the Judiciary and printed in the RECORD.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution on law enforcement and prohibition passed by the seventh annual convention, National League of Women Voters

APRIL 20, 1926.

Whereas obedience to law is a fundamental requisite of orderly government, and only by enforcement of existing law can the Nation command the respect of its citizens: Therefore be it

*Resolved*, That the National League of Women Voters in convention assembled hereby reaffirm its unwavering conviction that obedience to the Constitution and the written law of the land is the duty of every man and woman in the United States; and be it also

*Resolved*, That the league calls upon the President of the United States, the Secretary of the Treasury, and all State and local officials to use to the fullest extent the power conferred upon them for the effective establishment of prohibition; and be it further

*Resolved*, That the league again urges the merit system, applied through civil-service regulations, as the basis of appointment of officers in the Prohibition Unit.

#### REPORTS OF COMMITTEES

Mr. ODDIE, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3200) to confirm the right, title, and interest of the People's Investment Co. (Inc.), of the State of Louisiana, in certain lands, reported it with amendments and submitted a report (No. 795) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 6615) for the relief of Nohle-Gilbertson Co., a corporation, of Buford, N. Dak. (Rept. No. 796); and

A bill (H. R. 8937) permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black (Rept. No. 797).

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 10773) to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes, reported it with an amendment and submitted a report (No. 798) thereon.

He also, from the same committee, to which was referred the bill (H. R. 10733) to make additions to the Absaroka 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 lands, and for other purposes, reported it without amendment and submitted a report (No. 803) thereon.

Mr. GEORGE, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 7429) for the relief of Joseph L. Rahm (Rept. No. 799); and

A bill (H. R. 10109) for the relief of Virginia Strickland (Rept. No. 800).

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (S. 2521) for the relief of J. W. Braxton, reported it without amendment and submitted a report (No. 801) thereon.

Mr. CARAWAY, from the Committee on Claims, to which was referred the bill (S. 1818) for the relief of Lillie F. Evans, reported it with an amendment and submitted a report (No. 802), thereon.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 4191) to amend the agricultural credits act of 1923, reported it without amendment and submitted a report (No. 804) thereon.

Mr. STANFIELD, from the Committee on Claims, to which was referred the bill (S. 741) for the relief of Lincoln County, Oreg., reported it with amendments and submitted a report (No. 805) thereon.

#### OHIO RIVER BRIDGE

Mr. BINGHAM. From the Committee on Commerce I report back favorably with amendments the bill (H. R. 10657) to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio.

Mr. WILLIS. I ask unanimous consent for the present consideration of the bill.

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

The amendments were, in section 2, on page 2, line 21, after the word "therefor" to strike out "may be had in any court of competent jurisdiction in such State" and insert "shall be the same as in the condemnation and expropriation of property in such State"; in section 4, on page 3, line 4, after the word

"bridge" to insert "as determined by the Secretary of War"; in line 5, before the word "any" to strike out "or"; in line 7, after the word "located" to insert "or any two of them jointly"; in the same line, after the word "time" to strike out "jointly or severally"; in section 5, on page 4, line 14, after the word "shall" to insert "thereafter"; in section 6, line 25, after the words "Secretary of" to strike out "Agriculture" and insert "War"; on page 5, line 5, after the words "Secretary of" to strike out "Agriculture" and insert "War," and in line 11, after the words "Secretary of" to strike out "Agriculture" and insert "War," so as to make the bill read:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the Steubenville & Pittsburgh Bridge Co., its successors and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation between a point near the north city limits of Steubenville, Ohio, and a point opposite near Weirton, W. Va., in accordance with the provisions of the act entitled, "An act to regulate the construction of bridges over navigable waters," approved March 13, 1906, and subject to the conditions and limitations contained in this act. The construction of such bridge shall not be commenced, nor shall any alterations in the plans for the same be made either before or after its completion, until the plans and specifications for the bridge, or for alterations in the plans thereof, have been submitted to the Secretary of War and the Chief of Engineers, and approved by them as being adequate for the volume and weight of traffic that will pass over it.

SEC. 2. There is hereby conferred upon the Steubenville & Pittsburgh Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such land or property is situated, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said the Steubenville & Pittsburgh Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, the State of Ohio or the State of West Virginia, any political subdivision or subdivisions thereof within or adjoining which such bridge is located, or any two of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real estate necessary therefor, by purchase or by condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of all other cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired as provided in section 4 of this act, and if tolls are charged for the use thereof, in fixing the rates of toll to be charged the same shall be so adjusted as to provide as far as possible a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches, and any interest that shall accrue on money borrowed for that purpose, shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The Steubenville & Pittsburgh Bridge Co., its successors and assigns, shall immediately after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches.

the actual cost of acquiring any interest in real estate necessary therefor, and the actual financing and promotion cost. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the cost of constructing the same, and for such purpose the said the Steubenville & Pittsburgh Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the cost of the bridge shall be conclusive, subject to review in a court of equity for fraud or mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Steubenville & Pittsburgh Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILLS INTRODUCED

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

By Mr. FERRIS:

A bill (S. 4211) granting an increase of pension to Frank Truman Perrigo; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 4212) for enlarging the naval stores experimental work of the Forest Service in the southern pine region and for its maintenance; to the Committee on Agriculture and Forestry.

By Mr. HOWELL:

A bill (S. 4213) to amend section 20a of the interstate commerce act; to the Committee on Interstate Commerce.

By Mr. DENEEN:

A bill (S. 4214) to authorize the construction of a bridge across the Fox River in Dundee Township, Kane County, Ill.; to the Committee on Commerce.

By Mr. CURTIS:

A bill (S. 4215) granting a pension to Polk Steele (with accompanying papers);

A bill (S. 4216) granting an increase of pension to Edwin H. Miller (with accompanying papers); and

A bill (S. 4217) granting an increase of pension to Alice E. Vermillion (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 4218) for the relief of John P. Hurley; to the Committee on Claims.

By Mr. OVERMAN:

A bill (S. 4219) to establish a national military park at the battle field of Moores Creek, N. C. (with an accompanying paper); to the Committee on the Library.

By Mr. STANFIELD:

A bill (S. 4220) for the relief of W. B. Flagg; to the Committee on Claims.

#### INDIAN WAR PENSIONS

Mr. McNARY submitted an amendment intended to be proposed by him to 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, which was ordered to lie on the table and to be printed.

#### RAILWAY CARRIERS AND THEIR EMPLOYEES

Mr. KING submitted two amendments intended to be proposed by him to the bill (H. R. 9463) to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. BRUCE submitted four amendments intended to be proposed by him to the bill (H. R. 9463) to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes, which were ordered to lie on the table and to be printed.

#### 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. 2818. An act for the relief of Ivy L. Merrill; and

H. R. 6418. An act to correct the military record of Lester A. Rockwell.

#### THE CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar under Rule VIII is in order.

Mr. SMOOT. Mr. President, would it not be well to begin on the calendar where we left off the last time the calendar was called?

Mr. SHEPPARD. Mr. President, a number of us have bills near the head of the calendar.

The VICE PRESIDENT. The last call of the calendar stopped at Order of Business No. 417.

Mr. SMOOT. Of course, if there is any objection, I shall not submit the request.

Mr. SHEPPARD. I am compelled to object.

Mr. SMOOT. The Senator from Texas objects, and the first bill on the calendar will be announced.

#### R. W. SWARTZ, W. J. COLLIER, AND OTHERS

The bill (S. 1824) for the relief of R. E. Swartz, W. J. Collier, and others was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was read, as follows:

*Be it enacted, etc.*, That the claimants mentioned in S. 2778, Sixty-eighth Congress, first session, for the relief of R. E. Swartz, W. J. Collier, and others, which passed the Senate January 31, 1925, be, and they are hereby, authorized to enter suit in the United States Court for the Southern District of the State of Texas for the amount due or claimed to be due to said claimants from the United States on account of losses sustained during the year 1918, by reason of being prevented from planting cotton in the so-called noncotton zones Nos. 2 and 3 in Texas, said zones having been established to combat the menace to the entire cotton section of the United States of the pink bollworm which had entered the United States from Mexico.

Jurisdiction is hereby conferred upon the said United States Court for the Southern District of Texas to hear and determine all such claims. The action in said court may be presented by a single petition, making the United States party defendant, and shall set forth all the facts on which the claimants have their claims, and the petition may be verified by the agent or attorney of said claimants. Official letters, reports, and public records or certified copies thereof may be used as evidence. Nothing contained in this or the preceding paragraph shall be construed as waiving any defense against such demands, or any of them, existing prior to the approval of this act, except that the Government of the United States hereby waives its immunity from suit thereon; but every other legal or equitable defense against such demands, or any of them, shall be available to the United States and shall be considered by the court. Any judgment or judgments rendered shall not exceed the amounts stipulated in such S. 2778 and shall not include interest for any period before or after rendition.

Mr. SMOOT. Mr. President, I would like to ask the Senator from Texas a question. The bill provides that the Government shall pay for one-third of the loss and not for all of it?

Mr. SHEPPARD. The bill contemplates that the Government shall pay only one-third in the event the court should decide for claimants. The State of Texas has already paid its two-thirds. The Senate has heretofore passed a bill carrying this claim, as the Senator will probably remember.

Mr. SMOOT. I remember that quite well. I want to say to the Senator I do not know whether this is in the exact wording of the old bill or not. The Department of Agriculture, as I remember, recommended that the Government stand one-third of the expense and the State stand two-thirds of the expense.

Mr. SHEPPARD. That is true.

Mr. SMOOT. Does this bill so provide?

Mr. SHEPPARD. The bill follows the language of the former bill. The Federal Government can be held, if held at all, for only a third of the losses.

Mr. WILLIAMS. Mr. President, may I ask the Senator from Texas a question?

Mr. SHEPPARD. Certainly.

Mr. WILLIAMS. Will the Senator from Texas kindly turn to page 4 of the report which accompanies the pending bill? At the bottom of page 4 of the report, if the Senator please, it is stated by Mr. Wallace, then Secretary of Agriculture—it is felt that the department might properly give its approval to the pending bill for the payment of these individual sums if, but only

If, the allegations set forth in (2), (3), and (4) above shall be established as facts.

Has that been covered by the bill?

Mr. SHEPPARD. The object of the bill is to submit that phase of the matter to the Federal court for the southern district of Texas for adjudication.

Mr. WILLIAMS. And the court will be compelled to establish those facts before recovery can be had?

Mr. SHEPPARD. That is true.

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. 2526) to extend the time for the refunding of taxes erroneously collected from certain estates was announced as next in order.

Mr. REED of Pennsylvania. Let that bill go over.

The VICE PRESIDENT. 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 bill go over.

The VICE PRESIDENT. 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. JONES of Washington. Mr. President, the Senator from Kansas [Mr. CAPPER] has reported a House bill covering this matter, which appears a little further on in the calendar. There is a proposition in controversy to which the Senator from Kansas has given special attention. I think I will ask, inasmuch as the same proposition is involved in this bill, that it may be passed over, and I shall ask when the House bill shall be reached on the calendar that it also shall be passed over until the Senator from Kansas returns.

The VICE PRESIDENT. The bill will be passed over.

#### MIGRATORY-BIRD REFUGES

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. REED of Missouri. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

#### TOMB OF THE UNKNOWN SOLDIER

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. I ask that that joint resolution go over.

Mr. FESS. Mr. President, I move to proceed to the consideration of the joint resolution, the objection to the contrary notwithstanding.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio [Mr. FESS].

Mr. McNARY. A parliamentary inquiry, Mr. President. I had assumed that we were working under a unanimous-consent agreement and not under Rule VIII.

Mr. SMOOT. Mr. President, can the motion of the Senator from Ohio [Mr. FESS] be made before 1 o'clock?

The VICE PRESIDENT. The motion can be made to proceed to the consideration of the joint resolution.

Mr. REED of Missouri. What is the joint resolution which is proposed be now taken up?

The VICE PRESIDENT. The title of the joint resolution will be stated by the Secretary.

The CHIEF CLERK. A joint resolution (S. J. Res. 51) providing for the completion of the Tomb of the Unknown Soldier in the Arlington National Cemetery.

Mr. REED of Pennsylvania and Mr. JONES of New Mexico addressed the Chair.

The VICE PRESIDENT. The motion of the Senator from Ohio [Mr. FESS] is not debatable. The question is on that motion.

Mr. KING. The consideration of that joint resolution will take a good deal of time, may I say?

Mr. JONES of New Mexico. A parliamentary inquiry. As I understand the rule, on Monday morning a Senator may not move to take up a measure notwithstanding an objection. I desire to call attention to the rule.

Mr. LENROOT. May I suggest that that rule does not apply to a measure which is called under Rule VIII and objection made? It applies only to a motion to take up a measure under the general right of any Senator to make such a motion.

The VICE PRESIDENT. The motion can be made.

Mr. JONES of New Mexico. I desire to call the attention of the Chair to the latter part of the language of clause 3, Rule VII, and especially to the proviso to that rule, which reads:

*Provided, however, That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.*

Rule VIII specifically provides for the continuance of consideration of a bill notwithstanding an objection; but that refers only to cases where the Senate has proceeded to the consideration of a bill and objection comes after consideration has been entered upon. Then, during the morning hour, a motion may be made to continue the consideration of a bill notwithstanding objection. But, as I take it, on Monday morning no bill can be considered or motion entertained to consider such a bill over an objection. The language of Rule VIII is quite significant, and I think it is sustained by very good reasoning. Rule VIII provides:

At the conclusion of the morning business each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the calendar of bills and resolutions, and continue such consideration until 2 o'clock; and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings—

That is after the consideration of a bill or resolution has been begun.

but upon motion the Senate may continue such consideration.

That is, after consideration has been entered upon. Although the rule provides that objection can be entered at any stage of the proceedings, yet, if after the consideration of a bill has been commenced an objection then comes, in such case the Senate may upon motion continue the consideration of the bill and Rule VII then applies specifically to the proceedings on a Monday morning. That is the way I interpret those two rules. I think that on a Monday morning a motion to proceed to the consideration of a bill, notwithstanding objection, is not in order.

Mr. WILLIS. Mr. President, I desire to be heard briefly on the point of order.

The VICE PRESIDENT. The Senator from Ohio is recognized.

Mr. WILLIS. It seems to me, Mr. President, that the Senator from New Mexico is clearly wrong in the interpretation he places upon these two rules. This bill was read by title; objection was made by the Senator from Pennsylvania [Mr. REED] to the further consideration of the measure, whereupon the Senator from Ohio, clearly within his right, moved to take up the bill. The purpose of this rule, as I understand it, is to enable the Senate to act upon a measure if it wants to do so. Ordinarily, objection having been made, the bill would go over; but my colleague moved to take up the bill, and it seems to me clearly his motion is in order.

Mr. JONES of New Mexico. Mr. President, may I make an inquiry of the Senator from Ohio?

Mr. WILLIS. Certainly.

Mr. JONES of New Mexico. Then, what is the purpose of the proviso to Rule VII?

Mr. WILLIS. The purpose of Rule VII is exactly as stated in the rule. It certainly is not what the Senator from New Mexico reads into it. There is no such language there as I read it.

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

Mr. WILLIS. I yield to the Senator from Wisconsin.

Mr. LENROOT. If I may reply to the Senator from New Mexico, let me say that he was here when that amendment to Rule VII was adopted. I think, if he will refresh his recollection, he will remember that the amendment to Rule VII was adopted because the Senate could never secure the consideration of bills upon the calendar under Rule VIII, because motions were constantly made to take up some other bill, and so no Senator could rely upon a bill being reached in the regular order upon the calendar. The purpose of the amendment was to give some opportunity to have the calendar called and its con-

sideration limited to the bills upon the calendar under the operation of Rule VIII.

Mr. JONES of New Mexico. But not to prevent an objection being interposed to the consideration of a bill.

Mr. LENROOT. Hardly that; but it was to insure a morning hour under Rule VIII. That was the purpose of the amendment.

Mr. JONES of New Mexico. The general idea has been that under Rule VIII during the morning hour only unobjection bills may be considered.

Mr. LENROOT. No; not unless that is a part of the unanimous-consent agreement. The motion is always in order under Rule VIII to continue the consideration of a bill if objection shall be made.

Mr. JONES of New Mexico. Yes; after its consideration has been begun. If I am in error as to the facts of this case and the Senator from Ohio is correct in assuming that the Senate had entered upon the consideration of this bill, of course the point which I have attempted to make does not apply to this particular measure; but I was especially interested in the general rule which should obtain on Monday morning.

Mr. SHEPPARD. Mr. President, consideration of a bill is begun under the rule when it is called and the title is read from the desk. That is clearly shown by the language of Rule VIII, which provides that—

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock; and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings.

Showing that in contemplation of this rule a bill is in one stage of consideration when it is called on the calendar.

Mr. NORRIS. Mr. President, I have no interest in this question as it affects the particular measure. I wish to consider it entirely without considering the merits of the joint resolution, because a decision in this instance will constitute a precedent.

It seems to me that the question is entirely settled by the proviso near the end of paragraph 3 of Rule VII, which reads:

Provided, however, that on Mondays—

And to-day is Monday—

the calendar shall be called under Rule VIII—

Now let me stop there for a moment.

Under Rule VIII when we are considering the calendar it is in order to make a motion to take up a bill objected to, and likewise it is in order to take up any other bill on the calendar; but this proviso limits that right—

That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection, as provided in Rule VIII.

It seems clear to me that the only motion that could be made, so far as this joint resolution is concerned, has been made by the Senator from Ohio, and he is within his explicit right in making that motion under this proviso; otherwise, as I read it, the limitation as to proceedings on Monday—and it is not true as to other days—would have no effect whatever.

Mr. NEELY. Mr. President—

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

Mr. NEELY. The Senator has stated that the words "during the morning hour" mean the time between now and 2 o'clock. May I inquire if that is correct, in view of the fact that the Chair has stated that the morning business has been concluded?

Mr. NORRIS. The morning hour and morning business are two separate and distinct things. Let me call the Senator's attention to that fact.

Mr. NEELY. I understand that that is, generally speaking, true, but for the purpose of this discussion are they not synonymous, by reason of the language contained in the beginning of paragraph 3 of rule No. 7?

Mr. NORRIS. Oh, no! The morning business is the routine calling of the items that the Presiding Officer calls every time—reports of committees, introduction of bills, and so forth. That has been concluded; and it is not until the morning business is concluded that we take up the calendar under Rule VIII. The ordinary morning business must first be dis-

posed of. That has all been done to-day. We have had all those items called from the Presiding Officer's desk. Now we are through with the morning business, but we are still in the morning hour. It seems to me any other construction than the one I have placed on this proviso would nullify the proviso entirely.

The VICE PRESIDENT. The Chair will hold that the motion of the Senator from Ohio is in order.

Mr. JONES of Washington. Mr. President, I simply want to suggest to the Senator and to the Senate that my recollection is that the real purpose of this proviso was to see to it that the call of the calendar on Monday should not be dispensed with except by unanimous consent.

Mr. NORRIS. That is right.

Mr. JONES of Washington. That was the sole purpose of this rule.

Mr. SMOOT. Mr. President, I can not agree with the statement made by the Senator from Texas [Mr. SHEPPARD], because if he were correct in his statement the only way we could ever object to a bill would be by objecting to the whole calendar, from beginning to end, before ever a bill was called. So I can not agree to what the Senator said, that the consideration of the bill begins when the clerk reads the number on the calendar and the title of the bill.

Mr. SHEPPARD. In my judgment, that was the construction that ought to be followed, in view of the language of Rule VIII.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio to proceed to the consideration of Senate Joint Resolution 51. [Putting the question.] The noes have it, and the Secretary will state the next bill on the calendar.

Mr. FESS. Mr. President, I call for a division.

Mr. SMOOT. It is too late.

The VICE PRESIDENT. Those in favor of the motion of the Senator from Ohio—

Mr. JONES of Washington. The Senator made that request too late, Mr. President.

Mr. FESS. Oh, no; it was not too late.

Mr. JONES of Washington. I make the point of order that the request for a division comes too late.

The VICE PRESIDENT. The point of order is well taken.

#### BILLS PASSED OVER

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. BRUCE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. ASHURST. Mr. President, was an objection made to the consideration of the Indian war pension bill?

The VICE PRESIDENT. The Senator from Maryland objected.

Mr. ASHURST. It sounded like it. I simply want to say this: I see that the bill is a House bill, and it is a pension bill. I have no doubt that the objection will be waived in due time, so I shall be content, because I think the bill will pass. Pension bills never fail.

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 and other Senators. Let that go over.

The VICE PRESIDENT. 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. WILLIS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

#### JOHN P. GRAY

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.

Mr. JONES of Washington. Mr. President, I move that the Senate proceed to the consideration of the bill, notwithstanding the objection.

The VICE PRESIDENT. The question is on the motion of the Senator from Washington.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate,

John P. Gray, a Lieutenant commander on the active list of the Coast Guard, to take rank next after Lieut. Commander Warner K. Thompson, United States Coast Guard.

SEC. 2. The said John P. Gray shall be additional to the number of officers prescribed by law for the grade of lieutenant commander in the Coast Guard and to any grade to which he may hereafter be promoted.

Mr. KING. Mr. President, I objected to this bill upon a former occasion because I had received a number of letters—and if I had thought the bill was coming up this morning I would have produced them—from members of the Coast Guard in which they protested against the measure.

Mr. WILLIS. Mr. President, will the Senator yield just there?

Mr. KING. I yield.

Mr. WILLIS. I wonder if the Senator will permit me to say that I have received similar letters, and therefore made inquiry at the department as to whether the enactment of this legislation would operate at all against any of the present officers in the Coast Guard. I was advised by the department that it would not so operate; that no member of the Coast Guard would lose his rank or would be crowded down a step because of this action; and therefore, inasmuch as the guard was anxious to secure these efficient officers, that the department was very much in favor of the bill, and they thought the objection was not well founded.

Mr. KING. Mr. President, the objections which were urged were not those indicated by my friend from Ohio. Mr. Gray came to see me after I had made my objection, and he confirmed the statements which had been made to me, namely, that Mr. Gray, after serving honorably in the Coast Guard for some time, resigned and remained out of the service for a year. He thought he could get a better position out of the service at a higher salary than that which he obtained in the service. He stated to me, and I should state that in frankness to the Senate, that the illness of some member of his family also was a reason inducing him to resign. After being out of the service for a considerable time he wanted to get back in the service. He finds that the position in the Government service is more advantageous than the position outside of the Government service; but those who communicated with me say that it will injure the morale of the service to reinstate him under these circumstances. It is just like men who are West Point graduates and have been in the Army, or men who are graduates of the Naval Academy and have been in the Navy: A good many of them resign, and some of them want to get back. If they were to come back into the Navy or into the Army, it is contended by some that it might affect the morale of the service.

I do not know as to that; but I do know that some of those in the Coast Guard, in their communications to me, stated that the precedent will be bad if men can resign hoping to get higher-paid positions in private life, go out and speculate upon that chance, fall, and then be reinstated. They say that it will affect the morale of the Coast Guard, and it seems to me that that is correct.

Mr. NORRIS. Mr. President, I want to get some information in regard to this bill? I am not familiar with it in any respect.

Is the object of this bill to reinstate this man in the service?

Mr. KING. Yes.

Mr. NORRIS. That is the only object of it?

Mr. KING. So far as I know.

Mr. NORRIS. How long was he out?

Mr. KING. He has been out for over a year. My recollection is that he told me it was between one and two years, but I am not positive.

Mr. NORRIS. Is there any law or rule that fixes a time within which one who resigns can come back into the service automatically?

Mr. KING. No; I do not think they can do that.

Mr. NORRIS. They can not do it at all?

Mr. BRUCE. Mr. President, if the Senator will allow me to say so, Mr. Gray resigned on March 23, 1925. He has therefore been out of the service for a very short time. He went out, I am informed, on account of the illness of his father-in-law, which was of such a character that the latter was unable to attend to the business in which he was engaged near Baltimore, and in which the wife of this officer had an interest to be looked after by her husband.

In a statement that was made by this former officer to the Senator from Pennsylvania [Mr. PEPPER] in relation to this bill, he states:

My first step toward getting back into the Coast Guard was to sound out the commandant of the service—

He was an oceanographer, and holding therefore a position of some importance in the Coast Guard service.

I was assured by him that the Coast Guard would be glad to have me back at this time, owing to the scarcity of officers available in preventing the smuggling of liquor into the United States.

So he was out of the service for a very short time.

Mr. KING. How long?

Mr. BRUCE. From March 23, 1925, until the present time. He tried to get back before December, 1925, after having been out a little over six months. It seems to me that the fact that his commandant in the service was desirous of having him back and that his reinstatement will not interfere with anybody's promotion justifies the passage of the bill.

Mr. NORRIS. Are they short of men?

Mr. BRUCE. Yes; the commandant states, according to the allegations made by this man, that there is a scarcity of officers. He says:

My first step toward getting back into the Coast Guard was to sound out the commandant of the service as to his attitude toward my return. I was assured by him that the Coast Guard would be glad to have me back at this time, owing to the scarcity of officers available in preventing the smuggling of liquor into the United States.

Mr. NORRIS. If they are short of officers, why does he not start in at the bottom and take the course that others take in order to secure advancement?

Mr. BRUCE. Would it not be to the interest of the public service to reinstate a man who is capable of filling such an important position as that of oceanographer, when the Commandant of the Coast Guard is desirous of having him back, and he is capable of rendering something more than the ordinary measure of valuable service?

Mr. NORRIS. It may or may not be. It may be that there are men in the service who are amply qualified to work their way up.

Mr. BRUCE. Is it not fair to assume that the commandant would not be so desirous of having him back unless he were a man especially qualified for the discharge of the duties that he formerly discharged?

Mr. KING. Has the Senator a letter from the commandant and from those in charge wanting him back?

Mr. BRUCE. No; I have not; but here is a formal communication from this man to the Senator from Pennsylvania [Mr. PEPPER] which he knew the Senator from Pennsylvania would lay before the Committee on Commerce.

Mr. JONES of Washington. Mr. President—

Mr. KING. I yield to the Senator.

Mr. JONES of Washington. I might read two sentences from a letter from Secretary Mellon which I think covers the whole situation.

Mr. BRUCE. That letter I was not familiar with.

Mr. JONES of Washington. He says:

If the bill be enacted and Mr. Gray be reappointed a lieutenant commander, his order of precedence in that grade will be the same as it was at the time of his resignation, and in view of being an additional number his reinstatement would not prejudice the standing or rights of officers junior to him.

Now as to the necessity:

At the present time the Coast Guard is in need of officers possessing the high qualifications and service experience of Mr. Gray, and as he has been separated from the service less than a year his services could be immediately utilized in responsible and important assignments. The department, therefore, recommends the enactment of the proposed legislation.

Very truly yours,

A. W. MELLON,  
*Secretary of the Treasury.*

Mr. WILLIS. Mr. President—

Mr. KING. I yield.

Mr. WILLIS. If the Senator will permit me, I desire to say that in response to an inquiry I have received the following letter from Admiral Billard, of the Coast Guard:

TREASURY DEPARTMENT,  
UNITED STATES COAST GUARD,  
Washington, April 22, 1926.

Hon. FRANK B. WILLIS,

*United States Senate, Washington, D. C.*

MY DEAR SENATOR: Your letter of April 10, to Assistant Secretary Andrews, relative to a bill (S. 1897) to reinstate John P. Gray as lieutenant commander in the Coast Guard, has been referred to this office, and I take pleasure in advising you concerning the matter brought to your attention by Lieut. Commander E. G. Rose.

The bill in question was drawn in this office and particular care was taken that the reinstatement of Mr. Gray would not interfere with the promotion of any Coast Guard officer.

You will note that section 2 provides that Mr. Gray shall be additional to the number of officers prescribed by law for the grade of lieutenant commander and to any grade to which he may hereafter be promoted. This means that he would be advanced as a sort of running mate to the officer whose name his own follows and would be advanced with that officer. I can not see how his promotion, as provided by section 2 of the bill, can interfere in any way with the promotion of any other Coast Guard officer. The department approved this bill because it is urgently in need of commissioned officers and because Mr. Gray has proven himself a particularly valuable officer and was out of the service only a short time. You may assure Lieutenant Commander Ross that very careful consideration of the matter has been given by me and that the bill was drawn in an earnest effort to provide that the reinstatement of Mr. Gray would not interfere in any way with the promotion of any other officer.

The letter from Lieutenant Commander Ross to you is returned herewith.

Very truly yours,

F. C. BILLARD,

*Rear Admiral, United States Coast Guard, Commandant.*

Mr. KING. Mr. President, I have said all that I want to say, except this concluding sentence:

If it shall be the rule that men can enter the public service, and then, upon any pretext whatever—good, bad, or indifferent—they may resign, and then, failing to attain the success which they expect in private life, come back again through the back door of a special bill in Congress, the service of the Government will be demoralized. I do not care how many officers may importune us to let a man come back. Of course, some of them may want to resign, go out and speculate in private life, and, if they fail, get a back-door bill passed and get reinstated in the Army or in the Navy or in the Coast Guard. It is a question of whether it would be for the advantage of the service.

I have received four or five letters from men in the service who say that it would be unfortunate; that it would tend to demoralize the service, and discourage men who desire promotion. If men above them can resign, and men below, working earnestly and faithfully for promotion, are to be denied it by the return of men who have resigned, Senators can see the discouraging effect it would have upon men who are beneath them.

This man is not so important that we must have him; and I am merely appealing for the good of the service generally. This will be a precedent to be invoked in the future; and in my opinion it would be most unwise, regardless of the competency or qualifications of this man.

Mr. WADSWORTH. May I ask the Senator in charge of the bill if the law now prescribes exactly the number of officers in the Coast Guard, grade by grade?

Mr. JONES of Washington. I can not tell what the law is in that regard.

Mr. WADSWORTH. I notice this language:

The said John B. Gray shall be additional to the number of officers prescribed by law in the grade of lieutenant commander.

I assume that indicates that the law now limits the number.

Mr. JONES of Washington. Apparently it does. I would judge from that language that it does. I am relying on the letter from the department to the effect that his reinstatement will not interfere with the promotion of anyone else.

Mr. WADSWORTH. Of course, that is how it is arranged—by making him an additional officer, over and above the law.

Mr. JONES of Washington. Yes; that is true. We acted also on the additional statement that they need men of his ability now. Of course, we know that we are increasing, at least temporarily, the Coast Guard force.

Mr. WADSWORTH. I recollect that we added 150 officers two or three years ago.

Mr. JONES of Washington. Yes. All the information I have is contained in the report of the Secretary.

Mr. WADSWORTH. I am not acquainted with Mr. Gray, and I certainly do not contradict for one moment the assertion that he has been an efficient officer and would be an efficient officer were he returned to the service; nor am I acquainted with the policy of the Committee on Commerce in matters of this kind, but perhaps it is in place for me to say that the members of the Committee on Military Affairs, when confronted with exactly the same set of facts in many cases, have almost without exception and certainly during the last two or three years, reported adversely, or have refused to report favorably bills reinstating officers of the Army once they have resigned on their own initiative.

Undoubtedly Mr. Gray is a good officer. Undoubtedly Mr. Mellon, the Secretary of the Treasury, or Admiral Bullard, would like to have him back; but if the Congress is by special legislation to reinstate officers who have resigned in one service, we shall have to start in and do it with other services in the Army and the Navy, where it can be shown that the man was a good man and still is a good man.

In my judgment there should be an absolute degree of finality about a man's resignation from the military service. When the word goes out that an Army officer or a Navy officer or a Coast Guard officer can resign in order to engage in some commercial undertaking and then, failing in that, or not liking it as much as he thought he would like it, can come back through a special act which he is able to have put through because he has friends in the Senate and in the House, it will have inevitably a demoralizing effect upon the men who stay in the service and live on the low salaries paid, and give up the opportunities for making money on the outside.

Mr. KING. Exactly.

Mr. JONES of Washington. I can not say that the Committee on Commerce has any special policy with reference to these matters. We have not of late years passed legislation dealing with the personnel of the Coast Guard, or the policy that must be followed with reference to such cases. My recollection is that this is the first bill of the kind which has come up, and the committee simply acted upon the recommendation of the Secretary of the Treasury, under the assurance that it would not interfere with the promotion of those who were now in the service, and that the department needed a man of this kind, and that he was well fitted to render good service. So, under those circumstances, we thought it wise to recommend the passage of the legislation.

Mr. WADSWORTH. It is a question of policy more than it is a question of this particular person. The Committee on Military Affairs have had some extraordinarily appealing proposals of this kind made to them. I know of a case, for instance, where an officer resigned, a brilliant young officer, to take a position on the outside, although the service wanted him. A great catastrophe, such as is sometimes described as an act of God, destroyed the commercial concern with which he had taken employment, and all its assets. He was left penniless. He wanted a special act to get back into the Army, but we said no, that it could not be done.

The VICE PRESIDENT. The bill is as in Committee of the Whole and open to amendment. If there be no amendment, the bill will be reported to the Senate.

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

The VICE PRESIDENT. The question is, Shall the bill pass? On a division, the bill failed of passage.

#### 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. That should go over.

The VICE PRESIDENT. 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. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

#### PENSIONS AND INCREASE OF PENSIONS

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 that go over.

Mr. NORBECK. Mr. President, may I ask the Senator if he will withdraw his objection just a moment, while I make a statement?

Mr. KING. May I say to the Senator that I thought later on we could take up the bill.

Mr. NORBECK. This bill has been on the calendar a long time; and not only that, it was passed by the House at the last session of Congress. It is an omnibus bill, including pensions for old men and old women, many of whom are dying every week. There is no doubt in my mind that Congress will pass this bill before it adjourns; but if it could be passed at an early date, it will be helpful.

Mr. KING. I shall not object to the setting of a time in the near future for the consideration of the bill. We could

not consider it this morning. It could not even be read in the limited time.

The VICE PRESIDENT. Is objection made?

Mr. KING. I object.

The VICE PRESIDENT. The bill will be passed over.

OVERTIME AT NAVY YARDS

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 that go over.

Mr. COPELAND. Mr. President, if the Senator will withhold his objection for a moment, I would like to explain this bill.

Mr. KING. Very well.

Mr. COPELAND. This seems like a formidable bill, because it is such a fat one; but, as a matter of fact, it involves claims of the District of Columbia and the States of Florida, Maryland, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Virginia for overtime work in the navy yards. A similar bill was passed by the Senate at the last session; it has been before various sessions since the Sixty-first Congress; President Taft, in his message in 1910, recommended its passage, and it has been passed from time to time.

On March 21, 1878, the Secretary of the Navy sent out a circular regarding wages and overtime. In accordance with that rule of the Navy, numerous workmen rendered service to the Navy, their claims have been passed upon by the Court of Claims, every legal procedure has been taken to verify the claims, and from time to time, as I have said, the Senate has passed this measure. There is no doubt in my mind that if Senators will read the RECORD, or glance at it for a moment, they will see that the facts in each case have been proven by the records of the Government, and there is no reason apparent why the promise of the Secretary of the Navy should not be carried out.

Mr. KING. Has each of the claims been passed upon by the Court of Claims?

Mr. COPELAND. Every one of them.

Mr. KING. And proof adduced?

Mr. COPELAND. In every one.

Mr. KING. Has the Secretary of the Navy recommended this measure?

Mr. COPELAND. He has.

Mr. KING. That has been the case for a number of years?

Mr. COPELAND. For a number of sessions.

Mr. KING. Why was not the bill passed years ago, when some of these men were alive?

Mr. COPELAND. The Senator knows how it is. The bill would pass one House one year and fail to get on the calendar the next year. We passed it through the Senate last year, but the House did not get it in time.

Mr. KING. When was it first presented to Congress?

Mr. COPELAND. In the Sixty-first Congress.

Mr. KING. When did the Court of Claims pass upon it?

Mr. COPELAND. At various times, going away back to the early eighties. It does seem remarkable, I admit; but, after all, every single claim has been verified, every one has been before the Court of Claims, every one has been passed upon favorably, and the Secretary of the Navy and all concerned have approved them.

Mr. KING. If the Court of Claims, upon full consideration, have adjudged that the United States owes these men, I have no objection.

Mr. COPELAND. That is the case.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments: On page 41, after line 4, to insert "Daniel Sullivan, \$82.20"; on page 42, line 10, to strike out "V. D." and to insert "D. V.;" on page 64, line 9, to strike out "\$30.74" and insert "\$308.74"; on page 88, after line 6, to insert a new section to read as follows:

SEC. 2. That no part of the amount of any item appropriated in this bill in excess of 15 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered or advances made in connection with said claim.

It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum which in the aggregate exceeds 15 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any

person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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, out of any money in the Treasury not otherwise appropriated, to claimants in this act named the several sums appropriated herein, the same being in full for and the receipt of the same to be taken and accepted in each case as a full and final release and discharge of their respective claims, namely:

CLAIMS FOR OVERTIME DUE EMPLOYEES IN UNITED STATES NAVY YARDS  
CALIFORNIA

To the following-named persons (representing six claims) the following sums, respectively, as found by the Court of Claims in the case of James Blessington and others against the United States, for payment for extra labor above the legal day of eight hours at the Mare Island Navy Yard, namely:

James Blessington, \$701.76.  
Thomas Coffey, \$393.43.  
Nathaniel Damuth, \$431.30.  
Thomas W. Dixon, \$35.70.  
Louisa Keyes, widow of James H. Keyes, deceased, \$487.49.  
Thomas Ney, \$294.

To the following-named person (representing 11 claims) the following sums, respectively, as found by the Court of Claims in the case of Joseph Borton and others against the United States, for payment for extra labor above the legal day of eight hours at the Mare Island Navy Yard, namely:

Ira M. Butler, \$146.12.  
Orin S. Cooper, \$76.48.

J. H. Dalton, \$467.62.  
Daniel Gray, \$81.50.  
William Hooper, \$57.17.  
James Macarty, \$484.83.

Jonathan Newcomb, jr., \$108.75.

Ira M. Butler, executor of O. H. Butler, deceased, \$579.92.

Margaret Geary, widow of Michael Geary, deceased, \$275.

Katherin Lipp, widow of Charles M. Lipp, deceased, \$63.92.

Katherine Maher, widow of John Maher, deceased, \$340.66.

To the following-named persons (representing 34 claims) the following sums, respectively, as found by the Court of Claims in the case of Ellen Brew, widow of Frank Brew, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Mare Island Navy Yard, namely:

Ellen Brew, widow of Frank Brew, deceased, \$411.11.

James Brosanahan, \$61.35.

William A. Brown, \$379.96.

Dorothea T. Bryant, widow of John Bryant, deceased, \$353.31.

Edward Campion, \$447.62.

Henry Cassady, \$129.64.

Dennis Corbett, \$9.18.

Kennedy Creighton, \$226.28.

Retta A. Hawes, widow of Henry A. Hawes, deceased, \$266.75.

Corlis Hinds, \$324.53.

Julia Lee, widow of Edward Lee, deceased, \$191.40.

John Lynch, \$84.69.

Duncan McLean, \$514.60.

Henry McKenzie, \$179.06.

Patrick Mayoch, \$10.64.

Charles Ortileb, \$456.17.

Elias Shillingsburg, \$275.05.

Ann Sweeney, widow of James Sweeney, deceased, \$262.25.

William H. Taylor, \$328.53.

Patrick O'Day, \$474.89.

William Farrell, \$267.01.

Charles John Wall, \$184.16.

William A. Brace, \$28.25.

Charles C. Crocker, \$337.20.

Louise T. Farley, widow of D. J. Farley, deceased, \$512.32.

Mrs. John Harvey, widow of John Harvey, deceased, \$12.24.

Mary J. Towle, widow of Benjamin C. Towle, deceased, \$78.59.

George Osborne, \$451.86.

Mary Riley, widow of Theodore Riley, deceased, \$406.49.

John Thompson, \$410.40.

Rosa King, widow of Joseph King, deceased, \$567.64.

Albert Sylvester, \$241.27.

John Wise, \$19.43.

Sarah A. Dunbar, widow of Joseph J. Dunbar, deceased, \$498.99.

To Olive A. Sides, widow of George E. Sides, deceased, \$489.21.

To Mary G. Lockwood, widow and executrix of William Harrison Lockwood, deceased, \$438.07.

To Anna Coakley, widow of Timothy Coakley, deceased, \$309.34.

To Thomas W. Woodward, \$84.86.

## DISTRICT OF COLUMBIA

To the following-named persons (representing 46 claims) the following sums, respectively, as found by the Court of Claims in the case of May E. Alcorn, widow of John Alcorn, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:

Mary E. Alcorn, widow of John Alcorn, deceased, \$471.78.  
 George G. Auguste, \$261.79.  
 Adaline Bivens, widow of Thomas H. Bivens, deceased, \$225.50.  
 Thomas Cheek, \$102.69.  
 Albert Dean, \$297.94.  
 Henry C. Fowler, \$150.16.  
 Charles W. F. Garcia, \$72.02.  
 Mary M. Getzendanner, widow of William Getzendanner, deceased, \$196.07.  
 Thomas S. Gosnell, \$201.64.  
 Lawrence J. Grant, \$34.05.  
 Mary J. Haygle, widow of John L. Haygle, deceased, \$359.82.  
 William B. Hardester, \$1.50.  
 Aberrellah Holt, widow of George C. Holt, deceased, \$209.77.  
 Aberrellah Holt, next friend of Hannah Davis (insane), widow of George E. Davis, deceased, \$710.40.  
 Catherine A. Hunt, widow of George N. Hunt, deceased, \$339.86.  
 Francis S. Hutchinson, \$149.94.  
 William H. Hutchinson, \$77.85.  
 Simpson Johnson, \$195.95.  
 Mary C. Kidwell, widow of William Albert Kidwell, deceased, \$293.99.  
 John H. King, \$10.07.  
 W. Oscar Knott, \$195.83.  
 Gertrude Lang, widow of Charles A. Lang, deceased, \$5.87.  
 Abraham B. Lescallett, \$493.81.  
 Albert Lewis, \$271.05.  
 Herbert Lewis, \$261.84.  
 Frank A. Lowe, \$304.68.  
 George Lowry, \$134.52.  
 William Luskey, \$22.42.  
 William L. Mills, \$127.27.  
 Thomas O'Brien, \$106.20.  
 Martha E. Osborn, widow of Charles H. Osborn, deceased, \$417.99.  
 Caleb Fennington, \$253.48.  
 George M. Posey, \$159.01.  
 George Selby, \$91.48.  
 Anna C. Simmonds, widow of Daniel Simmonds, deceased, \$82.60.  
 Mary E. Smith; widow (remarried) of Louis Browning, deceased, \$1.02.  
 Mary A. Smithson, widow of Isaac Smithson, deceased, \$220.16.  
 John Smallwood, \$279.34.  
 Mary H. Summers, widow of Edward Summers, deceased, \$306.89.  
 Mrs. E. Thompson, widow of John H. Thompson, deceased, \$306.89.  
 John C. White, \$161.62.  
 William T. Hutchinson, administrator of William E. Hutchinson, deceased, \$701.92.  
 W. B. Todd, \$20.07.  
 Thomas H. Risler, \$577.42.  
 Artemus R. Warfield, \$92.67.  
 Katie Langley, widow of Robert C. Langley, deceased, \$215.35.

To the following-named persons (representing 93 claims) the following sums, respectively, as found by the Court of Claims in the case of David Auld and others against the United States, for payment for extra labor above the legal eight hours at the Washington Navy Yard, namely:

David Auld, \$461.10.  
 Everett E. Auguste, sole heir of Samuel R. Auguste, deceased, \$293.98.  
 Martha E. Burton, widow of John F. Burton, deceased, \$481.60.  
 Brooks Burr, \$321.30.  
 William W. Boswell, \$19.97.  
 Isaac Benham, \$421.38.  
 John Beron, \$361.10.  
 Samuel Brown Bates, \$360.32.  
 Oliver T. Beaumont, \$45.71.  
 William F. Brown, \$287.13.  
 Amanda Berkeley, widow of Thomas Berkeley, deceased, \$156.26.  
 James T. Bell, \$97.61.  
 Sallie R. Bailey, executrix of John A. Bailey, deceased, \$327.45.  
 Perry Baldwin, \$190.97.  
 Walter Caddington, \$29.80.  
 Mary J. Carrico, widow of John H. Carrico, deceased, \$126.57.  
 Laura V. Cornelius, widow of James W. Cornelius, deceased, \$420.42.  
 Hezekiah J. Cawood, \$403.52.  
 Sarah E. Cawood, executrix of Philip A. Cawood, deceased, \$436.  
 Robert Craig, \$7.10.  
 Peter Cooksey, \$187.14.  
 George A. Cross, \$211.84.  
 Edward M. Cox, \$21.

Robert Campbell, \$430.37.  
 Patrick Coleman, \$310.04.  
 Lawrence Callan, \$416.32.  
 Thomas J. Duvall, \$206.95.  
 Ida C. Duvall, administratrix of George Duvall, deceased, \$59.88.  
 Hester A. Dice, widow of George D. Dice, deceased, \$449.80.  
 Mary E. Dwyer, executrix of Henry F. Dwyer, deceased, \$487.46.  
 William F. Dove, \$481.07.  
 Sarah Dement, widow of James E. Dement, deceased, \$362.85.  
 William Ewin, \$204.52.  
 Joshua Evans, \$373.60.  
 Amelia V. Edelin, widow of George W. Edelin, deceased, \$270.52.  
 John T. Evely, \$456.70.  
 Thomas R. Fry, \$2.53.  
 Fanny Fullalove, executrix of James Fullalove, deceased, \$461.08.  
 Andrew Gray, \$114.34.  
 Mary B. Gill, widow of William Gill, deceased, \$322.72.  
 Isaac O. Gordon, \$71.25.  
 Martha Griffith, widow of Thomas Griffith, deceased, \$348.10.  
 Richard Gates, \$192.83.  
 John Glasgow, \$81.90.  
 George W. Gates, \$350.19.  
 Robert Greenwell, \$246.86.  
 Josiah Gray, \$13.87.  
 James Griffith, \$62.51.  
 James Gordon, \$225.90.  
 Thomas S. Gonter, \$163.24.  
 John T. Harrison, \$365.36.  
 Isaac Little, \$94.77.  
 Catherine S. Miller, widow of Samuel Miller, deceased, \$736.82.  
 James O. Marceron, administrator of James A. Marceron, deceased, \$476.94.  
 Howard Miller, \$370.56.  
 Charles E. Morris, \$43.15.  
 Davison McCullough, \$224.60.  
 Benjamin McElwee, \$274.18.  
 Peter McCarthy, \$261.88.  
 George W. Mackabee, \$139.30.  
 Laura McKenney, widow of Robert V. McKenney, deceased, \$279.08.  
 Lillie M. Mohler, widow of John H. Baldwin, deceased, \$265.75.  
 William C. Nicholson, \$50.78.  
 Alfred Nally, \$159.21.  
 Barbara C. Oliver, widow of H. Lewis Oliver, deceased, \$58.36.  
 Henry A. Otterback, \$149.67.  
 Susan Ports, widow of Perry O. Ports, deceased, \$508.03.  
 Martha A. Perkins, widow of Samuel F. Perkins, deceased, \$377.27.  
 Margaret O. Purcell, widow of James Purcell, deceased, \$105.59.  
 Mary M. Padgett, widow of James Padgett, deceased, \$123.10.  
 Ann Margaret Russell, executrix of David N. Russell, deceased, \$538.80.  
 Richard Riggles, \$231.92.  
 Marcus Richardson, \$260.41.  
 Thomas B. Lear, \$143.41.  
 Ellie S. Sweeney, administratrix of Edward Sweeney, deceased, \$429.60.  
 Philip Sherwood, \$226.52.  
 John A. Smith, \$22.78.  
 Charles H. Smithson, \$29.38.  
 George S. Stewart, \$459.84.  
 Ann R. Turner, widow of Zachariah A. Turner, deceased, \$435.11.  
 Eliza P. Wilson, executrix of Charles F. Wilson, \$657.58.  
 Margaret Street, widow of James R. Street, deceased, \$478.79.  
 Belle Steele, executrix of H. N. Steele, deceased, \$402.45.  
 George W. Stockett, \$1.87.  
 J. H. Tayman, \$97.85.  
 Charles A. Tupper, \$471.47.  
 Benjamin Van Horn, \$476.25.  
 Emma Umpleby, widow of John Umpleby, deceased, \$521.40.  
 James Watson, \$319.18.  
 Elenora Warner, widow of John Warner, deceased, \$436.05.  
 Joseph Webb, \$474.60.  
 Ellen Bowling, widow of William Bowling, deceased, \$228.40.  
 James D. Quigley, \$477.80.  
 To Robert A. Barker, \$23.37.  
 To Charles P. Morris, \$216.43.

To the following-named persons (representing 19 claims) the following sums, respectively, as found by the Court of Claims in the case of William A. Clements and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:

William A. Clements, \$171.63.  
 Dennis A. Daily, \$76.04.  
 Bartholomew Diggins, \$428.78.  
 James H. Jones, \$594.46.  
 Edward Rockett, \$169.60.

Anton Schladt, \$87.82.  
 John Simpson, \$247.55.  
 Thomas Wise, \$50.36.  
 Alice Cleeves, widow of Arnold Cleeves, deceased, \$145.96.  
 Eliza Despeaux, widow of Anthony Despeaux, deceased, \$357.88.  
 Elizabeth Gordon, widow of William Gordon, deceased, \$82.38.  
 Annie D. Keithley, widow of George W. Keithley, deceased, \$239.78.  
 Harriet Lee, widow of Oscar Lee, \$172.98.  
 Jane E. Marshall, widow of Chesterfield Marshall, deceased, \$240.99.  
 Mary A. Perkins, widow (remarried) of Thomas C. Lyles, deceased, \$3.06.  
 Henrietta H. Stahl, widow of John W. Stahl, deceased, \$341.70.  
 Rose L. Wailes, widow of Stephen C. Wailes, deceased, \$175.17.  
 Charles F. Fugitt, sole heir of Thomas M. Fugitt, deceased, \$354.37.  
 Frank A. Leach, sole heir of E. W. Leach, deceased, \$76.40.  
 To the following-named persons (representing five claims) the following sums, respectively, as found by the Court of Claims in the case of Clements T. Dant and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Clements T. Dant, \$20.27.  
 Margaret H. Balderston, widow of Marcellus Balderston, deceased, \$77.14.  
 Frank Smith, \$14.09.  
 Edwin B. Arnold and William T. Arnold, sole heirs of Thomas O. Arnold, deceased, \$94.89.  
 John C. Keithley, \$411.52.  
 To the following-named persons (representing 63 claims) the following sums, respectively, as found by the Court of Claims in the case of Robert Dugan and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Robert Dugan, \$24.74.  
 Jennie Olcott, widow (remarried) of Massey T. Quigley, deceased, \$380.86.  
 John W. Robertson, \$54.59.  
 Jasper Sarra, \$122.69.  
 Charlotte Butler, widow of Louis Butler, deceased, \$11.31.  
 Ladd Whiting, \$98.96.  
 Louisa Lewis, widow of George Lewis, deceased, \$258.71.  
 Jefferson W. Cohron, \$57.07.  
 Dorette H. Busching, widow of Henry C. Busching, deceased, \$144.69.  
 Elizabeth J. Ballenger, widow of Richard F. Ballenger, deceased, \$160.70.  
 William Bolger, \$39.18.  
 Emma F. Brown, widow of William Brown, deceased, \$230.41.  
 Patrick Cahill, \$83.22.  
 George T. Dean, \$71.61.  
 William L. Fletcher, \$26.18.  
 Charles Forrest, \$240.55.  
 Martha J. Gill, sister and sole heir of Samuel F. Gill, deceased, \$13.13.  
 George R. Herbert, \$44.13.  
 Susannah Harris, widow of Marbury Harris, deceased, \$99.18.  
 Powhatan Hall, \$384.08.  
 James O'Connor, \$231.48.  
 Sarah Price, widow (remarried) of Richard Langley, deceased, \$301.45.  
 Margaret H. Root, widow of Albert L. Root, deceased, \$572.27.  
 Charles H. Venable, \$245.25.  
 George F. Mathieson, \$199.37.  
 Nora C. Butler, widow of John H. Butler, deceased, \$166.75.  
 Hannah Cook, widow of William H. Cook, deceased, \$63.85.  
 John Lanham, \$249.32.  
 Albert A. Leavy, \$45.50.  
 John D. Simpson, \$336.85.  
 Henry J. Phelps, \$285.58.  
 John Cooney, \$1.18.  
 Almedia Gardiner, widow of James Gardiner, deceased, \$110.42.  
 Josephine Williams, widow of George A. Williams, deceased, \$175.08.  
 Minnie Holmes, widow of John Holmes, deceased, \$130.42.  
 Frank Mulhall, \$29.96.  
 Charles B. Prosperi, \$35.29.  
 Thomas E. Rockett, \$75.41.  
 William R. Rockett, \$95.21.  
 William H. Fitzgerald, \$201.92.  
 Thomas A. Ellis, \$261.84.  
 Virginia Locke, widow of William P. Locke, deceased, \$174.65.  
 John W. Wood, \$217.77.  
 James F. Byrne, \$35.69.  
 Catherine R. A. Smith, widow of Samuel M. Smith, deceased, \$37.49.  
 Ann M. Clark, widow of Joshua Clark, deceased, \$10.  
 Julia Coxen, widow of Millard F. Coxen, deceased, \$59.28.  
 Indiana Ferguson, widow of William C. Ferguson, deceased, \$264.83.  
 William H. Johnson, \$361.40.  
 Valentine Connor, \$70.16.

Ella Rebecca Landstreet, widow (remarried) of Thomas Myers Downing, deceased, \$178.48.  
 Georgeanna Better, widow of William H. Better, deceased, \$60.53.  
 Henry Lowry, \$217.62.  
 Susie E. Sears, executrix of Henry Kelley, deceased, \$490.62.  
 William E. Peake, \$91.72.  
 John Edwin Simms, \$438.34.  
 Nellie Anderson, widow of Dallas Anderson, deceased, \$211.58.  
 Samuel H. Wilkerson, \$79.68.  
 Jacob L. Bright, \$251.43.  
 Jerome C. Hutton, \$107.92.  
 Laura V. Hutchinson, widow of James I. Hutchinson, deceased, \$96.33.  
 Daniel Allman, \$239.63.  
 James Allman, \$145.90.  
 To the following-named persons (representing 30 claims) the following sums, respectively, as found by the Court of Claims in the case of Richard Emmons and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Richard Emmons, \$425.84.  
 George C. Acton, \$152.57.  
 George W. Ballinger, \$182.44.  
 Edward R. Barbour, \$193.56.  
 James Breast, \$410.41.  
 George R. Cook, \$497.88.  
 Joshua Cooksey, \$331.30.  
 John D. Davis, \$330.13.  
 Philip A. Delano, \$337.81.  
 Oliver A. Emmons, \$106.60.  
 William B. Flood, \$161.80.  
 Samuel S. Fowler, \$148.50.  
 Theodore Gates, \$227.31.  
 Thomas J. Harrison, \$286.47.  
 Richard Holland, \$222.68.  
 John T. Hardester, \$194.16.  
 William Kemp, \$380.01.  
 William H. Krepps, \$224.97.  
 Abraham Lee, \$319.12.  
 George E. Luckett, \$135.06.  
 William Morris, \$359.98.  
 William E. Miller, \$367.28.  
 Charles M. Nicholson, \$192.49.  
 John W. Reed, \$242.23.  
 Richard Smith, \$284.04.  
 Isaac Scott, \$101.83.  
 John A. Smith, \$194.16.  
 Isaac Smallwood, \$89.54.  
 Isaac Tillman, \$91.27.  
 August M. Warfield, \$382.99.  
 To Walter H. Evans, \$197.70.  
 To William Evans, \$294.93.  
 To Jushua B. Stoops, \$202.58.  
 To Laura Waddey (widow) and Jennie E. Waddey (daughter), sole heir of Hodgson E. Waddey, deceased, \$106.62.  
 To Mary Kibbey Diven, daughter and sole heir of James O. Kibbey, deceased, \$398.31.  
 To Emma Heath, daughter and sole heir of Richard Heath, deceased, \$350.66.  
 To Mary T. Russell, daughter and sole heir of Thomas F. Russell, deceased, \$622.06.  
 To Mary E. Smith, sister and sole heir of Joseph Gibson, deceased, \$427.65.  
 To the following-named persons (representing 41 claims) the following sums, respectively, as found by the Court of Claims in the case of William W. Langley and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 John Buckingham, \$315.70.  
 William Breslyn, \$94.  
 Samuel Brown, \$29.78.  
 Henry S. Berkely, \$263.80.  
 George Conner, \$628.84.  
 Hamilton Cook, \$341.58.  
 George F. Cunningham, \$537.26.  
 James F. Cunningham, \$199.35.  
 Mrs. F. A. Jefferis, widow of William T. Jefferis, deceased, \$512.38.  
 Catherine Hutchinson, widow of Philip Hutchinson, deceased, \$64.68.  
 Joseph H. Lawrence, \$327.76.  
 William C. Kellum, \$67.23.  
 William W. Langley, \$26.88.  
 Katie McK. Morgan, widow (remarried), of William Little, deceased, \$73.72.  
 James G. Murray, \$295.28.  
 James F. Manning, \$112.20.  
 William H. R. Martin, \$186.02.

Samuel L. Miller, \$118.60.  
 Mary F. Morgan, widow of John T. Morgan, deceased, \$316.71.  
 William McDermott, \$404.17.  
 John McNelley, \$243.63.  
 George B. Nelson, \$203.60.  
 Fred Pope, \$453.12.  
 Benjamin Auguste, \$99.43.  
 Betty Brown, widow of Amon Brown, deceased, \$200.60.  
 R. J. Prather, \$23.46.  
 Charles G. Robinson, \$357.51.  
 George Schaffer, \$17.62.  
 Arthur E. Van Riswick, \$8.28.  
 Luther Relley, \$56.14.  
 William H. Talbert, \$398.30.  
 Charles T. Morgan, \$28.75.  
 Benjamin McCathran, \$174.86.  
 Barbara Burgee, widow of Edward T. Burgee, deceased, \$461.10.  
 Thaddeus Shine, \$122.95.  
 John E. Nalley, \$22.14.  
 George W. Richmond, \$87.41.  
 Ellen C. Sanderson, widow of O. Sanderson, deceased, \$94.33.  
 James Cephus, \$203.47.  
 Alice Sheffield, widow of George W. Sheffield, deceased, \$749.35.  
 Mary E. Sullivan, widow of Daniel Sullivan, deceased, \$24.37.  
 To Sussana L. Lovejoy, widow of John T. Lovejoy, deceased, \$364.51.  
 To Ada E. Much, widow of George W. Much, deceased, \$331.31.  
 To William W. Nalley, \$188.29.  
 To James M. O'Neill, \$224.89.  
 To Henry S. Walter, administrator of Adam L. Rose, deceased, \$661.99.  
 To Joseph Thompson, \$99.28.  
 To the following-named persons (representing 27 claims) the following sums, respectively, as found by the Court of Claims in the case of Angelina Scarf, executrix of Thomas T. Scarf, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Angelina Scarf, executrix of Thomas T. Scarf, deceased, \$208.20.  
 William W. Chase, \$107.09.  
 William H. Bennett, administrator of William Bennett, deceased, \$447.46.  
 Sarah E. Robey, widow of Richard T. Robey, deceased, \$10.17.  
 Elizabeth R. Betts, widow of William Betts, deceased, \$120.48.  
 Elizabeth Bladen, widow of Thomas S. Bladen, deceased, \$33.78.  
 James Barker, \$603.13.  
 George F. Waters, \$626.72.  
 Charles F. Williams, \$418.39.  
 William H. Vogelson, \$45.63.  
 Margaret F. Watson, widow of William A. Watson, deceased, \$249.93.  
 Arthur Tudge, \$154.03.  
 Sarah J. Barker, wife of William H. Barker, insane, \$226.15.  
 H. I. Meader, \$263.74.  
 Sarah M. Sanderson, widow of L. W. Sanderson, deceased, \$336.10.  
 Mary Boettcher, executrix of Frederick Boettcher, deceased, \$417.55.  
 Mary L. Cissell, widow of Thomas Cissell, deceased, \$196.50.  
 William W. Burdine, John T. Burdine, Annie Morgan, and Alfred H. Burdine, sole heirs of James W. Burdine, deceased, \$12.75.  
 Hannah Langley, widow of Charles W. Langley, deceased, \$422.45.  
 John T. Roberts, \$60.69.  
 Esther G. Nally, widow of James S. Nally, deceased, \$238.50.  
 Amanda E. Coates, widow (remarried) of Thomas Robey, deceased, \$182.21.  
 Ceylon Boswell, \$126.42.  
 Peter Bopp, \$150.18.  
 Emily J. Cannon, widow of Joseph Cannon, deceased, \$179.13.  
 Sarah Kernan, executrix of Bernard Kernan, deceased, \$309.39.  
 W. C. White, \$94.96.  
 To Richard Allen, \$163.69.  
 To Alfred C. Cassell, \$223.38.  
 To Joseph M. Padgett, \$451.09.  
 To Lawrence M. Herbert, \$158.37.  
 To George C. Stanley, \$354.52.  
 To Marion C. Thompson, \$129.88.

FLORIDA

To Henry Antone, \$321.80.  
 To Frank Swaris, \$2.  
 To Fred Blum, \$211.01.  
 To William Handlon, \$6.99.  
 To Margaret A. Moungey, Annie Moungey, Alice Moungey, John P. Moungey, Catherine F. Kanen, and Janie Bond, sole heirs of William Moungey, deceased, \$14.48.  
 To Lawson Turner and William Turner, jr., sole heirs of William Turner, deceased, \$284.52.  
 To the following-named persons (representing 14 claims) the following sums, respectively, as found by the Court of Claims in the case of Frank Bond and others against the United States, for payment

for extra labor above the legal day of eight hours at the Pensacola Navy Yard, namely:  
 Frank Bond, \$136.23.  
 Mary F. Boyden, widow of Paul Boyden, deceased, \$560.76.  
 Allan Bush, \$267.03.  
 E. P. Chaffin, \$158.01.  
 Benjamin Dolphin, \$46.30.  
 Abraham Harris, \$184.89.  
 Peter Hatcher, \$224.05.  
 Alfred Jones, \$253.77.  
 Johanna Massey, widow of James Massey, deceased, \$611.06.  
 Henry Skeet, \$299.42.  
 Edward Sweeney, \$82.96.  
 John Sweeney, \$294.78.  
 Lizzie Wheat, widow of William J. Wheat, deceased, \$458.92.  
 Cornelia Higgins, heir at law of C. A. Higgins, deceased, \$722.62.  
 To the following-named persons (representing 22 claims) the following sums, respectively, as found by the Court of Claims in the case of John P. Capell and others against the United States, for payment for extra labor above the legal day of eight hours at the Pensacola Navy Yard, namely:  
 John P. Capell, \$96.21.  
 Peter Carroll, \$97.55.  
 Frank Elijah, \$128.27.  
 A. G. Fell, \$301.45.  
 John J. Fell, \$550.28.  
 William Hession, \$447.06.  
 William M. Johnson, \$43.50.  
 Loughlin Quigley, \$284.65.  
 Stephen M. Scarritt, \$528.85.  
 Henry Smith, \$600.19.  
 Lawson Turner, \$84.25.  
 Hattie Davidson, widow of Gam B. Davidson, deceased, \$136.50.  
 Matilda Jackson, widow of Robert Jackson, deceased, \$174.65.  
 Bertha McDonald, widow of James A. McDonald, deceased, \$1,909.87.  
 Isabella McLellan, widow of John McLellan, deceased, \$450.60.  
 Catherine J. Roy, widow of H. Roy, jr., deceased, \$822.50.  
 Annie Unger, widow (remarried) of William C. Kelly, deceased, \$151.27.  
 Fannie White, widow (remarried) of Alfred Willis, deceased, \$559.02.  
 Phillip Walter Jones, G. F. Jones, Lee L. Jones, Maggie M. Jones, and Ella L. Jones, sole heirs of J. W. Jones, deceased, \$167.41.  
 Maria Robinson, William Robinson, and Louis Robinson, sole heirs of Louis Robinson, deceased, \$115.92.  
 Fannie Sparks, Charlotte Saunders, Mary Reese, Gertrude Smith, and Henry Smith, sole heirs of Curtis Smith, deceased, \$462.40.  
 Mary Burch and Thomas F. Wrighton, sole heirs of Thomas Wrighton, deceased, \$114.55.  
 To Clarence Marks, \$87.24.  
 To George T. Clifford, \$56.26.  
 To Hannah McCray, widow of John McCray, deceased, \$362.67.  
 To James H. Macon, sr., \$128.50.

MARYLAND

To John W. Parish, \$51.50.

MASSACHUSETTS

To the following-named persons (representing 131 claims) the following sums, respectively, as found by the Court of Claims in the case of Charles Adams and others against the United States for payment for extra labor above the legal day of eight hours at the Boston Navy Yard, namely:  
 Charles Adams, \$343.01.  
 T. A. Bradford, \$362.86.  
 Bridget A. Bailey, widow of William Bailey, deceased, \$112.29.  
 James Edward Bell, William Bell, and Ellen J. Dow, sole heirs of James Bell, deceased, \$750.56.  
 Elias Bourne, \$33.  
 John W. Burnham, \$97.03.  
 James D. Bateman, \$125.93.  
 Katherine V. Barrett, administratrix of Daniel Barrett, deceased, \$898.49.  
 Joshua Barker, \$320.  
 William Bentley, son of Thomas Bentley, deceased, \$424.28.  
 Jeremiah L. Bean, \$124.41.  
 Joshua P. Bushee, \$319.68.  
 William E. Bruce, \$338.50.  
 Edward J. Baker, \$81.66.  
 William F. Blake, son of William Blake, deceased, \$591.86.  
 James E. Byrne, \$7.89.  
 Lydia M. Bolster, widow of Oliver Bolster, deceased, \$246.18.  
 Ella A. Bearse, administratrix of Ezra L. Hersey, deceased, \$508.87.  
 Julia V. Buckley, daughter of John Buckley, deceased, \$62.48.  
 Emery R. Currier, \$174.87.  
 William N. Currier, \$144.56.  
 John A. Cronin, \$40.54.  
 Jos. A. Cassidy, \$293.86.

John Cutler, \$192.18.  
 Arthur B. Cassidy, \$315.42.  
 Anne Belle Currier, daughter of Charles H. Currier, deceased, \$277.18.  
 William Crosby, \$157.16.  
 William W. Collier, \$165.18.  
 Sarah J. Clarridge, widow of Frederick Clarridge, deceased, \$257.52.  
 Richard Donahue, \$206.12.  
 Catherine Donlary, widow of Frank Donlary, deceased, \$19.50.  
 John Davies, \$53.87.  
 Henry G. Dwight, \$109.39.  
 Henry Dawson, \$289.70.  
 Ellen Dillon, wife of James E. Dillon, demented, \$284.31.  
 William G. Ewell, executor of Augustus Ewell, deceased, \$75.65.  
 J. Homer Edgerly, brother of Hiram O. Edgerly, deceased, \$403.89.  
 J. Homer Edgerly, \$884.53.  
 Ellen Eaton, widow of George B. Eaton, deceased, \$447.54.  
 Daniel F. Egan, \$314.40.  
 John L. Frisbee, \$614.93.  
 Annie Finn, widow of William Finn, deceased, \$242.26.  
 Charlotte J. Jackson, widow of Nathan B. Jackson, \$340.30.  
 Josiah D. Folsom, \$767.44.  
 Edwin W. Frisbee, \$103.53.  
 John B. Fitzpatrick, \$125.93.  
 James H. Finn, \$423.71.  
 Timothy Guiney, \$102.19.  
 John S. Gardner, \$201.87.  
 William F. Gillings, \$77.34.  
 Albert S. Greene, \$483.06.  
 Daniel Greene, \$373.74.  
 Alice F. Gates, daughter of Jacob Gates, deceased, \$394.42.  
 Lewis G. Hilton, \$378.41.  
 Henry G. Hichborn, one of the next of kin of William Hichborn, deceased, \$896.61.  
 Michael H. Hudson, \$141.57.  
 Andrew B. Hubbard, son of Robert H. G. Hubbard, deceased, \$281.40.  
 Thomas L. Hayes, \$142.35.  
 Mary H. Hutchings, widow of J. Clark Hutchings, deceased, \$233.20.  
 Peter A. Hayes, \$290.42.  
 George R. Hobbs, \$147.57.  
 Maria E. Hatch, daughter of Zina H. Webber, deceased, \$110.40.  
 John Handrahan, \$330.75.  
 Sarah B. James, sister of James Hutchings, deceased, \$305.50.  
 George W. King, \$85.  
 George H. Kincaid, \$65.31.  
 John A. Long, \$242.62.  
 William W. Locke, \$21.37.  
 Caroline M. Loring, sister of Frank E. Melvin, deceased, \$113.28.  
 Dennis Lowney, \$90.39.  
 Patrick Leary, \$263.22.  
 William Mahoney, jr., one of the heirs of William Mahoney, deceased, \$144.46.  
 Mary A. Marrow, heir of John H. Marrow, deceased, \$182.45.  
 Charles P. Morris, \$197.52.  
 James J. McAuliffe, \$4.50.  
 Catherine Melvin, daughter of Charles Freeman, deceased, \$175.04.  
 Theodore A. Melvin, \$901.82.  
 Hugh P. McNally, \$88.73.  
 Agnes J. Musgrave, heir of Joseph Bibien, \$254.36.  
 Charles Manser, son of Charles C. Manser, deceased, \$180.21.  
 Mary E. Murphy, daughter of Jeremiah Murphy, deceased, \$64.11.  
 Anna M. McLeod, widow of James McLeod, deceased, \$51.06.  
 Harriet M. Metcalf, widow of William P. Metcalf, \$240.40.  
 Mary A. McCarthy, widow of Frank McCarthy, \$49.03.  
 Thomas Nixon, \$404.04.  
 John L. Nicholson, \$604.59.  
 Harriet R. Newhall, widow of Thomas E. Newhall, deceased, \$332.27.  
 Joseph W. Newhall, one of the heirs of Joseph Newhall, deceased, \$355.76.  
 Mary F. Overn, sister of Richard Dennis, deceased, \$177.58.  
 Allen E. Proctor, heir of James P. Proctor, deceased, \$419.44.  
 William Proctor, otherwise William H. Proctor, \$168.78.  
 George E. Poor, \$323.65.  
 Charles W. Pearson, \$33.75.  
 John M. Pitman, \$48.54.  
 William T. Phippin, \$48.76.  
 Abbie H. Pedrick and Susan M. C. Crosby, executrices of Joseph Pedrick, deceased, \$965.  
 Elizabeth M. Preble, executrix of Jeremiah Preble, deceased, \$423.88.  
 Augustine S. Quinn, \$125.80.  
 Thomas Riordan, otherwise Thomas D. Riordan, \$159.74.  
 Edward H. Rogers, \$356.21.  
 Joseph O. Rice, \$241.76.  
 Emily A. Roberts, widow of John H. Roberts, deceased, \$898.95.  
 Thomas H. Ramsey, son of James Ramsey, deceased, \$246.69.  
 John J. Ryan, for Jeremiah J. Ryan, demented, \$128.04.  
 Mary Rowley, widow of Michael Rowley, deceased, \$261.47.  
 Benjamin Roach, \$717.35.  
 Catherine A. Regan, widow of Cornelius F. Regan, deceased, \$144.56.  
 Joseph S. G. Sweatt, \$258.76.  
 Daniel S. Sullivan, \$82.97.  
 Blanche L. and Frank H. Seavey, heirs of Frank Seavey, deceased, \$434.56.  
 Charles A. Stebbins, \$297.42.  
 Winslow Sampson, son of Alden Sampson, deceased, \$901.82.  
 Benjamin F. Sampson, son of Benjamin H. Sampson, deceased, \$212.20.  
 William C. Sprague, \$204.03.  
 Fred S. Soule, son of Thomas Soule, deceased, \$93.43.  
 Samuel Staples, \$178.91.  
 John M. Stockman, \$304.46.  
 Robert A. Southworth, administrator of Alexander Southworth, deceased, \$362.11.  
 Charles H. Taylor, son of John T. Taylor, deceased, \$280.03.  
 John Tierney, \$88.75.  
 Constantine Towle, \$95.35.  
 Mary M. A. Thayer, sister of Daniel J. Hurley, deceased, \$379.45.  
 Annie E. Vincent, daughter of Joseph H. Wainwright, deceased, \$63.17.  
 George T. Wiley, only heir of Benjamin D. Wiley, deceased, \$966.25.  
 Frank L. Weston, administrator of Samuel F. Weston, deceased, \$472.50.  
 Harriet Wilson, widow of William Wilson, deceased, \$753.45.  
 Agnes V. W. Walker, sole heir of Reuben Goff, deceased, \$358.32.  
 Thomas Ward, \$200.55.  
 Samuel A. Wright, jr., son of Samuel A. Wright, deceased, \$232.56.  
 John H. Wright, \$97.71.  
 John Yonkers, \$740.81.  
 To the following-named persons (representing 59 claims) the following sums, respectively, as found by the Court of Claims in the case of Mary A. F. Barry, widow of Daniel S. Barry, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Boston Navy Yard, namely:  
 Mary A. F. Barry, widow of Daniel S. Barry, deceased, \$302.10.  
 Elizabeth Smith, daughter, and Charles M. Black, son, of John Black, deceased, \$59.  
 Joseph O. Briggs, \$72.77.  
 William B. Bothamly, \$292.77.  
 Mary L. Brown, daughter of Joseph H. Till, deceased, \$273.56.  
 Sarah A. Blandin, executrix of Benjamin A. Blandin, deceased, \$441.32.  
 Charles E. Clark, son of Daniel Pearce Clark, deceased, \$330.48.  
 Thomas Corley, \$125.54.  
 William H. Cate, jr., heir at law of William H. Cate, deceased, \$67.87.  
 Emily M. Carter, widow (remarried) of Alexander H. Wright, deceased, \$187.34.  
 Mary E. Curry, daughter of James Griffin, deceased, \$109.78.  
 Isaac Downs, \$254.93.  
 Otis W. Dutton, son of Benjamin Dutton, deceased, \$19.87.  
 Charles H. Frisbee, son of Henry Frisbee, deceased, \$223.06.  
 Ellen B. Fisher, daughter of Calvin Lewis, deceased, \$257.75.  
 Austena Gundlach, daughter of Thomas J. McKenna, deceased, \$15.75.  
 Theodore W. Goodspeed, \$83.75.  
 Mary J. Gordon, daughter of Timothy J. Mahoney, deceased, \$37.62.  
 Samuel Grant, \$323.93.  
 Esther Ann Hudson, daughter of Patrick Hudson, deceased, \$46.06.  
 Joseph E. Hoey, \$82.93.  
 Harriet N. Hanscom, widow of Alvah Hanscom, deceased, \$73.62.  
 William P. Holmes, \$105.59.  
 John H. Holt, \$70.68.  
 William T. Harris, \$90.43.  
 Mrs. C. H. Harper, daughter of Abraham Larkin, deceased, \$153.15.  
 Benjamin P. Hodgkins, \$10.12.  
 Christy Hanscom, widow of Samuel Willard Hanscom, deceased, \$412.34.  
 Athelia Hill, widow of George C. Hill, deceased, \$77.17.  
 Alonzo H. Haynes, \$60.50.  
 Ellen H. Leighton, daughter of James Chambers, deceased, \$35.18.  
 Adelphus Leavitt, \$41.12.  
 George F. Lewis, \$128.63.  
 Alice M. Loweil, daughter of Alpheus A. W. Lake, deceased, \$530.56.  
 Alice M. Lowell, sister of Alpheus A. Lake, deceased, \$218.93.  
 Timothy W. Mahoney, brother of George W. Mahoney, deceased, \$203.89.  
 Timothy W. Mahoney, \$229.57.  
 Timothy W. Mahoney, son of Michael K. Mahoney, deceased, \$62.40.  
 James Mullen, \$126.50.

Edward A. McDonough, \$419.61.  
 George Morrison, \$62.62.  
 George W. McConnell, son of William McConnell, deceased, \$112.59.  
 Florence Gertrude Magee, granddaughter and sole heir of James A. German, deceased, \$183.  
 Bridget McNulty, daughter of John Morgan, deceased, \$77.03.  
 Terence T. McNulty, \$167.60.  
 Louis S. Nash, widow of William H. Nash, deceased, \$272.90.  
 Julia Ryan, widow of Michael Ryan, deceased, \$33.02.  
 Addie R. Rice, widow of Benjamin Rice, deceased, \$83.62.  
 Matthew Redmond, \$171.12.  
 David L. Rigby, \$211.86.  
 Alexander A. Seldon, \$80.10.  
 Mabel F. Swain, granddaughter of Thomas Dunham Rice, deceased, \$353.18.  
 Mary A. C. Smith, daughter of George Golbert, deceased, \$87.37.  
 Daniel Sullivan, \$82.20.  
 John D. Sanborn, \$295.90.  
 Eugene S. Sullivan, brother of Humphrey J. Sullivan, deceased, \$71.60.  
 Charles E. Stone, \$78.82.  
 George Short, \$191.68.  
 Eugene S. Sullivan, \$41.62.  
 Minnie Swett, daughter of James L. Williams, deceased, \$465.92.  
 To the following-named persons (representing 24 claims) the following sums, respectively, as found by the Court of Claims in the case of Alfred D. Bullock and others against the United States, for payment for extra labor above the legal day of eight hours at the Boston Navy Yard, namely :

Alfred D. Bullock, \$232.11.  
 Joseph F. Baker, \$210.77.  
 John Clark, \$142.64.  
 William M. Carr, \$79.67.  
 Winslow L. Crafts, \$371.87.  
 Charles H. Crocker, \$330.83.  
 Samuel Dwight, \$786.62.  
 John Flynn, \$400.94.  
 John F. Gilmore, \$275.44.  
 Henry G. Hichborn, \$349.93.  
 Patrick Marrow, \$171.40.  
 Eben P. Oakes, \$126.79.  
 Joseph Riley, \$418.59.  
 William P. Raymond, \$381.44.  
 Jennie A. Sawyer, widow of Jefferson Sawyer, deceased, \$281.87.  
 George D. V. Smith, \$33.  
 Chester R. Streeter, \$488.10.  
 George K. Sawyer, \$315.43.  
 Albert Sawyer, \$473.15.  
 Samuel J. Cochran, \$445.83.  
 William H. Righy, \$905.78.  
 William N. Winter, \$166.66.  
 John Ward, \$57.75.  
 George H. Young, \$92.81.  
 William F. O'Hearn, \$81.59.  
 John W. Simonson, \$4.12.

## NEW HAMPSHIRE

To the following-named persons (representing 11 claims) the following sums, respectively, as found by the Court of Claims in the case of Hannah J. Adams, widow of Augustus H. Adams, deceased, and others against the United States, for payment of extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely :

Hannah J. Adams, widow of Augustus H. Adams, deceased, \$87.75.  
 George Beal, \$8.14.  
 Charles S. Hobbs, \$290.83.  
 Alfred H. Hook, \$61.16.  
 Stacy G. Moran, \$32.43.  
 Susan Y. Perry, widow of William H. Perry, deceased, \$171.49.  
 Sarah A. Trefethen, widow (remarried) of Benjamin E. Seaward, deceased, \$685.40.  
 Rose A. Spinney, widow of William M. Spinney, deceased, \$312.93.  
 Mary A. Willey, widow of Joseph Willey, deceased, \$2.93.  
 Ivan L. Meloon, \$167.10.  
 Fred A. Moore, \$231.14.

To the following-named persons (representing 28 claims) the following sums, respectively, as found by the Court of Claims in the case of John E. Amazeen and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely :

John E. Amazeen, \$307.72.  
 William H. Anderson, \$412.96.  
 Frank H. Bean, sole heir of George F. Bean, deceased, \$94.72.  
 William J. Chase, \$106.85.  
 Charles F. Caswell, \$130.35.  
 James M. Downer, \$26.25.

William H. Horn, \$142.12.  
 Franklin Haley, \$182.43.  
 Benjamin F. Joy, \$137.83.  
 Charles F. Langley, \$226.58.  
 John J. Lambert, \$118.27.  
 George S. Manning, \$133.12.  
 William P. Murphy, \$88.85.  
 James W. Marden, \$126.94.  
 George F. Osgood, \$9.80.  
 John Phelan, \$357.43.  
 Owen E. Pettigrew, \$18.40.  
 John A. Peterson, \$88.35.  
 Chester L. Rix, administrator of George L. Rix, deceased, \$144.34.  
 Fred Rollins, \$31.60.  
 William C. Randall, \$149.49.  
 Charles E. P. Randall, \$105.40.  
 John W. Shannon, \$181.13.  
 Eugene A. Sanborn, \$270.  
 Gasper G. Shannon, \$81.97.  
 John R. Williams, \$1.67.  
 O. C. Williams, \$198.82.  
 Charles H. Raitt, \$38.98.  
 The following-named persons (representing 182 claims) the following sums, respectively, as found by the Court of Claims in the case of Nathan F. Amee and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard :

Nathan F. Amee, \$396.75.  
 George A. Adams and Stephen E. Adams, heirs of Albert J. Adams, deceased, \$365.53.  
 Stephen E. Adams, \$94.74.  
 Mary Jane Anderson, widow of Montgomery Anderson, deceased, \$308.68.  
 George P. Abbott, \$132.  
 George R. Adams, \$166.12.  
 Levi Briard, \$402.75.  
 Lorenzo T. Burham, \$116.25.  
 Walter Ball, \$364.14.  
 James Boardman, \$473.53.  
 Albert F. Billings, administrator of Frederick A. Billings, deceased, \$372.41.  
 Hannah A. Briard, widow of Robert Briard, deceased, \$486.63.  
 Charles Bowden, \$2.86.  
 George D. Boulter, \$91.05.  
 Walter Ball, John Ball, and Ida A. Bennett, sole heirs of John R. Ball, deceased, \$231.40.  
 Mrs. A. F. Ball, Mrs. N. S. Perry, and Mrs. E. G. Wright, heirs of Michael C. Leary, deceased, \$197.12.  
 Mary Bright, widow of John Bright, deceased, \$51.33.  
 Benjamin F. Bunker, \$56.51.  
 John S. Bennett, \$553.19.  
 Charlotte E. Betton, widow of Thornton Betton, deceased, \$160.02.  
 Eben F. Brackett, \$428.06.  
 John Ball, \$310.07.  
 Elizabeth L. Brown, widow of Frank S. Brown, deceased, \$130.12.  
 Mary Brown, Mrs. A. T. Hackett, Mrs. A. C. Plummer, and Mrs. A. L. Martin, sole heirs of Franklin K. Brown, deceased, \$155.62.  
 Anna A. Brooks, widow of James Brooks, deceased, \$902.50.  
 Levi M. Brooks, \$9.37.  
 J. Mahlon Bickford, Albert H. Bickford, Louisa H. Brown, and Zashews V. Bickford, sole heirs of Joshua Bickford, deceased, \$247.91.  
 Jacob B. Burns, \$28.25.  
 Jacob B. Burns, sole heir of Ezekiel Burns, deceased, \$63.75.  
 Moses G. Berry, \$224.58.  
 Tobias E. Burke, \$840.63.  
 John W. Chickering, \$396.05.  
 Charles W. Coleman, \$170.25.  
 George A. Clough, Arthur B. Clough, Roland C. Clough, and Florence J. Clough, sole heirs of Elijah Clough, deceased, \$345.75.  
 Martha E. Cottle, widow of Oliver Cottle, deceased, \$107.14.  
 Mary Jane Curtis, widow of Moses R. Curtis, deceased, \$265.92.  
 Samuel H. Chauncey, \$158.10.  
 Ann E. Colley, widow of William B. Colley, deceased, \$413.47.  
 Charles C. Dixon, \$198.69.  
 Lavinia M. Dixon, widow of William M. Dixon, deceased, \$172.87.  
 Margaret E. Danne, widow of John W. Danne, deceased, \$371.36.  
 Leland W. Davis, Shirley B. Davis, and Lemuel T. Davis, sole heirs of Lemuel T. Davis, deceased, \$317.80.  
 Thomas W. Ducker and George H. Ducker, sole heirs of Robert Ducker, deceased, \$312.49.  
 William T. Entwistle, \$105.02.  
 George B. Frost, \$109.23.  
 Joseph B. Fletcher, \$569.27.  
 Walter P. Fitzmaurice, \$77.62.  
 Henry Fernald, \$131.55.  
 Frank A. Fagan, \$101.26.

Howard S. Frisbie, \$312.45.  
 William F. Foye and Ada F. Foye, sole heirs of Stephen J. Foye, deceased, \$294.97.  
 Emma D. Flagg, widow of John H. Flagg, deceased, \$338.07.  
 George W. Foote, \$190.68.  
 William J. Frost, \$56.31.  
 Dennis Flynn, \$54.22.  
 Josiah Fernald, otherwise Josiah W. Fernald, \$49.87.  
 Oliver G. Fernald, \$668.73.  
 S. Elizabeth Fernald, widow of William A. Fernald, deceased, \$643.40.  
 Levi L. Goodrich, \$429.65.  
 George W. Green, \$511.45.  
 John A. George, \$551.23.  
 Lewis B. Gerrish, \$328.30.  
 John Glover, \$647.93.  
 Lizzie L. Gatchell, widow of Jessie H. Gatchell, deceased, \$79.87.  
 Mary O. Gray, widow of Walter S. Gray, deceased, \$257.61.  
 George A. Gentner, \$102.28.  
 Charles L. Glines, \$235.87.  
 Mary D. Goodspeed, widow of Burbank S. Goodspeed, deceased, \$327.  
 Mary E. Goss, widow of Alfred S. Goss, deceased, \$81.82.  
 Josephine Gardner, widow of William H. Gardner, deceased, \$426.37.  
 George H. Hayes, \$351.53.  
 Elizabeth H. Hanscom, widow of Jackson A. Hanscom, deceased, \$160.16.  
 Freeman Hurd, \$158.47.  
 Lucinda A. Hayes, widow of Charles E. Hayes, deceased, \$190.26.  
 Ira Hanscom, \$164.02.  
 C. Dwight Hanscom and Albert H. Hanscom, executors of Nathaniel Hanscom, deceased, \$152.01.  
 Margaret P. Humphreys, widow of George Humphreys, deceased, \$274.12.  
 Mary A. Hersey, widow of George L. Hersey, deceased, \$63.20.  
 Mabel Idella Hayes, guardian of Roy C. Philbrick, sole heir of Robert S. Philbrick, deceased, \$246.06.  
 Samuel M. Joy, \$204.94.  
 Walter S. Jackson and Ernest Jackson, two of the heirs of Zina H. Jackson, deceased, \$391.59.  
 Mrs. William S. Jackson, widow of William S. Jackson, deceased, \$284.25.  
 Joseph P. Jenkins, \$179.14.  
 James M. Knapp, \$680.49.  
 Joseph Keen, \$167.20.  
 Ira C. Keen, \$75.16.  
 Willis E. Keen, \$181.06.  
 Elmer H. McKenney, \$179.38.  
 Benjamin Keen, \$317.62.  
 Harry M. Kimball and Mrs. George W. Smith, sole heirs of Charles W. Kimball, deceased, \$266.12.  
 Catherine Killoran, sole heir of James Mahoney, deceased, \$162.33.  
 Charles J. Lydston, \$250.47.  
 Isaac H. Lambert, \$343.48.  
 Adam Lutts, \$384.50.  
 William H. Lovell, \$729.  
 Charles Lowd, otherwise Frank Lowd, \$60.72.  
 Maria M. Lowd, widow of Horace S. Lowd, deceased, \$209.75.  
 Winfield S. Lord, \$337.95.  
 James C. Lydston, \$409.50.  
 Alfred M. Lang, \$360.50.  
 Ellen A. Lewis, widow of Thomas Lewis, deceased, \$126.  
 John O. Langley, \$387.09.  
 Elizabeth Mason Leary, sole heir to Daniel Mason, deceased, \$191.60.  
 F. Josephine Lombard, Henry A. Lombard, Elizabeth L. Moon, and Mary L. Shannon, sole heirs of Henry Lombard, deceased, \$39.75.  
 Frank H. Lewis, Arthur H. Lewis, George W. Lewis, Emma L. Carr, Wentworth Lewis, Fred Lewis, Maud L. Foge, Harry F. Lewis, and Sydney Lewis, sole heirs of Reuben Lewis, deceased, \$235.17.  
 James S. Lawry, \$86.13.  
 Ellen Lowd, widow of Edwin Lowd, deceased, \$55.93.  
 Lemuel McIntire, \$78.02.  
 John D. Metcalf, administrator of Henry Knight, deceased, \$676.75.  
 Oliver B. Moody, \$71.92.  
 George Manent, \$383.96.  
 Daniel W. Marden, \$647.87.  
 Harriet N. Moore, widow of Moses D. Moore, deceased, \$829.85.  
 Benjamin F. Martin, \$225.  
 Albert H. Moody, \$16.75.  
 Albert Manson, \$25.64.  
 Frank Moore, Hannah E. Atkinson, and Blanche V. Hull, sole heirs of John Moore, deceased, \$49.43.  
 Catherine G. Nutter, widow of William H. Nutter, deceased, \$137.13.  
 Martha J. Noyes, widow of William F. Noyes, deceased, \$921.16.  
 Martha A. Nealey, widow of Edwin C. Nealey, deceased, \$706.20.  
 Mark Nason, \$213.85.

Edward E. Otis and James O. Otis, sole heirs of William M. Otis, deceased, \$338.80.  
 Eben N. Odiorne, \$128.25.  
 Eileen E. Obrey, administratrix of Benjamin Smith, deceased, \$109.97.  
 Frank E. Osgood, \$288.93.  
 Isaac H. M. Pray, \$210.24.  
 Isaac H. M. Pray, one of the heirs of James B. Pray, deceased, \$77.37.  
 Walter Philbrick, \$310.15.  
 John E. Pinkham, \$107.87.  
 Fred J. Pillsbury, one of the heirs of Samuel H. Pillsbury, deceased, \$732.24.  
 Mary E. Palfrey, administratrix of Hanson Hoyt, deceased, \$127.34.  
 George R. Palfrey, Harry B. Palfrey, William H. Palfrey, Robert R. Palfrey, and I. Miller Palfrey, sole heirs of William W. Palfrey, deceased, \$361.93.  
 Benjamin F. Powell, William Powell, and Mrs. Harry M. Kimball, sole heirs of Benjamin Powell, deceased, \$253.97.  
 Mary E. Parker, widow of Pierce Parker, deceased, \$301.75.  
 Annie E. Prior, widow of Warren Prior, deceased, \$355.25.  
 Sarah A. Paul, widow of John A. Paul, deceased, \$392.84.  
 Thomas Prior, \$290.49.  
 Mary E. Paul, widow of Franklin N. Paul, deceased, \$170.25.  
 Eliza A. Parks, widow of George L. Parks, deceased, \$385.50.  
 Daniel H. Plaisted, Ellen O. Littlefield, James S. Plaisted, Fronie R. Colby, George E. Plaisted, Sarah E. Batting, Mark R. Plaisted, and Annie M. Bingham, sole heirs of Mark R. Plaisted, deceased, \$471.39.  
 Edwin D. Rand, executor of Albert H. White, deceased, \$345.20.  
 Joseph C. Remick, \$170.63.  
 Sarah A. Richardson, widow of James W. Richardson, deceased, \$307.63.  
 Maria Rand, widow of Reuben Rand, deceased, \$329.25.  
 Frank Remick, executor of John Remick, deceased, \$379.87.  
 Walter C. Rogers, sole heir of John H. Rogers, deceased, \$500.68.  
 Howard E. Spinney, one of the heirs of Samuel H. Spinney, deceased, \$126.  
 Howard E. Spinney, \$122.83.  
 Willard Spinney, otherwise Willard T. Spinney, \$280.41.  
 Hervey E. Seward, \$66.33.  
 William Shields, \$1.03.  
 Mary E. Sherman, widow of Eli Sherman, deceased, \$583.44.  
 George Stringer, \$378.  
 Mary Spinney, widow of Azariah L. Spinney, deceased, \$232.06.  
 George W. Stillson, \$52.11.  
 Mary A. Spinney, widow of Sylvester Spinney, deceased, \$165.  
 Mary Salmon, widow of Thomas Salmon, deceased, \$286.81.  
 Margaret L. Stringer, widow of William Stringer, deceased, \$261.04.  
 Ida Estelle Shackley and Susie H. Shackley, sole heirs of George Shackley, deceased, \$324.  
 Elizabeth E. Swain, widow of John D. Swain, deceased, \$361.87.  
 Frank Sides, administrator of Robert C. Sides, deceased, \$286.61.  
 Morris Tobin, \$55.21.  
 Ernest C. Tobey, Winfield L. Tobey, and Edgar L. Tobey, sole heirs of Meshach Tobey, deceased, \$130.37.  
 Edwin Underhill, \$177.43.  
 Thomas J. F. Varrell, \$452.25.  
 Clement M. Waterhouse, sole heir of James A. Waterhouse, deceased, \$377.71.  
 Charles A. Wendall, \$905.62.  
 Clement Waterhouse, \$244.32.  
 Reuben Worster, \$58.50.  
 Asa Wilson, \$38.43.  
 Warren P. Webster, \$21.65.  
 John R. Wentworth, \$310.99.  
 George A. Williams, \$280.46.  
 Lorenzo Witham, otherwise Lorenzo D. Witham, \$113.99.  
 John Wood, \$484.50.  
 George S. Welch, \$2.01.  
 Daniel L. Wendall, \$211.64.  
 Emma E. Young and Fred C. Young, sole heirs of Charles E. Young, deceased, \$352.88.  
 John E. Yeaton, \$205.66.  
 John E. Yeaton, one of the heirs of Benjamin Yeaton, deceased, 37 cents.  
 Fred C. Young, Emma E. Young, and Clara W. Bennett, sole heirs of Charles Lane, deceased, \$18.48.  
 Edward P. Yeaton, sole heir of Nathaniel W. Yeaton, deceased, \$224.76.  
 To the following-named persons (representing 12 claims) the following sums, respectively, as found by the Court of Claims in the case of William A. Ashe and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:  
 William A. Ashe, \$461.37.  
 Irah R. Davis, \$111.98.  
 George F. Randall, \$142.35.

Charles H. Rowe, \$201.96.	Frank E. Lawry, \$78.49.
John Walton, \$201.16.	Brackett Lewis, \$45.18.
Miriam W. Adams, widow of Daniel Adams, deceased, \$162.75.	William W. Locke, \$228.56.
Emma L. Caswell, widow of Perry Caswell, deceased, \$68.20.	Walter N. Meloon, \$166.81.
Lois J. Howell, widow of John S. Howell, deceased, \$457.67.	George W. Muchmore, \$810.34.
Annie F. Rich, widow of Robert E. Rich, deceased, \$230.02.	Christopher Remick, \$117.16.
Cedric C. Campbell, John H. Campbell, Noel Campbell, Lucy Campbell, and Ethel Gillis, sole heirs of Nathaniel Campbell, deceased, \$204.51.	Edwin D. Rand, \$295.82.
Alice M. Rand, sole heir of William H. Deverson, deceased, \$83.25.	Augustus Stevenson, \$917.60.
Charles F. Goodwin, \$87.29.	George E. Stackpole, \$180.60.
To the following-named persons (representing 38 claims) the following sums, respectively, as found by the Court of Claims in the case of Sylvester L. Backus and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:	William H. Wilson, \$191.55.
George W. Bailey and Charles T. Bailey, sole heirs of Joseph Bailey, deceased, \$106.80.	Benjamin F. Winn, \$224.90.
Sylvester L. Backus, \$39.75.	Augustus S. Zara, \$429.75.
Charles H. Bessellievre, \$82.28.	Joseph A. Meloon and Charles O. Meloon, executors of Nathaniel L. Meloon, deceased, \$471.30.
Carrie R. Bragden and Lyman T. Pray, sole heirs of Charles T. Pray, deceased, \$32.60.	Charles Stewart, \$349.90.
Carrie R. Bragden and Lyman T. Pray, sole heirs of Peter Pray, deceased, \$175.87.	To the following-named persons (representing seven claims) the following sums, respectively, as found by the Court of Claims in the case of Charles W. Brock and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:
George Campbell, Alice Campbell Stevens, and Helen Campbell Ricker, sole heirs of Thomas Campbell, deceased, \$44.91.	Charles W. Brock, \$381.41.
Oscar L. Collum, sole heir of George H. Collum, deceased, \$44.55.	Daniel Bedell, \$131.35.
Mrs. M. E. Critchley, widow (remarried) of John A. Yeaton, deceased, \$320.19.	Mark Fernald, \$256.63.
Lizzie A. Cram, Lydia P. Lowell, and Eliza W. Hoyt, sole heirs of Josiah W. Hussey, deceased, \$96.60.	Charles W. Lutts, \$271.61.
Pender Davis, \$87.	John E. Milton, \$14.25.
Richard Davidson, Elizabeth J. Davidson, Elizabeth S. Jenness, James Davidson, and Deborah Currier, sole heirs of James Davidson, deceased, \$76.05.	William McEvoy, \$180.18.
John J. Downes, \$33.	Patrick McCann, \$176.76.
Agnes Emery, widow of Joseph H. Emery, deceased, \$224.08.	To the following-named persons (representing nine claims) the following sums, respectively, as found by the Court of Claims in the case of George W. Brown and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:
George W. French, Ruth E. Burns, Anna T. Ham, and Sadie B. Schurman, sole heirs of Joseph T. French, deceased, \$367.23.	George W. Brown, \$33.75.
Ezra M. Goodwin, \$121.71.	John L. Emery, \$257.62.
Susan O. Green, widow of Charles B. Green, deceased, \$255.37.	Mary Mozart, widow of William J. Mozart, deceased, \$77.43.
Elizabeth E. Gilman, Jennie L. Grindell, Sarah L. Quackenbush, William H. Noyes, Howard A. Noyes, and Fred A. Noyes, sole heirs of William H. Noyes, deceased, \$370.50.	Joseph B. Remick, \$257.62.
Caroline Bird Hammond, widow of Henry Clay Hammond, deceased, \$376.12.	Timothy Trafton, \$145.48.
Amanda M. Jellison, widow of Alvah Jellison, deceased, \$218.88.	William P. Titcomb, \$78.
Samuel H. Kingsbury, \$262.50.	Rhasa Perkins, \$5.82.
Ira C. Keene, \$75.16.	Thomas J. Pettigrew, \$420.
Clara I. Lewis, widow of Enoch Lewis, deceased, \$5.50.	Alexander N. Perry, \$314.25.
Julia A. Moses, widow of Alfred D. Moses, deceased, \$378.37.	To the following-named persons (representing 17 claims) the following sums, respectively, as found by the Court of Claims in the case of Henry B. Colson and others against the United States for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:
Addie F. Marks, widow of Frank L. Marks, deceased, \$394.12.	Henry B. Colson, \$148.75.
Ida F. Neal, sole heir of Daniel R. Neal, deceased, \$82.12.	Stephen L. Davis, \$19.50.
Moses Plummer, \$544.27.	Charles W. Eaton, \$235.60.
Mary L. Quinn, widow of Stephen H. Quinn, deceased, \$417.	William Fernald, \$92.77.
Ednah M. Ford Rowe, sole heir of James Edgar Ford, deceased, \$416.70.	Charles H. Fernald, \$72.
Rebecca Y. Raitt, widow of Daniel G. Raitt, deceased, \$566.70.	Thomas J. Goodwin, executor of Daniel McDonald, deceased, \$168.08.
Frederick A. Staples, Thomas F. Staples, and Calvin H. Staples, sole heirs of Thomas Staples, deceased, \$420.87.	Albert W. Hanscom, \$120.
Frank W. Smith, \$123.16.	George H. Hall, \$81.11.
Willard Sears, \$284.74.	Robert O. Munroe, \$294.93.
Samuel Taylor, \$438.46.	Perry C. Moore, \$53.08.
Henry Wallace, \$129.50.	Frank L. Parker, \$372.60.
Mrs. Jesse N. Wilson, widow of Jesse N. Wilson, deceased, \$181.50.	Herman Paul, \$377.60.
Lucy Whalley, widow of Edmund Whalley, deceased, \$267.81.	Charles L. Simpson, \$98.25.
George Woods, \$257.92.	Albert O. Smith, \$91.08.
George H. Young, \$40.50.	George H. Shannon, \$13.80.
To the following-named persons (representing 26 claims) the following sums, respectively, as found by the Court of Claims in the case of Robert B. Billings and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:	Herman A. Tarlton, \$6.31.
Robert B. Billings, \$274.83.	David Walter Tobey, \$76.98.
Franklin H. Bond, \$291.40.	To the following-named persons (representing 17 claims) the following sums, respectively, as found by the Court of Claims in the case of John W. Knight and others against the United States for payment for extra labor above the legal day of eight hours at Portsmouth Navy Yard, namely:
William H. Brown, \$316.66.	John W. Knight, \$450.37.
William C. Bray, \$271.15.	Ruth A. Kues, widow of Joseph Kues, deceased, \$308.74.
Isaac H. Farr, \$423.99.	Charles M. Prince, son of Charles M. Prince, deceased, \$306.12.
John Grant, \$519.77.	Nathaniel Bowden, \$54.34.
Robert M. Ham, \$119.36.	Dennis M. Shapleigh, \$425.25.
Henry H. Ham, \$509.08.	Horace Mitchell, son of Reuben Mitchell, deceased, \$251.70.
Albert Hanscom, \$46.17.	John R. Dinsmore, \$506.46.
James M. Jarvis, \$379.34.	George O. Athorne, son of Oliver Athorne, deceased, \$13.12.
Thomas L. Jose, \$388.66.	Fred Spinney, \$34.40.
Michael E. Long, \$308.90.	Thomas E. Wilson, heir of Joseph D. Frost, deceased, \$310.78.
	Mabel J. Morse, daughter of P. Wentworth, deceased, \$554.89.
	Emily J. Morse, widow of William Morse, deceased, \$98.95.
	Mary S. Wilcox, widow of Theodore Wilcox, deceased, \$633.42.
	George O. Wilson, \$382.50.
	James R. Philbrick, \$243.55.
	William F. Pinkham, \$611.81.
	C. H. Staples, \$285.50.

To Holman Marr, \$106.12.

To Charles L. Duncan, \$169.57.

To the following-named persons (representing eight claims) the following sums, respectively, as found by the Court of Claims in the case of Edward H. Norton and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:

Edward H. Norton, \$260.74.

John W. Bickford, \$136.35.

John Flanigan, \$330.64.

Edwin A. Duncan, \$188.76.

Charles E. Whitehouse, \$461.

George F. Tobey, \$57.25.

Edward E. McIntire, \$294.31.

J. Mahlon Bickford, \$514.39.

Edward B. Prime, \$339.45.

To Eleanor L. and Henry C. Lovell, sole heirs of Henry C. Lovell, deceased, \$906.66.

To Annie I. Fernald Crowell, widow (remarried) of Alonzo Fernald, deceased, \$386.40.

To Margaret A. Norton, widow of Daniel C. Norton, deceased, \$596.86.

To Emma S. Wherren, administratrix of James W. Wherren, deceased, \$140.43.

To George E. McIntosh, \$228.59.

#### NEW YORK

To the following-named persons (representing 21 claims) the following sums, respectively, as found by the Court of Claims in the case of Hans Anderson and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

Hans Anderson, \$4.32.

William B. Burlingame, \$20.12.

John W. Buckley, \$189.32.

William H. Bulmer, \$18.

Anthony J. Bommer, \$112.23.

Daniel Coffey, \$33.90.

William Ford, \$93.38.

Michael Halloran, \$341.95.

Rebecca E. Jansen, one of the heirs of Isaac Wallack, deceased, \$276.66.

Mary Raulston B. Johnston, one of the heirs of Samuel Raulston, deceased, \$232.81.

Maria L. Lane, one of the heirs of John Scott, deceased, \$119.87.

James Norton, \$65.23.

Humphrey H. Owens, \$42.45.

Isaac A. Rose, administrator of Isaac A. Rose, deceased, \$146.37.

Isaac Alonzo Rose, \$15.30.

Leon Ridoux, \$9.18.

Robert J. Ross, one of the heirs of Robert J. Ross, deceased, \$20.10.

Everett W. Sharkey, one of the heirs of Alexander Sharkey, deceased, \$68.66.

Charles H. Totten, \$312.40.

Peter Watson, \$88.15.

Elizabeth M. Clark, Annie Malloy, and Annie Kenney, heirs of Patrick Kenney, deceased, 45 cents.

To Nicholas A. Brooks, \$136.32.

To the following-named persons (representing 39 claims) the following sums, respectively, as found by the Court of Claims in the case of Richard Barrington and others against the United States for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

Richard Barrington, \$244.56.

Henry F. Beakey, \$245.64.

Lucy Boles, administratrix of John Boles, deceased, \$91.91.

Robert J. Bedell, \$109.91.

James Campbell, \$14.36.

Jesse R. Chisolm, \$140.84.

James Carpenter, \$92.42.

Peter Dugan, \$98.84.

Margaret Duffy, heir, etc., of Francis Lynch, deceased, \$453.39.

George Humphreys, \$282.10.

Henry Hill, \$255.32.

Andrew Houston, \$598.96.

Jacob M. Johnson, \$129.57.

Seymour Kline, \$80.67.

Ira Little, \$232.28.

William B. Lewis, \$72.48.

John T. McGlone, \$245.04.

William McLean, \$457.02.

Charlotte McGarrigal, widow of Samuel McGarrigal, deceased, \$260.20.

Alonzo Nash, \$66.83.

Peter E. Ogilvie, \$326.30.

William Henry Ogilvie, \$136.66.

Pierce P. Parsells, \$438.84.

James L. Proctor, \$61.36.

Mason Padgett, \$3.20.

Martha L. Parsells, administratrix of Theodore Fay Parsells, deceased, \$463.15.

Harry Pethers, \$97.09.

William A. Rodman, \$13.28.

Roger Ryan, \$33.91.

John H. Spencer, \$12.57.

James Snellgrove, \$248.93.

John T. Sloan, \$163.07.

Eleanor M. Shaw, widow of John Shaw, deceased, \$915.

John Tully, \$11.15.

James Tully, \$8.76.

Elijah D. Taft, \$302.11.

Charles M. Winant, \$212.74.

Frank R. Wendover, \$53.63.

Alfred Walker, \$212.82.

To the following-named persons (representing 20 claims) the following sums, respectively, as found by the Court of Claims in the case of Ellen Bonner, widow of George Bonner, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

Ellen Bonner, widow of George Bonner, deceased, \$18.06.

Owen Brady, \$192.79.

Charles T. Chapman, \$54.14.

Annie Dalton, widow of James Dalton, deceased, \$344.93.

Abigail Garvey, widow of James Garvey, deceased, \$159.78.

James T. Gordon, \$51.39.

James A. Galloway, \$125.08.

Robert Gray, \$171.54.

William Hayes, \$12.69.

Harriet Kelly, widow of John Kelly, deceased, \$106.93.

Margaret E. Lane, widow of Rodney Lane, deceased, \$302.55.

Adelaide A. Lewis, Cecil A. Kemble, Myrtle A. Place, Olive E. Richards, and Frances Kemble Hayes, heirs of Andrew J. Kemble, deceased, \$635.87.

William McLoud, \$11.81.

Mary A. McGinniss, widow of James M. McGinniss, deceased, \$450.60.

John Presley, \$17.43.

James Phillips, \$108.66.

Henry Ray, \$14.37.

Samuel Ray, \$152.29.

Emma Selkirk, widow of Charles Selkirk, deceased, \$438.65.

William Townsend, \$332.74.

To the following-named persons (representing 13 claims) the following sums, respectively, as found by the Court of Claims in the case of George W. Brown and others against the United States for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

George W. Brown, \$422.96.

Richard Dezendorf, \$158.27.

Peter Doyle, \$217.26.

Manuel Glass, \$7.72.

William Hamilton, \$179.17.

Rodger Howard, \$291.93.

Andrew Kane, \$292.45.

Patrick McNamara, \$74.04.

William Phipps, Jr., \$131.69.

John R. Powers, \$21.86.

John Rauscher, \$183.68.

Joseph Sands, \$307.43.

Elizabeth Tyson, widow of Peter Tyson, deceased, \$93.84.

To the following-named persons (representing five claims) the following sums, respectively, as found by the Court of Claims in the case of William L. Buckley and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

William L. Buckley, \$121.27.

John Dwyer, \$385.50.

James Palmer, \$99.32.

Mary M. Parent, widow of David Parent, deceased, \$185.56.

Helen L. Burnett, George S. Burnett, and Mary O. Powles, sole heirs of Joseph Burnett, deceased, \$424.53.

To the following-named persons (representing 14 claims) the following sums, respectively, as found by the Court of Claims in the case of John H. Burtis and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

John H. Burtis, \$346.39.

Cornelius Bennett, \$332.80.

William Croft, \$95.13.

Joseph Clyne, \$150.03.

Jacob Callas, \$66.75.

James A. Driver, \$379.80.

Wellington Griffith, \$58.22.

George W. Heald, \$181.34.

James Hepenstall, \$905.10.  
 George B. Heald, \$433.77.  
 John Knight, \$245.80.  
 Edward Northup, \$278.47.  
 John D. Post, \$290.92.  
 Patrick H. White, \$71.59.  
 To Clarkson V. Hendrickson, \$35.96.  
 To Jaspeh Chisholm, \$86.21.  
 To John T. R. Mearns, \$217.17.  
 To Richard Rollins, \$145.81.  
 To Mary E. Hare, widow of John E. Hare, deceased, \$128.90.  
 To Frank H. Fletcher, \$61.52.  
 To Octavia Cavendy, widow of Joseph S. Cavendy, \$73.44.  
 To John J. Ennis, \$131.43.

## PENNSYLVANIA

To the following-named persons (representing 19 claims) the following sums, respectively, as found by the Court of Claims in the case of Christopher Alexander and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

Christopher Alexander, \$374.83.  
 Albert O. Chamberlain, \$24.94.  
 David Craig, \$29.87.  
 William Coates, \$373.91.  
 Daniel H. Chatton, \$401.09.  
 Josephine Cramp, widow of Martin C. Cramp, deceased, \$186.06.  
 Thomas Denney, \$24.60.  
 John J. Garrity, \$270.14.  
 John B. Grover, jr., \$225.81.  
 William Lynn, \$184.60.  
 George W. Margerum, \$269.43.  
 Theodore Mitchell, \$274.60.  
 Joseph W. Meyers, \$1.87.  
 John H. Pettit, \$421.31.  
 Robert Pogue, \$91.75.  
 James Spear, \$996.76.  
 Edward T. Weaver, \$447.87.  
 Thomas R. Walters, \$247.69.  
 George A. Zirnberg, \$455.15.

To the following-named persons (representing eight claims) the following sums, respectively, as found by the Court of Claims in the case of William S. Baude and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

William S. Baude, \$359.09.  
 Mamie Anderson, daughter of Joseph Anderson, deceased, \$464.51.  
 Adelaide P., William S., and Joseph H. Baude, children of Stephen R. Baude, deceased, \$869.74.  
 Edwin F. Bumm (carried on the roll as Edward F. Bumm), \$61.12.  
 William Bumm, \$341.34.  
 Fannie R. Cloyes, widow of Charles Cloyes, deceased, \$400.38.  
 Mary L. Mecaslin, widow of William T. Mecaslin, deceased, \$425.82.  
 George T. Rainey, \$280.07.

To the following-named persons (representing 35 claims) the following sums, respectively, as found by the Court of Claims in the case of Sanford Bilyen and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

To Mary A. Bilyen, widow and legal representative of Sanford Bilyen, \$555.62.  
 Harry Davenport, \$379.83.  
 Thomas P. Ferguson, \$38.63.  
 Charles P. Grice, \$237.47.  
 Francis Grice, \$149.01.  
 Henry Hockery, \$116.30.  
 Joseph Magilton, \$13.47.  
 George W. Mahorn, \$68.01.  
 Daniel McCall, \$370.09.  
 Charles P. Montgomery, \$433.01.  
 John A. Newcomb, \$316.31.  
 Richard H. O'Donnell, \$503.71.  
 Edward E. Packer, \$438.50.  
 John H. Redfield, \$412.69.  
 Peter A. Slote, \$214.82.  
 Mary A. Corkery, widow of John Corkery, deceased, \$365.06.  
 Lizzie C. Land, widow of George M. Land, deceased, \$276.67.  
 Eleanor F. Martin, widow of George S. Martin, deceased, \$79.53.  
 Lois Room, widow of Benjamin A. Room, deceased, \$113.98.  
 Annie E. Sheer, widow of John Sheer, deceased, \$434.62.  
 Elizabeth Smith, widow of John Smith, deceased, \$304.30.  
 Mary J. Quinton and Lizzie S. Horner, sole heirs of Nathan D. Room, deceased, \$264.35.

Peter A. Slote, George W. Slote, Mamie Slote, Lidle Lutz, Andrew Wells, and Daniel Wells, sole heirs of Franklin S. Wells, deceased, \$68.56.

Peter A. Slote, George W. Slote, Mamie Slote, Lidle Lutz, Andrew Wells, and Daniel Wells, sole heirs of Frank Wells, deceased, \$52.20.  
 William C. Bessellievre, jr., \$16.14.  
 Sidney I. Bessellievre, \$71.31.  
 Parry T. McCurdy, \$266.96.  
 Harry C. Scott, \$68.58.  
 Charles P. Grice and Francis Grice, sole heirs of Francis E. Grice, deceased, \$487.60.

William C. Bessellievre, administrator of John A. Bessellievre, deceased, \$75.

George G. Cressey, \$217.32.

Edwin Phillips, \$455.84.

Ida M. Hoffacker, Susie A. Antrim, Margaret Meager, Fannie Fort, Harry Tantum, Elmer Tantum, Fred Tantum, and Walter Tantum, sole heirs of Henry N. Bennett, deceased, \$457.63.

Emily Powell, widow of George Powell, deceased, \$224.79.

Mary A. Dunn, Rebecca Patterson, Elizabeth Hunter, and William C. Barnes, sole heirs of Frederick B. Barnes, \$132.36.

To the following-named persons (representing 15 claims) the following sums, respectively, as found by the Court of Claims in the case of Francis B. Black and others against the United States, for the payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

Francis B. Black, \$404.21.

Arthur F. Corgee, \$333.43.

Harry L. Davies, \$72.91.

Harry L. Davies and John M. Davies, jr., sole heirs of John M. Davies, deceased, \$898.12.

Samuel B. Edwards, \$64.81.

George Hunter, \$54.16.

William Kinsley, \$236.66.

Mary A. McKay, widow of John McKay, deceased, \$137.96.

Harry M. Mitchell and Margaret W. Eppright, sole heirs of Charles B. Mitchell, deceased, \$514.46.

Simon McIlhare, \$55.14.

George H. Pattison, \$79.07.

Walter S. Rick, sole heir of George Rick, deceased, \$469.95.

David S. Scott, \$337.88.

Frederick Uber, \$113.81.

Joseph Vile, \$240.16.

To the following-named persons (representing 30 claims) the following sums, respectively, as found by the Court of Claims in the case of Jacob M. Davis and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

Jacob M. Davis, \$309.01.

William R. Day, \$156.53.

Sarah A. Gail, widow of William Gail, deceased, \$13.46.

Elizabeth T. Mitchell, widow of George W. Mitchell, deceased, \$48.75.

George W. Mager, one of the heirs of Adam Mager, deceased, \$161.03.

Alcana Wilkinson, otherwise Kane Wilkinson, \$256.58.

Benjamin L. Berry, \$131.90.

William H. Beidman, \$57.25.

William Wilson, \$437.37.

Harry M. Mitchell, \$281.23.

Martha L. Roberts, widow of John S. Roberts, deceased, \$441.81.

James Schouler, \$397.06.

Catherine Trinkle, executrix of David Ireland, deceased, \$423.31.

John Sexton, \$101.19.

Anna D. Benner, widow of James Benner, deceased, \$210.41.

George W. Clothier, \$422.59.

Edwin W. Dougherty (on rolls as Edward Dougherty), \$328.37.

James Ingram, \$309.93.

Andrew J. Keyser, jr., \$428.06.

Sarah M. Keyser, widow of Andrew J. Keyser, sr., deceased, \$879.06.

Emily R. McCalla, widow of Frank L. McCalla, deceased, \$400.03.

Andrew B. Doebler, \$861.41.

Charles Ewing, \$97.47.

Robert C. Kochersperger, \$165.94.

Jennie McCalla, widow of John A. McCalla, deceased, \$164.67.

William H. Rhl, \$435.25.

Aaron F. Stull, \$97.93.

Samuel J. Shannon, \$361.65.

John H. Silbert, \$148.10.

John Virden, \$903.59.

To Caroline Flomerfelt, widow of George W. Flomerfelt, deceased, \$481.22.

To Edward McCann, \$84.93.

To Elizabeth Siegfried, widow (remarried) of Robert Serro, deceased, \$279.56.

To Maria L. Cummings, widow of Cornelius Cummings, deceased, \$256.25.

To Mary Sullivan, widow of John Sullivan, deceased, \$443.49.

To John Coward, \$38.75.

To Thomas R. Harbridge, \$197.28.  
 To William H. Kiner, Jr., \$190.22.  
 To Robert Mulready, \$641.47.  
 To William W. Pidgeon, \$237.84.  
 To Julius B. Price, administrator of the estate of George W. Conaway, deceased, \$306.96.

## RHODE ISLAND

To the following-named persons (representing four claims) the following sums, respectively, as found by the Court of Claims in the case of George A. Brown and others against the United States, for payment for extra labor above the legal day of eight hours at the naval torpedo station, Newport, namely:

George A. Brown, \$291.19.  
 Mary C. Butts, widow of Noah Butts, deceased, \$388.10.  
 Jacob C. Chase, \$4.47.  
 Thomas Twigg, \$217.80.

## VIRGINIA

To the following-named persons (representing four claims) the following sums, respectively, as found by the Court of Claims in the case of Mary Beasley, widow of Mordecai Beasley, deceased, and others, against the United States, for payment for extra labor above the legal day of eight hours at the Norfolk Navy Yard, namely:

Mary E. Beasley, widow of Mordecai Beasley, deceased, \$64.84.  
 Peter Gallilee, \$17.63.  
 Sarah Richardson, widow of Noah Richardson, deceased, \$130.18.  
 Albert E. West, \$39.32.

To the following-named persons (representing 33 claims) the following sums, respectively, as found by the Court of Claims in the case of George W. Boushell and others against the United States, for payment of extra labor above the legal day of eight hours at the Norfolk Navy Yard, namely:

George Boushell, \$121.13.  
 John T. Brown, \$72.76.  
 William T. Boole, \$122.25.  
 James A. Black, \$98.31.  
 Martin J. Casey, executor, etc., of Steven Casey, deceased, \$28.38.  
 James O. Corpew, \$88.70.  
 Mary F. Connor, widow of Robert Connor, deceased, \$228.  
 Nelson Carney, \$38.94.  
 John A. McDonald, \$174.  
 Hugh Smith, \$97.87.  
 Richard S. Wilson, \$59.02.  
 Thomas P. Cooke, \$132.79.  
 Richard M. Diggs, \$4.37.  
 Frank E. Eaton, \$28.84.  
 John T. Gailam, administrator of Michael Moran, deceased, \$95.26.  
 Thomas J. Howe, \$533.12.  
 Ignatius Howe, \$136.12.  
 John W. Howe, \$238.35.  
 Charles A. Jakenan, \$100.62.  
 William F. Luke, \$12.75.  
 James W. McDonough, \$529.78.  
 Louis McCloud, \$182.25.  
 Thomas O'Rourke, \$70.90.  
 Mary J. Pyle, widow of Mifflin J. Pyle, deceased, \$266.87.  
 Thomas Riley, \$67.04.  
 Henry W. Roble, \$369.51.  
 Mary E. Rollins, widow of James W. Rollins, deceased, \$121.50.  
 Miles Riddick, \$120.12.  
 Robert T. Trafton, \$132.70.  
 Watson Vellines, \$123.42.  
 Scott White, \$88.88.  
 Edward Whitehurst, \$118.87.  
 Miles C. Wood, \$46.12.

To Mary A. Curran, executrix of the estate of John J. Curran, deceased, late claimant in his own right, and as sole heir of Murty Curran, deceased, \$1,032.94.

To Mrs. Martin Grady, widow of Martin Grady, deceased, \$389.25.

To the following-named persons (representing six claims) the following sums, respectively, as found by the Court of Claims in the case of Sadie F. Curtis and Annie E. C. Partin, heirs at law of Henry W. Neville, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Norfolk Navy Yard, namely:

Sadie F. Curtis and Annie E. C. Partin, sole heirs of Henry Willis Neville, deceased, \$376.62.

Everett Gildersleeve, Emma Francis Hathaway, Josephine Hewitt, and Ruth Clark, sole heirs of Samuel W. Gildersleeve, deceased, \$873.33.

Everett Gildersleeve, Emma Francis Hathaway, Josephine Hewitt, and Ruth Clark, sole heirs of Samuel Gildersleeve, deceased, \$414.42.

Thomas Hinton, Agnes Hinton, Harrison Hinton, and Henry Marshall, sole heirs of Harrison Hinton, deceased, \$272.60.

Charles A. McCourt and Ella A. McCourt, sole heirs of John A. McCourt, deceased, \$182.16.

Rebecca Pope, widow of John Pope, deceased, \$140.31.

To the following-named persons (representing 28 claims) the following sums, respectively, as found by the Court of Claims in the case of George R. Ricketts, widow of Augustus Ricketts, deceased, and others, against the United States for payment for extra labor above the legal day of eight hours, at Norfolk Navy Yard, namely:

George R. Ricketts, widow of Augustus Ricketts, deceased, \$59.12.  
 Margaret Cox, widow of John Cox, deceased, \$2.06.  
 Alfred Bergerson, \$19.82.  
 Moses Cornick, \$91.50.  
 Robert E. Crump, \$264.15.  
 Henry H. Epps, \$164.97.  
 Robert Francis, \$8.25.  
 Harrison Gaffney, \$51.20.  
 Everett Gildersleeve, \$220.82.  
 Samuel Gordon, \$119.79.  
 James Kennedy, \$3.52.  
 Enos Kitchen, \$6.49.  
 John Land, \$8.17.  
 Dennis Michaels, \$86.56.  
 Isaac Miller, \$283.66.  
 Edward V. Rauschert, \$125.91.  
 Charles A. Shafer, \$432.92.  
 H'm S. Whitehurst, \$58.50.  
 Moses Whitehurst, \$78.28.  
 Samuel P. Wigg, \$301.15.  
 Fanny Brown, widow (remarried) of Joseph Williams, deceased, \$35.26.

Mattie A. Bushnell, widow of Albert Bushnell, deceased, \$354.75.  
 Mary E. Crandol, widow of William E. Crandol, deceased, \$375.62.  
 Virginia Hurlbut, widow of Albert B. Hurlbut, deceased, \$241.90.  
 Mary L. Lamar, widow of Henry Lamar, deceased, 88 cents.

Mary McDowell, widow (remarried) of Alexander Howell, deceased, \$1.50.

Mary E. Moore, widow of August W. Moore, deceased, \$504.20.

Emma Ryder, widow of William R. Ryder, deceased, \$23.62.

To Virginia C. Boush, administratrix of Jonathon E. Boush, deceased, \$574.98.

To Virginia C. Boush, administratrix of Charles R. Boush, deceased, \$106.48.

To Virginia C. Boush, administratrix of Willey W. Boush, deceased, \$255.73: *Provided*, That where the payment to be made under this act is less than \$500, and the person who rendered the service is dead, and no demand is presented by a duly appointed legal representative of his estate, payment may be made to the decedent's widow or legal heirs as is provided by existing laws relating to the settlement of accounts of deceased officers or enlisted men of the Army (34 Stat. L. p. 750): *Provided further*, That in all cases where the original claimants were adjudicated bankrupts payments shall be made to the next of kin instead of to the assignees in bankruptcy: *And provided further*, That wherever under this act it is provided that a payment be made to an executor or an administrator, whether original or ancillary or de bonis non, and such executor or administrator is dead or no longer holds his office, payment shall be made to the successor therein, his title to hold such office being established to the satisfaction of the Secretary of the Treasury.

SEC. 2. That no part of the amount of any item appropriated in this bill in excess of 15 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered or advances made in connection with said claim.

It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum which in the aggregate exceeds 15 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

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.

## 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.

SEVERAL SENATORS. Let that go over.

THE VICE PRESIDENT. The bill will be passed over.

## NATIONAL ARBORETUM

The bill (S. 1640) authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Agriculture and Forestry with amendments. The first amendment was, on page 2, line 4, after the word "located," to insert "or other land within or adjacent to the District of Columbia."

The amendment was agreed to.

The next amendment was, on page 2, line 7, to strike out "\$300,000" and insert in lieu thereof "\$500,000."

Mr. WARREN. Mr. President, I ask that this amendment be disagreed to and that the \$300,000 be retained. I make that request because I am anxious to see the bill passed, and I know there will be greater chance of success with the bill providing \$300,000 than if it carries \$500,000, and I think the latter amount is unnecessary at the present time.

Mr. McNARY. Mr. President, I feel the same deep concern manifested by the Senator from Wyoming in this measure, but the report of the Secretary of Agriculture is that on account of the increase in the price of land since 1920 an authorization of \$500,000 would be required to obtain this valuable land.

Mr. WARREN. My information is that this land is not intended entirely for agriculture; that it may, of course, greatly serve agriculture, but in the meantime it will extend the public recreation and park system. I agree with the Senator, and should be perfectly willing that it should be left at \$500,000, but I believe the House committee has considered the matter and have stated that \$300,000 would be sufficient.

Mr. KING. Mr. President, will the Senator from Oregon yield?

Mr. McNARY. I yield.

Mr. KING. I have this morning talked to Mr. Glover, who, I think, knows more about this city than any other man.

Mr. WARREN. And he has been a very liberal contributor toward the extension of our parks and the beautification of the city.

Mr. KING. He has perhaps done more than any other man in the District of Columbia toward the extension of our park system, and has made greater contributions of money for land and parks than any other man in the city. He said that in his opinion \$300,000 was ample.

Mr. McNARY. I am very happy to have that information. I would not want the amount increased to a point where it might endanger the passage of the bill.

Mr. KING. There is one further amendment which I understand must be made.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on line 7.

The amendment was rejected.

The next amendment of the committee was, on page 2, to strike out section 4 in the following words:

SEC. 4. That the Secretary of Agriculture is authorized to recognize and consult an advisory council in relation to the national arboretum to be established under this act, to include representatives of the following organizations: National Academy of Sciences, National Research Council, Smithsonian Institution, Carnegie Institution of Washington, Garden Club of America, Wild Flower Preservation Society, Botanical Society of America, American Society of Landscape Architects, American Association of Nurserymen, National Association of Audubon Societies, American Forestry Association, Society of American Foresters, American Pharmaceutical Association, and American Association for the Advancement of Science.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I wish to offer another amendment. On page 1, line 4, before the word "national," I move to insert the words "park and."

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, line 4, before the word "national," insert the words "park and," so as to read: "to establish and maintain a park and national arboretum."

Mr. BRUCE. Does the bill leave the appropriation applicable to the arboretum?

Mr. JONES of Washington. It does.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. JONES of Washington. In the same line, line 4, page 1, after the word "for," I move to insert the words "recreational purposes and for."

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, line 4, after the word "for," insert the words "recreational purposes and for," so as to read:

"for recreational purposes and for the purposes of research and education."

Mr. COPELAND. On what page is the proposed amendment?

Mr. JONES of Washington. Page 1, line 4. It is to make it available not only for the arboretum but for recreational-park purposes.

Mr. COPELAND. I certainly favor the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

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

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

*Be it enacted, etc.*, That the Secretary of Agriculture is authorized and directed to establish and maintain a park and national arboretum for recreational purposes and for purposes of research and education concerning tree and plant life. For the purposes of this act (1) the President is authorized to transfer to the jurisdiction of the Secretary of Agriculture, by Executive order, any land which now belongs to the United States within or adjacent to the District of Columbia located along the Anacostia River north of Benning Bridge, and (2) the Secretary of Agriculture is authorized in his discretion to acquire, within the limits of the appropriation authorized by this act, by private purchase, condemnation proceedings, or gift, land so located or other land within or adjacent to the District of Columbia.

SEC. 2. That there is hereby authorized to be appropriated a sum not to exceed \$300,000, to be expended under the direction of the Secretary of Agriculture for the acquisition of land as specified in section 1. No payment shall be made by the United States for any such land until the title thereto is satisfactory to the Attorney General and is vested in the United States.

SEC. 3. That in order to stimulate research and discover, the national arboretum established by the Secretary of Agriculture in accordance with the provisions of this act shall be under competent scientific direction. The arboretum shall be administered by the Secretary of Agriculture separately from the agricultural, horticultural, and forestry stations of the Department of Agriculture, but it shall be so correlated with them as to bring about the most effective utilization of its facilities and discoveries.

## NATIONAL BANK BRANCHES

The bill (H. R. 2) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes, was announced as next in order.

Mr. KING. Let that go over, because it will take some time to dispose of it.

The VICE PRESIDENT. The bill will be passed over.

## MARTHA E. BRACE

The bill (S. 3259) authorizing the enrollment of Martha E. Brace as a Kiowa Indian and directing issuance of patent in fee to certain lands was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments. The first amendment was on page 1, line 7, after the word "patent," to strike out the words "in fee," and insert in lieu thereof "containing the usual restriction against alienation inserted in other trust patents to Indians on the Kiowa Reservation."

The amendment was agreed to.

Mr. KING. Mr. President, I want to ask the Senator from Oklahoma, chairman of the Committee on Indian Affairs, whether he is going to press the consideration of the bill, and I do so in view of the fact that a large number of Indians, probably 15 or 20, have been to see me, and contended that the measure was improper, that the beneficiary named in the bill was not entitled to be enrolled, and to get the rather large benefits which will result from such enrollment.

Mr. HARRELD. Mr. President, I am glad to make this statement. I introduced the bill myself, and I think I know the facts pertaining to it. Mrs. Brace is an adopted member of the Kiowa Tribe. Before she was allotted, however, they ran out of land, and there was no more land to be allotted. Lately a certain piece of school land, known as the Rainy Mountain school district, has been made available for allotment purposes, so I introduced the bill providing for her allotment from the Rainy Mountain school land. The Senator will

notice that the Secretary of the Interior called my attention to the fact that there were two others in about the same position.

It will be understood that the lands belong to three tribes, the Kiowa, Comanche, and Apache Indians. Of the three allottees, one of them, Mrs. Brace, is a Kiowa and one of the others is a Comanche. I think the third is an Apache, though I am not sure of the third, but I know I am correct about the first two. It appears that these three persons are entitled as a matter of right to allotments and were not given any allotments because all the land had been taken up. This land has become available for allotment, and they are simply seeking the right to which they are entitled. I think they are entitled to an allotment beyond any question. I know the facts personally.

Mr. KING. May I ask the Senator if this matter has not been brought before one or more Indian councils, and, if so, whether the Indians themselves have not decided adversely to the position taken by the Senator?

Mr. HARRELD. No Indian council has decided adversely. Of course, some individuals are opposed to the bill. Some individuals belonging to the three tribes have appealed to me. They want the land sold and the money distributed. It is perfectly natural that each individual would get less if the allotments were made. My answer has been that these people are entitled to an allotment as a matter of right, and I was not going to be deterred because somebody whose unit would be reduced was objecting. No action has been taken by any council opposing the allotment. If councils had opposed it, that would be a more serious question, of course. The objection has come simply from some individual Indians. I understand the matter thoroughly.

Mr. KING. I shall not object in view of the statement of the Senator. I wanted to note in the RECORD the fact that Indians have not only written to me but have come to see me personally. Two or three stated that one or more councils had passed upon the matter, and that it had been the subject of very great controversy for a considerable time among the Indians.

Mr. HARRELD. I think I can state beyond question of doubt that no council has acted on it. I think it is really the objection of individual Indians, which is perfectly natural, because they want to have the land sold and the funds divided.

Mr. WILLIAMS. Mr. President, I should like to inquire of the Senator from Oklahoma whether there is not a commission that determines just who these allottees shall be?

Mr. HARRELD. Yes; and they have already determined it. The only trouble was that there was no land to be given to them. There was no land available until this school land became available.

Mr. WILLIAMS. Has the commission determined that this particular claimant, Mrs. Brace, is an allottee under the law?

Mr. HARRELD. All I know is that the department have recommended favorably the passage of the bill, and they say in a letter that she was duly adopted as a member of the tribe.

Mr. WILLIAMS. It is the Senator's bill?

Mr. HARRELD. Yes.

The VICE PRESIDENT. The clerk will state the next amendment.

The next amendment of the Committee on Indian Affairs was, on page 2, after line 7, to insert the following new section:

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue the usual trust patents to Bessie Yellowfish, covering the northeast quarter of section 13, township 6 north, range 16 west, Indian meridian, Oklahoma, and to Anaclito Portillo, covering the southeast quarter of section 24, township 6 north, range 16 west, Indian meridian, Oklahoma.

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to enroll Martha E. Brace, intermarried in the Kiowa Tribe of Indians, who was regularly adopted by the tribal council of aforesaid tribe previous to June 1, 1900, and to issue a patent containing the usual restriction against alienation inserted in other trust patents to Indians on the Kiowa Reservation, covering the northeast quarter of section 24, township 6 north, range 16 west, Indian meridian, Kiowa County, Okla., to the said Martha E. Brace, who has heretofore received no allotment of land from any source: *Provided*, That this shall be in lieu of all claims to any allotment of land or money settlement in lieu of an allotment: *Provided further*, That this enrollment and allotment shall be made only upon the express condition that the said Martha E. Brace shall relinquish all the rights and privileges which she acquired by reason of her enrollment as a member of the Wyandotte Tribe of Indians.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue the usual trust patents to Bessie Yellowfish, covering the northeast quarter of section 13, township 6

north, range 16 west, Indian meridian, Oklahoma, and to Anaclito Portillo, covering the southeast quarter of section 24, township 6 north, range 16 west, Indian meridian, Oklahoma.

The amendment was agreed to.

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

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

The title was amended so as the read: "A bill authorizing the enrollment of Martha E. Brace as a Kiowa Indian, and directing the issuance of trust patents to her and two others to certain lands of the Kiowa Indian Reservation, Okla."

#### PROTECTION OF WATERSHEDS OF NAVIGABLE STREAMS

The bill (S. 718) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended, was announced as next in order.

Mr. OVERMAN. Let the bill go over.

Mr. BRUCE. Let it go over.

The VICE PRESIDENT. The bill will go over under objection.

Mr. McNARY. Mr. President, I only want to observe that I sincerely hope the Senate may have an opportunity to consider this proposed legislation during the present session of Congress.

Mr. OVERMAN. I think we can get together on the matter probably. I am willing to discuss it at any time the Senator wishes, but I believe it had better go over until the December session.

Mr. McNARY. Do I understand that the Senator from North Carolina is not yet ready to act upon the matter?

Mr. OVERMAN. I am willing to prepare an amendment, and then, if the Senator accepts it, I think it will go through all right.

Mr. McNARY. I understood the Senator's amendment referred to another bill and not this particular bill.

Mr. OVERMAN. I want the matter to go to the Appropriations Committee so we will understand what we are asked to do when we come to appropriate \$40,000,000.

Mr. McNARY. The Senator knows that this is not an appropriation bill. It is an authorization, and the matter necessarily must go to the committee when the appropriation itself is proposed to be made.

Mr. OVERMAN. But when we authorize an appropriation of \$40,000,000, the committee will necessarily have to make it. The best place for the amendment which I have in mind is on the bill which makes the authorization, so the committee may know what they are doing when the bill for the appropriation comes before them.

Mr. McNARY. Does the Senator want to amend this particular bill?

Mr. OVERMAN. This is the bill I want to amend. I do not want to amend the Senator's bill, because I think his bill is all right according to the way he intends it, but unless there is an amendment on the bill which is now under discussion, it will not be satisfactory.

Mr. McNARY. Would the Senator be willing to submit his amendment some time when we are considering the calendar?

Mr. OVERMAN. I will show it to the Senator, and I think we can agree on it.

Mr. McNARY. It is a most impersonal matter to me. It is an attempt to create great forests in the South and in the Great Lake States and New England. I am surprised that anyone from this cut-over country would object to appropriations by the Government to renew the cut-over forest lands.

Mr. OVERMAN. The Senator knows I was as much in favor of reforestation as anyone in the world where we can do it constitutionally. We can buy land for the purpose of protecting the headwaters of the great streams of the country, and that is all right, but to go out and buy indiscriminately cut-over land here, there, and everywhere in the Middle West and make a great domain, I think is something which we have not the power to do under the Constitution. I think the Supreme Court has so held. I do not want to vote for an unconstitutional bill.

Mr. McNARY. I am not asking the Senator to vote for the bill. We perhaps will never agree upon the constitutionality of the measure. I am willing to follow my own judgment upon it.

Mr. OVERMAN. I know the Senator will do that.

Mr. McNARY. All I ask, in a spirit of fairness, is that the Senator from North Carolina permit the Members of the Senate to vote upon the bill.

Mr. OVERMAN. I want to discuss it. I want to prepare an amendment and discuss it.

Mr. McNARY. Will the Senator do that during this session, so we may have action on it at this session?

Mr. OVERMAN. I am going to show my amendment to the Senator, and I think he will agree to it.

The VICE PRESIDENT. Under objection the bill will go over.

AMENDMENT OF EMPLOYEES' RETIREMENT ACT

Mr. STANFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order of Business 610, the bill (S. 786) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof.

Mr. KING. Is the Senator departing from the regular order?

Mr. STANFIELD. Yes.

The VICE PRESIDENT. Is there objection?

Mr. KING. I object. We have agreed to proceed with the calendar.

Mr. TRAMMELL. I do not know that I object to the bill, but I object until we get to it on the calendar.

The VICE PRESIDENT. Objection is made.

PECOS RIVER WATER STORAGE

The bill (H. R. 3862) to provide for the storage of the waters of the Pecos River was announced as next in order.

Mr. JONES of New Mexico. Mr. President, reserving the right to object, I would like to make a parliamentary inquiry. If the bill were taken up without objection, I understand debate would be limited to five minutes by any one Senator. If it is taken up on motion notwithstanding the objection, then would debate be unlimited?

The VICE PRESIDENT. Debate would be unlimited until 2 o'clock.

Mr. JONES of New Mexico. I desire to make the statement that this is a bill which is very important and which, when considered, I shall desire to discuss at some length. It involves two or three very important principles, a change of policy of the Government and a question of State rights under certain circumstances. In order to get an opportunity to discuss the matter in the way in which I feel it must be done, I shall therefore have to object.

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of the bill despite the objection.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas to proceed to the consideration of the bill. All in favor of the motion will say "aye." [A pause.] Contrary, "no." [A pause.] The "noes" have it.

Mr. SHEPPARD. I call for a division, Mr. President. What was the decision of the Chair?

The VICE PRESIDENT. The Chair stated that the "noes" had it.

Mr. SHEPPARD. May I have a division?

The VICE PRESIDENT. Those in favor of the motion of the Senator from Texas will rise and stand until counted.

Mr. JONES of New Mexico. Does not the request for a division come too late? I raise the point of order that the request for a division comes too late.

The VICE PRESIDENT. The point of order is well taken.

Mr. SHEPPARD. I did not understand how the Chair ruled.

The VICE PRESIDENT. The Chair had announced the result of the vote.

Mr. SHEPPARD. I asked for a division as soon as I could hear what the Chair stated. I could not know the result of the vote until the Chair had announced it.

The VICE PRESIDENT. The Chair had announced the vote, and the point of order of the Senator from New Mexico [Mr. JONES] is well taken. Is there objection to a division on this question?

Mr. JONES of New Mexico. I object.

Mr. SHEPPARD. A parliamentary inquiry. When is a request for a division in order? Must it be made before the Chair announces the result?

The VICE PRESIDENT. A request for a division is in order before the result of the vote is announced by the Chair and not afterwards.

Mr. McNARY. Mr. President, that is introducing a new practice here on this floor. How can a Senator determine if he wants a division until after the decision of the Chair shall have been announced? On a *viva voce* vote reliance is placed upon the sense of hearing. We on this side of the Chamber might hear the vote one way and the Chair might hear it another way. A Senator may not ask for a division until the result shall have been announced by the Chair. That has heretofore always been the practice.

The VICE PRESIDENT. The Chair, perhaps, might have waited longer before announcing the result; but the time to call for a division is between the vote and the announcement by the Chair.

Mr. McNARY. Mr. President, the reasoning of that suggestion does not appeal to me. It has never been the practice of the Senate. The practice of the Senate has always been that whenever the Chair announced a *viva voce* vote a Senator could ask for two things—a division or a roll call. When the Chair determines the result upon a *viva voce* vote, then a division may be asked for, and following that a Senator may appeal to a roll call, if he can get his demand properly seconded. So that a Senator heretofore in practice has had three recourses.

I think, Mr. President, it is very important that we should determine the procedure, because when we are considering the calendar under Rule VIII, if a Senator must remain mute until the Presiding Officer announces the result, and he is then foreclosed from further action, it is going to be impossible to guess what his ears will tell the Presiding Officer.

Mr. WILLIS. Mr. President, if I may be heard on the point of order, if there is one, it seems to me that the position taken by the Chair is the only position that is possible to be taken, in view of the logic of the situation. It would be an absurd situation if a Senator who is interested in the passage of a bill were permitted to wait until the Chair had announced the result of the vote, and then, if it is against him, call for a division. Of course, the space of time within which to call for a division is in the interval between the vote and the announcement. After the vote shall have been taken *viva voce*, if the Senator interested in the bill is in doubt about it, then he can call for a division, but, of course, not after the result is announced. That would be obviously unfair and unparliamentary.

Mr. JOHNSON. Mr. President—

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

Mr. JOHNSON. I merely wish to make an observation. The Senator from Ohio has the same desire that all of us have—to do what is appropriate and to do the thing that ought to be done. Take an instance like that which has just occurred. The Presiding Officer hears the vote in one fashion but everyone of us over here was practically certain the "ayes" had it.

Mr. WILLIS. I do not agree to that.

Mr. JOHNSON. Three of us here, at any rate, thought so. Under those circumstances, why should I hop up and call for a division?

Mr. WILLIS. If the Senator wants me to answer that, I am prepared to do so.

Mr. JOHNSON. I am curious to have the rule determined.

Mr. WILLIS. If a Senator is at all uncertain about how the question is likely to be decided, he has his remedy before the result is announced; but if he waits until after the result is announced then, of course, he is guilty of laches and can not call for a division.

Mr. JOHNSON. But there was not a particle of doubt in the minds of some us, at least, as to the result of the vote. However, the Presiding Officer instead of saying, as he often does, that he was in doubt said at once, "The noes have it," when we believed that the ayes had it. Immediately upon the announcement by the Presiding Officer, the Senator from Texas arose and asked for a division. Now, what more could he do?

The VICE PRESIDENT. The Chair suggests that a motion for a reconsideration can be made in accordance with the practice of the Senate. There is a precedent of the Senate that after an amendment has been agreed to by a division a vote can not be taken by yeas and nays; and, by analogy, after a *viva voce* vote has been taken and the result is announced, then it is too late to call for a division.

Mr. JOHNSON. I suggest to the Senator from Texas that he move a reconsideration.

The VICE PRESIDENT. That would be the proper parliamentary procedure.

Mr. SHEPPARD. I move to reconsider the vote by which the Senate decided not to take up the bill.

Mr. JONES of New Mexico. Mr. President, I do not desire to be put in the position of trying to obstruct the consideration of this measure. I stated the situation a while ago. I know that the consideration of this bill can not be completed by 2 o'clock or within a considerable portion of the afternoon if, in my humble judgment, it shall receive the consideration which it demands from the Senate. It was really in the interest of the expedition of the business of the Senate that I made this opposition. The Senator from Texas knows that this case can not be stated clearly between now and 2 o'clock, and it would be a

waste of time to reconsider the action of the Senate and take the measure up for consideration.

I am not saying this merely for the purpose of obstruction. I am willing to submit the merits of this case to the Senate whenever it can be done, but it can not be done during the morning hour or during a good portion at least of the afternoon if we should permit its consideration to continue. So I have stated what I have and made the objection which I have made solely in the interest of the expedition of the business before the Senate.

Mr. SHEPPARD. Mr. President, I do not agree with what the Senator has said as to the time it will take to explain this measure. I think the case can be stated in five minutes so that every Senator may understand it.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas to reconsider the vote whereby the Senate refused to take up the bill.

The motion was agreed to.

The VICE PRESIDENT. The question now recurs on the motion of the Senator from Texas that the Senate proceed to the consideration of House bill 3862.

Mr. SHEPPARD. I ask for a division, Mr. President.

The VICE PRESIDENT. Those in favor of the motion will rise and stand until they are counted.

Mr. BINGHAM. Mr. President, a parliamentary inquiry. Has the motion been stated? There is some misunderstanding as to what the motion is.

The VICE PRESIDENT. The Senator from Texas moves to proceed to the consideration of House bill 3862 notwithstanding the objection.

Mr. SHEPPARD. And I have asked for a division.

The VICE PRESIDENT. The Senator from Texas asks for a division.

Mr. BINGHAM. I thought the question was on the motion to reconsider.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas to proceed to the consideration of House bill 3862.

On a division, the motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3862) to provide for the storage of the waters of the Pecos River, which had been reported from the Committee on Irrigation and Reclamation with amendments.

Mr. KING. Let the bill be read in *hac verba*.

The VICE PRESIDENT. The Secretary will read the bill. The Chief Clerk proceeded to read the bill.

Mr. MEANS. Mr. President, a parliamentary inquiry. Is the five-minute rule under Rule VIII in force in the debate on this bill?

The VICE PRESIDENT. That rule does not apply, the bill having come up on a motion to proceed to its consideration.

The reading of the bill was resumed and concluded, as follows:

*Be it enacted, etc.*, That in accordance with the provisions of the act of June 17, 1902 (32 Stat. L. p. 388), and acts amendatory thereof or supplementary thereto, except as the same are modified herein, the Secretary of the Interior is hereby authorized and empowered to construct the Red Bluff Federal irrigation project, consisting of a reservoir upon the Pecos River, sufficient in size for the irrigation of not exceeding 40,000 acres of land in the State of Texas, which reservoir shall be located at a point where it will impound the flood waters of Deiaware Creek and Black River, and shall be provided with all necessary incidental works for the operation of the same.

SEC. 2. That no expenditure for construction shall be made under this act until an appropriate contract or contracts in form approved by the Secretary of the Interior, providing for the payment to the United States as provided herein of the costs incurred on account of said project, shall have been properly executed by a district or districts organized under State law and embracing property to be benefited by said project, and such execution shall have been confirmed by a court of competent jurisdiction: *Provided*, That expenditures may be made hereunder at any time to cover necessary expenses incurred by the United States on account of preliminary investigations and negotiations in connection with the execution of the contract or contracts provided for by this section.

SEC. 3. That the total cost to the United States of the construction of said project shall be repaid to the United States in 20 annual installments, without interest, as follows: Five per cent thereof on March 1 of the second year following the year in which water becomes first available from said reservoir for irrigation and 5 per cent thereof annually thereafter until the whole amount is paid: *Provided*, That if any installment shall not be paid when due there shall be added at once to such installment a penalty of 1 per cent thereof and thereafter on the 1st day of each month a like penalty so long as the default continues.

SEC. 4. That the cost to the United States of operating and maintaining said project shall be paid to the United States in advance upon annual estimates made by the Secretary of the Interior, and upon a day to be fixed by him: *Provided*, That the cost of operating and maintaining the project the year water is first available therefrom for irrigation shall be merged with and made a part of the construction cost. If the estimate for any one year shall be either more or less than the actual cost, an appropriate adjustment shall be made in the estimate for the next succeeding year.

SEC. 5. That no classification by the Secretary of the Interior of the irrigable lands of said project shall be required, nor shall he issue any public notice relating to construction charges against said lands: *Provided*, That the Secretary of the Interior shall determine the cost of said project, including the cost of operating and maintaining it the first season water is available therefrom for irrigation, and shall furnish a statement of such cost to the contracting district or districts.

SEC. 6. That there is hereby authorized to be appropriated from any moneys not otherwise appropriated in the reclamation fund such an aggregate amount as may be necessary to carry out the purposes of this act, not exceeding the sum of \$2,000,000.

Mr. SHEPPARD. Mr. President, I ask that the bill may now be read for committee amendments, so that they may be considered pending.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator from Texas asks unanimous consent that the bill may be read for amendment. In the absence of objection, the first amendment reported by the committee will be stated.

The CHIEF CLERK. In section 3, page 2, line 20, after the word "in," it is proposed to strike out the word "twenty"; in the same line, after the word "installments" and the comma, it is proposed to strike out "without interest, as follows: Five per cent thereof on March 1 of the second year following the year in which water becomes first available from said reservoir for irrigation, and 5 per cent thereof annually thereafter until the whole amount is paid: *Provided*, That if any installment shall not be paid when due there shall be added at once to such installment a penalty of 1 per cent thereof and thereafter on the 1st day of each month a like penalty so long as the default continues," and insert "as provided in the reclamation act of June 17, 1902, as amended," so as to make the section read:

SEC. 3. That the total cost to the United States of the construction of said project shall be repaid to the United States in annual installments, as provided in the reclamation act of June 17, 1902, as amended.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. JONES of New Mexico. Mr. President, I suppose the Senator from Texas assumes that the Senate is willing to pass this bill and adopt the amendments without discussion.

Mr. SHEPPARD. No; I do not, Mr. President.

Mr. JONES of New Mexico. The Senator from Texas has not undertaken at all to explain the provisions of the bill. I doubt if there are many Senators who understand it at all.

Mr. SHEPPARD. It is my intention to explain the bill.

Mr. JONES of New Mexico. I should like to inquire when the Senator intends to do so.

Mr. SHEPPARD. At present. I merely wanted to have the amendments read for information so as to afford a better understanding of the entire bill and so that they might be pending for that purpose.

Mr. JONES of New Mexico. But the Chair put the question upon the adoption of the first amendment.

The PRESIDING OFFICER. The Chair will state that when an amendment is read it is pending for action.

Mr. JONES of New Mexico. Yes; it is pending, but I thought the Chair put the question on the adoption of the amendment.

The PRESIDING OFFICER. The Chair did, but the amendment is open to debate; the Senator can debate it.

Mr. SHEPPARD. I intended to take the floor at this time.

Mr. JONES of New Mexico. Very well.

Mr. SHEPPARD. Mr. President, this bill does not carry an appropriation. It merely authorizes the Secretary of the Interior to provide for the storage of waters on the Pecos River in New Mexico for the benefit of certain irrigated lands in Texas, provided he finds the project feasible, and also provided he finds that a satisfactory arrangement can be made for the repayment of the funds advanced by the Government. It is a bill that authorizes the storage of water for the irrigation of not to exceed 40,000 acres of land on the Pecos River in Texas. This is practically the acreage now under an uncertain volume of irrigation in the Pecos Valley in Texas.

In normal years not less than 85 per cent of the waters which will be stored in the proposed reservoir for the irrigation of the lands in Texas enter the Pecos River below the Carlsbad project in New Mexico, and below any point at which they can be used for the irrigation of lands in the State of New Mexico. It is true that in some years a material contribution to the supply is obtained from the flood waters coming down from the upper district; but under the law, as universally recognized by the western courts, the lands already under irrigation, whether in Texas or New Mexico, have a right to use this water to the extent of their needs, superior to any claim of land not under irrigation.

The land in the lower basin—that is, in the Texas section of the Pecos River—comprising approximately 40,000 acres already having existing water rights, is entitled to use, for the adequate irrigation of that land, the flood waters as well as the normal flow of the river, and has a right to store water sufficient for its adequate irrigation, which is a right superior to the right of the owner of any land not now under irrigation to use such water.

The proposed storage is made necessary by the establishment of a Federal irrigation project in the Pecos Valley at Carlsbad, N. Mex., which caused a gradual diminution of the water supply for these Texas lands until their productiveness has been seriously impaired and immense losses have been sustained and until the owners and cultivators thereof are threatened with a total loss of their homes and investments.

I desire to read a few telegrams from settlers in the Texas section of the river, showing their desperate condition.

We business men in Barstow—

Barstow is a town in this irrigated section—as well as the farmers in this our irrigation district, are practically ruined without the Red Bluff project. Am earnestly asking you to do all within your power for its passage.

Another:

Without Red Bluff reservoir our lands under irrigation are doomed. Have been here 35 years.

Still another, Mr. President:

Unless the legislation is passed so it is possible to store flood waters for irrigation purposes, we farmers on the Pecos will have to abandon our homes and farms. I have lived here since 1897. At that time the Pecos River could be depended on to run half bank full from May until November. I am a farmer with 20 years of experience in this locality. All I have is here. If this bill fails, must move out and start again elsewhere. Also applies to every farmer under the Barstow project.

I have a score or more of similar telegrams from others in practically every part of the section under irrigation in Texas.

For perhaps 20 or 25 years the settlers in this irrigated section of the Pecos River in Texas flourished and prospered. A Federal irrigation project was established in New Mexico on the Pecos about 1912 some 50 or 60 miles above this Texas section, and from that time until this there has been a steady diminution in the water supply for the Texas section until to-day we have in Texas only about half of the water that we had prior to 1912 available from the Pecos River.

Under these circumstances it seems but an act of fairness that the Federal Government should right the wrong it has done; that it should, at least, advance the funds for the construction of a reservoir, which will enable the people in the irrigated districts of Texas again to have a normal flow of the water which they used without contest and without diminution for some 20 or 25 years.

The case appealed to the House Committee on Irrigation to such an extent that they made a unanimous report in favor of the bill. The House passed it unanimously. The Senate Committee on Irrigation and Reclamation passed it practically without division. We merely ask, as a matter of right, that the normal flow of the Pecos River be restored to the Texas section.

The reservoir to be constructed will enable the Texas section to use the water of two small tributaries entering the Pecos River near the southern boundary of New Mexico, tributaries the waters of which, on account of the topography, can not be used, for the most part, for irrigation in New Mexico. In addition to that, we will then be enabled to use whatever water comes down the Pecos from the upper reaches after having been used by the existing projects on the Pecos in New Mexico.

In view of that situation, Mr. President, I submit that the bill should be passed.

Mr. JONES of New Mexico. Mr. President, this bill involves a great deal more than has been indicated by the remarks of the very able Senator from Texas [Mr. SHEPPARD].

This bill proposes to take from the reclamation fund \$2,000,000, to be used for the construction of a reservoir and other irrigation works in the State of New Mexico for the irrigation of lands in the State of Texas.

In the first place, I desire to call attention to the fact that this procedure is contrary to the policy of the Congress and of the Government since we had any reclamation law.

For a number of years the Reclamation Service itself allocated to various projects the funds which were collected from the various States. The reclamation fund, in the first place, was made up of the receipts from the sale of the public lands. The first act, the act of 1902, which provided for the collection of those moneys, provided that the fund should be used for the reclamation of lands in the so-called public-land States. It did not include the State of Texas. The State of Texas never had any public lands. Not a dollar has been derived from the State of Texas for the reclamation of arid lands.

It will be recalled that under the act which made Texas a part of the United States the title to all of the lands was reserved to the State, so the State of Texas has contributed nothing to his reclamation fund.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Ferris	Lenroot	Sackett
Bayard	Fess	McKellar	Sheppard
Bingham	Fletcher	McLean	Shipstead
Blease	Frazier	McMaster	Shortridge
Borah	George	McNary	Smoot
Bratton	Gerry	Mayfield	Stanfield
Broussard	Glass	Means	Steck
Bruce	Goff	Metcalf	Swanson
Butler	Gooding	Moses	Trammell
Cameron	Hale	Neely	Tyson
Caraway	Harrel	Norbeck	Underwood
Copeland	Harris	Norris	Walsh
Couzens	Heflin	Nye	Warren
Cummins	Howell	Oddie	Watson
Curtis	Johnson	Overman	Weller
Dale	Jones, N. Mex.	Philips	Wheeler
Deneen	Jones, Wash.	Pine	Williams
Dill	Kendrick	Ransdell	Willis
Edwards	Keyes	Reed, Mo.	Robinson, Ind.
Ernst	King	Reed, Pa.	
Fernald	La Follette		

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

Mr. JONES of New Mexico. Mr. President, I realize that it is almost impossible for the Senate to maintain a quorum at this hour of the day. We were all engaged in the call of the calendar for unobjection bills during the usual lunch hour, and, of course, Senators were prevented from getting their lunch at that time, and they are endeavoring to do so now.

This bill is of such importance, as I see it, that I should regret very much if it should not be understood by every Senator, and at the risk of being considered tedious in the presentation of this matter, now that there are some Senators here who were not here when I began the discussion of the bill, I want to repeat very briefly some of the statements which I have made regarding the purpose of this measure.

This is a bill to establish in New Mexico a reservoir for the purpose, wholly and entirely, of irrigating lands in the State of Texas.

Mr. KING. Privately owned lands.

Mr. JONES of New Mexico. Privately owned lands in the State of Texas. The State of Texas never had any public lands, and this is entirely in aid of private enterprises.

This attempt is made notwithstanding the objections of the State of New Mexico, which to my mind are exceedingly important and well founded. As this bill is constructed, it would be disastrous to a considerable section of the State of New Mexico. Therefore I desire that the Senate shall fully understand this measure before voting upon it.

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

Mr. JONES of New Mexico. I am glad to yield.

Mr. MAYFIELD. It is a fact, is it not, that there are privately owned lands in the State of New Mexico and Texas also that are irrigated by the Elephant Butte Dam?

Mr. JONES of New Mexico. Yes; Mr. President, that is true, and I am glad the Senator has referred to the Elephant Butte project, because that is *sui generis* and ought to be understood, and a statement with respect to it will explain some of the things which may be said regarding this bill.

Senators will doubtless recall that before the Elephant Butte Dam was constructed, the Government of Mexico was presenting to the Government of the United States the claims of various citizens of Mexico who insisted that they had been deprived of certain water by reason of the use of water further upstream, in Colorado principally and in New Mexico partly.

In order to settle the claims which Mexican citizens made against the Government of the United States, a treaty was entered into, and that treaty provided for the building of this reservoir to impound waters for use in old Mexico. That treaty provided that a certain quantity of water should be furnished free of charge to citizens of Mexico. The amount of the water was 60,000 acre-feet per annum, and for the purpose of settling the claims of Mexican citizens against the United States our Government contributed \$1,000,000 out of the Federal Treasury to the building of that dam at Elephant Butte.

Of course, in order to pay the expense of building the dam the Government not only included lands in the State of New Mexico but also lands in the State of Texas which could conveniently and properly have been irrigated, all of which contributed to the expense of the enterprise. The enterprise thus far has cost about eleven or twelve million dollars.

It was estimated then that there would be more of this land in New Mexico irrigated from the Elephant Butte project than has finally proven to be the case. It is found that about as much land can be irrigated in the State of Texas as is being irrigated in the State of New Mexico and even more. I have related the circumstances under which that water was furnished to the State of Texas through the use of the reclamation fund. So, as I take it, it does not create any precedent for the ordinary use of that fund by the Reclamation Service.

Senators will remember that in 1902, when we passed the reclamation law, it was built up through the sale of lands in public-land States, and it was provided in the law that that money was to be allocated to projects in those States. That does not include the State of Texas, for the reason that the State of Texas never had any public lands. Under the treaty with the Republic of Texas, Texas was permitted to retain the ownership of all the lands within that Republic.

This bill proposes to take out of the reclamation fund \$2,000,000 for the purpose of constructing this reservoir in the State of New Mexico to irrigate these lands in the State of Texas. I stated a while ago that the money is to come out of the reclamation fund, which has been accumulated from time to time through the sale of public lands in the western public-land States. At this point I think it well to state that there is no money in the reclamation fund which would be available for this project.

Two or three weeks or a month ago some of us in New Mexico who wanted to get some reservoirs built in our State on this very river went to the Secretary of the Interior and had a conference with him and the Director of the Reclamation Service. We were told that to complete projects already under construction would require more than \$60,000,000, and that they had but \$6,000,000 plus in the reclamation fund, and that therefore they could not advise the undertaking of any new projects under the reclamation law. On this very river in New Mexico, where we wanted to obtain an appropriation, or even an authorization for an appropriation, the Interior Department declined to recommend it, because the funds were not available, and the money would have to come out of the general funds in the Treasury of the United States. It was announced that that was contrary to the policy of the administration.

This particular project has been reported upon by the Interior Department. The report is published in the hearings which were had in the House, and the Secretary of the Interior advised us that this is not a feasible project, so far as it has been investigated. Before I conclude, if the matter remains before the Senate any great length of time, I shall read to the Senate the report of the Secretary of the Interior. He tells us in his report that from examinations made in 1913 and 1914, and later in 1920 and 1921, the engineers report that this reservoir will not hold water, that it is not a feasible project. For that reason the Secretary recommends that the bill be not passed.

The Secretary also says that the passage of this bill would be contrary to the President's general policy.

Mr. SHEPPARD. Mr. President, will the Senator yield to me for a question?

Mr. JONES of New Mexico. I yield.

Mr. SHEPPARD. In what document do those statements appear?

Mr. JONES of New Mexico. The statement that I have just made appears on page 2 of the House hearings.

Mr. KING. May I make an inquiry of the Senator?

Mr. JONES of New Mexico. I yield.

Mr. KING. I should like to know under what theory, any way, we could take money out of the Treasury of the United States for this enterprise. If the Government of the United States has injured any of the inhabitants of Texas by its tortious conduct, they might be remitted by a proper bill to the

Court of Claims to present their claims for damages; but this legislation seems to me exceedingly unique.

Mr. JONES of New Mexico. I shall present a state of facts, before the discussion is ended, which will show not only that Texas has not been injured by anything which has been done at Carlsbad, but, as a matter of fact, that it has been benefited. I think I can show that by referring to the report of the facts set forth in this record.

Mr. MAYFIELD. Will the Senator yield?

Mr. JONES of New Mexico. I yield.

Mr. MAYFIELD. It is the Senator's contention, then, that the taking of the water away from our people, which they have used to make their crops, has benefited them? Is that his position?

Mr. JONES of New Mexico. Not at all. On the other hand, I think I shall be able to show that instead of taking water away, we have furnished additional water to the State of Texas.

Mr. MAYFIELD. Just one other question I would like to ask the Senator before he takes his seat. Is it his contention that the reclamation act does not apply to the State of Texas?

Mr. JONES of New Mexico. The reclamation act has, by a comparatively recent act, been made to apply to the State of Texas; but I stated the circumstances.

Just a word about the injury which it is claimed has been inflicted upon the State of Texas. Texas has no law of prior appropriation. It has the old riparian law. It is stated in this record by the attorney, Major Burgess, who was here representing these very people, that under the Texas law there was no such thing as gaining priority for the use of water as against people above the point of diversion. Just how they gain any rights prior to those below them does not appear in the record, and I therefore assume that that right comes only from the doctrine of prescription and adverse user, and that the party in that way might acquire a priority against the people owning lands below the diversion. But it is stated in this record directly and positively in two or three places that under the law of Texas no user of water can acquire any title or right against anyone farther up the stream. That is the law of Texas. On that legal proposition I should like to know how there could be any legal injury when there is no legal right.

Upon the question of fact, there are no storage reservoirs in Texas.

#### RAILWAY CARRIERS AND THEIR EMPLOYEES

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, House bill 9463.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9463) to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes.

Mr. CURTIS. Mr. President, I desire to enter a motion to recommit the measure to the Committee on Interstate Commerce.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Bayard	Ferris	Lenroot	Robinson, Ind.
Bingham	Fess	McKellar	Sackett
Blease	Fletcher	McLean	Schall
Borah	Frazier	McMaster	Sheppard
Bratton	George	McNary	Shipstead
Broussard	Gerry	Mayfield	Shortridge
Bruce	Goff	Means	Smoot
Butler	Gooding	Metcalf	Stanfield
Cameron	Hale	Moses	Steck
Caraway	Harrel	Neely	Swanson
Copeland	Harris	Norbeck	Trammell
Couzens	Hedin	Norris	Tyson
Cummins	Howell	Nye	Underwood
Curtis	Johnson	Oddie	Walsh
Dale	Jones, N. Mex.	Overman	Warren
Deneen	Jones, Wash.	Phipps	Watson
Dill	Kendrick	Pine	Weller
Edwards	Keyes	Ransdell	Wheeler
Ernst	King	Reed, Mo.	Williams
Fernald	La Follette	Reed, Pa.	Willis

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Kansas to recommit the bill to the Committee on Interstate Commerce.

Mr. REED of Missouri. Mr. President, I would like to be indulged for just a few minutes with regard to the pending motion. I started to say on Saturday that there was much misapprehension regarding the facts which are important to understand before a vote is had upon the bill. Briefly running over them, the statement has been made that all the

railroads and all the employees had agreed upon the bill. The fact is that some of the railroads and some of the employees have agreed. Let me spend just a moment on that subject.

There are two associations of railroad managers. First, the American Railway Executives' Association, which is composed of all the financial men, the men who represent the capital of the railroads. Occasionally there is an operating man who is a member of that association, but in such instances he generally occupies the dual position of representing the capital and also representing the roads. Then there is the American Railroad Association, which is composed of the presidents and operating vice presidents of the railroads. It is this latter association that has to do with direct dealings with the men and that is especially concerned in problems of wages and labor. But it was not this latter association that undertook to take action approving the bill. It was the American Railway Executives' Association, the representatives of the capital, who did that, and the members of that association are expressly barred by their articles of agreement from dealing with the question of wages at all. They formerly undertook to interfere with almost every kind of question, but their articles of association were amended on the 31st day of December, 1923, and contain this clause:

The association relinquishes its reserved jurisdiction over all activities with respect to traffic, labor, and publicity matters.

There were certain other things over which they relinquished their authority. When these executives, the representatives of the financial interests concerned in the roads, met and undertook to bind the railroads or to speak for the railroads, they were going in the teeth of their own association agreement which expressly forbade any such interference.

Mr. President, notwithstanding this situation, the executives' association was called together; but before that the president of the Pennsylvania Railroad Co., Mr. Atterbury, had worked out this plan. It will be remembered that Mr. Atterbury is the gentleman largely responsible for the warfare between the railroads and the shops. After that strike was over the Pennsylvania Railroad employees were compelled, or induced—I do not want to use the word "compelled"—to organize as to their shop crafts and mechanical department as a company proposition—that is to say, as the employees of a single company. I have here, I think, conclusive evidence that Mr. Atterbury originated this bill. I am not going to take the time to read the evidence unless my statement is challenged. He got together two or three men, perhaps five or six men; he got together one or two representatives of the large railroad crafts, and these gentlemen sat down in a room and privately worked out the bill. Then Mr. Atterbury carried it out to Chicago, without any sufficient notice to the railroads that were concerned, and, before this association that had nothing whatever to do with the business, proceeded to get an alleged commitment of the railroads themselves. Upon the other hand, the majority of the railroad employees do not belong to the associations that have sanctioned the agreement. A minority is represented therein, but not the majority.

No public hearings were held before this commitment. When the bill came before the House of Representatives the hearings were very limited. The farm organizations generally throughout the country had no opportunity to be heard. Railroads in opposition to the plan were not heard. A gentleman who claims to be the general representative of railroads in the city of Washington, an attorney, it appears, stated that he represented the railroads, but he did not in this matter represent 20 of the great systems, the weaker systems financially in the country, yet systems that are as essential to the welfare of the country as any of the richer roads. An effort was made to secure a hearing before the committee of the House and before the committee of the Senate, and that was denied, and they have never had a hearing.

Mr. BORAH. Mr. President, may I ask the Senator of what that effort to secure a hearing consisted?

Mr. REED of Missouri. Yes; I am coming to that. Mr. Bierd, of the Chicago & Alton Railroad, as soon as he had heard in Chicago of this proceeding, protested, and on February 10 he sent jointly to Representative PARKER, the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives and to the Senator from Indiana [Mr. WATSON], chairman of the Senate Committee on Interstate Commerce, the following telegram:

Understand your committee expects to close hearings to-morrow on pending measure to amend transportation act, abolishing Labor Board, and setting up in lieu thereof boards of adjustment, boards of mediation and arbitration. Large groups of roads oppose measure and desire opportunity to go before Senate and House committees to present their case. I am therefore asking if you do close hearings to-morrow will

you reopen and give this group of roads opportunity to state their position? Can such hearings be granted us some time next week or soon thereafter at time most convenient to your committees before bill is reported out? Will thank you greatly for reply.

W. G. BIERD,  
Chicago & Alton Railroad.

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

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

Mr. REED of Missouri. I do.

Mr. WATSON. Mr. W. G. Bierd, who signed that telegram, was in the committee room during a portion of the time when the hearings were being held. He sat there and heard the proceedings during the hearings.

Mr. REED of Missouri. In the committee room of the House of Representatives or of the Senate?

Mr. WATSON. In the Senate committee room. He made no request at that time to be heard, though the doors were thrown wide open to anybody who wanted to be heard. After he got away and the hearings were closed he wired here and wanted them reopened.

Mr. REED of Missouri. What was the date of the hearing to which the Senator from Indiana referred when Mr. Bierd was in the committee room?

Mr. WATSON. He was there several days, I think. I do not remember just what time he was in the room; however, I was notified that he was there. Anybody who wanted to be heard could be heard.

Mr. REED of Missouri. How long did the committee conduct these hearings, I will ask the Senator from Indiana?

Mr. WATSON. The hearings were not conducted straightaway. We would have hearings for two or three days and then adjourn, and then have a day or two for hearings. I do not remember just what length of time the hearings consumed.

Mr. LENROOT. Mr. President, will the Senator from Missouri yield to me?

Mr. REED of Missouri. Yes.

Mr. LENROOT. I notice that the hearings before the committee were upon seven different days.

Mr. REED of Missouri. There were short intervals of days, I presume.

Mr. LENROOT. I think so.

Mr. REED of Missouri. Mr. President, Representative PARKER replied that the hearings in the House were closed, and the Senator from Indiana [Mr. WATSON] replied in a letter, which is as follows:

MY DEAR BIERD: I shall present your matter to my committee when it meets again; but, to be entirely frank, I doubt very seriously whether or not the hearings will be prolonged. We have had them off and on for over a month—

They seem to have been for seven days, according to the count of the Senator from Wisconsin [Mr. LENROOT], but it may have been longer.

Mr. LENROOT. I should like to state the dates on which the hearings were held.

Mr. REED of Missouri. Very well.

Mr. LENROOT. The hearings occurred on January 14, 15, 16, and 25 and on February 1, 8, and 10.

Mr. REED of Missouri (continuing the reading of the letter of the Senator from Indiana to Mr. Bierd)—

and members of the committee generally feel that it is time to close them, as all sides have been presented in probably as clear and succinct a fashion as it is possible for language to express the various views. I feel quite sure that we understand the views of the people who are opposed to this measure, and I am sure that amendments will be proposed to the committee which will embody their views. If we determine to have further hearings I shall notify you by wire.

Very sincerely,

JAMES E. WATSON.

That "wire" has never been sent.

Mr. WATSON. No; because we concluded not to have further hearings.

Mr. REED of Missouri. Very well. That is the point I am trying to make. The committee of which the Senator from Indiana is chairman concluded not to have further hearings, and these 20 great railroad systems, who through Mr. Bierd asked the indulgence of one day's hearings, did not get it before either the House or the Senate.

Mr. SHIPSTEAD. Mr. President—

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

Mr. SHIPSTEAD. Before the Senator from Missouri leaves the case of Mr. Bierd and the Chicago & Alton Railroad, I

should like to call the Senator's attention to the fact that for more than two years the Chicago & Alton Railroad, which is in the hands of receivers, Mr. Bierd being one of them, has consistently refused to obey or to comply with the decisions of the Railroad Labor Board.

Mr. REED of Missouri. I think the Senator from Minnesota is in error. I should like to have him cite to me one of those cases.

Mr. SHIPSTEAD. I shall be very glad to do so. I dislike to do it in the Senator's time, but I can do it now if he desires me.

Mr. REED of Missouri. Let me finish this theme, and then we can take that matter up and discuss it. I wish to follow out the thought I am now presenting. If the Chicago & Alton did fail to comply with the decisions of the Railroad Labor Board, they would have done nothing more than follow the example of Mr. Atterbury, who is the sponsor for and the originator of the pending bill.

Mr. WATSON. Mr. President—

Mr. REED of Missouri. If they did fail to comply, they did that under the present system, which they could do under the proposed system, for nobody under the proposed system will have the power to hale any of these parties in and compel them to agree to anything. So if there is a disposition on the part of the railroad companies not to submit their controversies to these Federal tribunals or to tribunals that are composed of representatives of the two sides, that condition will not be remedied by the pending bill.

Now, let me proceed further with this matter of notice.

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

Mr. REED of Missouri. Yes.

Mr. WATSON. Would not that state of affairs result from the enactment of any bill which we might pass, as it is true of the present law and of the one proposed, unless we put coercion in it, and is the Senator willing to put coercion in the bill?

Mr. REED of Missouri. The putting of coercion into the bill is another question. All that I am dealing with now is one proposition, and let us stick to that for an instant.

Mr. WATSON. I understand that; but the Senator is complaining about the bill.

Mr. REED of Missouri. No; I am not complaining. I say it with all respect, for I almost love the Senator from Indiana; but he could not accurately state a proposition made by one of his opponents to save his soul, much as he prizes his soul. I did not say anything at all like what the Senator has stated. What I said was that the Senator from Minnesota had stated that the Chicago & Alton Railroad Co. had refused to abide by the decision of the present tribunal. He offered that as a reason why we should create this new tribunal, and I replied that if the Chicago & Alton Railroad or any other railroad had refused to abide by the decisions of the present tribunal they could in like manner refuse to abide by the decisions of the proposed tribunal, because neither of them had coercive power; but I never said that I was in favor of coercive power.

Mr. WATSON. No; but I was asking the Senator a question. That being true under the present law and under the proposed bill, would it not be true under any bill which might be enacted?

Mr. REED of Missouri. Possibly; but suppose it to be true under any other bill, as it is true under the pending bill, then there is no virtue in this particular respect in this bill that does not already exist, and there is no failure that does not already exist, so far as this particular point is concerned. That is the point I am making, and there is no use of arguing the question any further, because there can not be any difference of opinion about that.

Mr. WATSON. Oh, yes; there is a very great difference of opinion about it.

Mr. REED of Missouri. There is a difference of opinion as to whether there should be coercion. I am not discussing the question of coercion; I am merely saying that the present law and this bill, so far as coercive power is concerned, equally leave out coercive power.

Mr. WATSON. That is right.

Mr. REED of Missouri. And that therefore it can not be argued that it is a defect in one unless it is admitted that it is a defect in the other. Each of them is going on one leg, if you please; each of them has the same kind of crutch; each of them has the same vice, if it be a vice, or virtue, if it be a virtue. There is no choice between the two. There is a bay horse in each instance, and objection can not be made on the color line in favor of one and against the other, because they are both of the same color. I hope I have made that plain enough so that everybody may understand it.

Mr. WATSON. As to the proposition of coercion, the Senator need not to have used so much of his splendid vocabulary to describe that because I agree with him about it.

Mr. REED of Missouri. Very well.

Mr. WATSON. But as to whether or not this bill provides other machinery that is another question.

Mr. REED of Missouri. Yes; that is another question.

Mr. SHIPSTEAD. Mr. President, will the Senator yield to me to make a brief observation?

Mr. REED of Missouri. Certainly.

Mr. SHIPSTEAD. The reason I called the Senator's attention to the refusal of the Chicago & Alton to abide by the decision of the Labor Board was to show that when Mr. Bierd opposes this bill he is perfectly consistent. He evidently does not want any tribunal before which he should appear to settle differences with his employees. He has refused to abide by the decisions of the Labor Board for the past two years and a half, and he evidently does not intend to do it in the future. I simply mention that as tending to show his good faith in the matter.

Mr. REED of Missouri. Let us analyze that statement for a moment. Suppose that Mr. Bierd has refused to abide by the decisions of the present board; suppose that we assume that he is going to refuse to abide by the decisions of the contemplated board, how does that argue that he is opposed to any board or that his desire to be heard should not be recognized? I do not know what the facts are about the Chicago & Alton; but I am going to try to find out and will find out before the day is over; but he had the right, representing not only his road but 20 other railroads that have obeyed the law to be heard at a proper time. If it be argued that he was too late and if that be the fact, it may be that a man can delay so long that he is not entitled to a hearing; but to refuse a hearing to 20 of the great railroads of this country upon which the West and Southwest depend is, in my judgment, a thing that ought to be pretty clearly justified by the facts.

Mr. LA FOLLETTE. Mr. President—

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

Mr. REED of Missouri. I do.

Mr. LA FOLLETTE. Mr. President, the Senator has just said that the other roads represented by Mr. Bierd were among those which had obeyed the decision of the Railway Labor Board. I merely wish to call the Senator's attention to the fact that a number of the roads on that list are notorious violators of the decisions of the Railroad Labor Board.

Mr. REED of Missouri. Does the Senator know anybody who has violated the orders more persistently than Mt. Atterbury, the author of this bill?

Mr. LA FOLLETTE. I do not.

Mr. REED of Missouri. And I am prepared to show that he is the substantial author of this bill.

Mr. LA FOLLETTE. Mr. President, I challenge that statement, and if the Senator has any evidence to sustain it I wish he would produce it.

Mr. REED of Missouri. I thought I was going to talk here about five minutes; but I never am permitted to do so, because somebody always challenges my word.

Mr. LA FOLLETTE. I said that I challenged that statement. I do not challenge the Senator's word.

Mr. WALSH. Mr. President—

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

Mr. REED of Missouri. I do.

Mr. WALSH. The Senator referred to the statement made by the Senator from Minnesota to the effect that the Chicago & Alton had refused and would in the future refuse to abide by the decisions of the Labor Board, and said that in the same way the same road might refuse to abide by the decisions of the board created by this bill if it should become an act. I do not quite understand that statement of the Senator from Missouri. I gathered from a careful study of this bill that it was entirely optional in its character.

Mr. REED of Missouri. Yes; both are optional.

Mr. WALSH. No; under the other measure the matter is referred, at the instance of either party, to the Labor Board for disposition.

Mr. REED of Missouri. What I meant to say was that the obedience was optional, as the courts have decided.

Mr. WALSH. Yes; but I am speaking about this bill. I want to be corrected in my understanding of this bill if I am laboring under an error with respect to it. This bill contemplates agreements between the parties, and if they do not agree concerning a matter then they agree to submit it to arbitration.

Mr. REED of Missouri. They may agree to submit it to arbitration; they may not.

Mr. WALSH. Then what does the Senator mean by saying that the same railroad company may refuse to abide by this bill?

Mr. REED of Missouri. I mean that in neither case is there any legal authority to bring these parties before the board and have an enforced decision. In neither case does that exist.

Mr. WALSH. Under the present Labor Board act, as I understand, the matter comes before the board upon the initiation of either party.

Mr. REED of Missouri. Yes; but the courts have decided, as I understand, that no matter what that board decides, it is not binding.

Mr. WALSH. Yes; I understand that perfectly well; but under the existing law either party can bring the other before the board.

Mr. COUZENS. No; that is not correct.

Mr. REED of Missouri. No; not at all.

Mr. WALSH. Then I have a totally wrong understanding.

Mr. REED of Missouri. There is a provision, as I understand, for summoning the other party in.

Mr. WALSH. Exactly.

Mr. REED of Missouri. But if they do not come, and do not obey, nothing happens.

Mr. WALSH. Exactly. That is exactly what I am trying to say; but there is no such provision here at all.

Mr. REED of Missouri. No; certainly not.

Mr. WALSH. So we can understand perfectly well the statement that the president of the Chicago & Alton road has refused to abide by the other law; that is to say, he has disregarded the summons to come in; but there is no such procedure here at all. All of this is by agreement between the parties; so I find it impossible to understand what the Senator means when he says that the same man may refuse to abide by this law.

Mr. REED of Missouri. Oh, well, technically, perhaps, that is a just criticism. Perhaps I ought to have said that the same man might refuse to do anything under this law, and that is another way of saying "abide by it." My friend is so good a lawyer that we have to be pretty careful with our phraseology, but I think we mean the same thing and fully understand each other.

The Senator from Wisconsin [Mr. LA FOLLETTE] questioned the accuracy of my statement that Mr. Atterbury was practically the responsible author of this bill. I hold in my hand the magazine known as Success. There is a large picture of Mr. Atterbury on this page. I do not know what he paid for it; perhaps nothing. The article is by Sherman Rogers. It is highly laudatory. It reads a good deal like one of these write-ups that people get sometimes for a consideration. He details an interview that he had with Mr. Atterbury, and I assume that at that time he got Mr. Atterbury's picture. I hope it is a good likeness. After Mr. Atterbury had exploited to this gentleman the great love that he had for laboring men, he put to Mr. Atterbury five certain questions, which Mr. Atterbury answered always in favor of the men; and then this enthusiastic scribe adds:

When the general concluded I could have wept for sheer joy. For over a year I had been searching for an industrial leader who was big enough to differentiate between a company union and employee representation that meant equal representation without any strings attached to it.

And so on, and so forth. Then he comes to a recitation of fact, having gotten now out of the poetic field, and having dried his tears.

On Tuesday, December 23, 1924, General Atterbury made inquiry as to whether the four brotherhood presidents, Lee, Stone, Sheppard, and Robertson, would attend an informal meeting in his office, or elsewhere, to discuss with himself, President Willard, of the Baltimore & Ohio, and Patrick Crowley, of the New York Central, article 3 of the transportation act. Stone, Sheppard, and Lee agreed to attend such an informal conference in New York, on the evening of January 20, at the Waldorf-Astoria Hotel. Mr. Robertson, who was acting chairman of the steering committee of the 16 standard labor organizations that had been trying to push the Howell-Barkley bill through Congress, would not take part in the discussion because he did not think he could do so in fairness to his associates who were handling the Howell-Barkley bill. The meeting was held as scheduled, and the following suggestion discussed by all present:

"To abolish the United States Railroad Labor Board and provide that whenever, in the judgment of the President of the United States, a dispute between the carrier and its employees threatens to interrupt the movement of the mails, the performance of the civil or military

functions of the United States, or the free and lawful movement of commerce, he is authorized to investigate."

And so forth.

After a full discussion a subcommittee was appointed, consisting of Elisha Lee, vice president of the Pennsylvania Railroad, chairman; Mr. Walber; Mr. Robertson; and Mr. Doak; to which was submitted the question of preparing legislation to cover the handling of all labor matters on the railroads. General principles were discussed and the subcommittee was instructed to submit its proposed bill to the full committee within three weeks for further discussion.

The subcommittee began their work in the office of Mr. Elisha Lee in Philadelphia on August 19, a number of discussions being held until final draft of the bill was submitted to the various representatives of the employees through their leaders, and likewise to the various carriers through the chief executive officers. The proposed legislation, being finally approved by all concerned, was finally drafted into proper legislative form and submitted to Congress.

Is that reasonably satisfactory?

Mr. LA FOLLETTE. Mr. President—

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

Mr. REED of Missouri. I do.

Mr. LA FOLLETTE. Has the Senator ever read the Howell-Barkley bill?

Mr. REED of Missouri. Why, of course I have read it.

Mr. LA FOLLETTE. Then, does not the Senator agree that the essential provisions, the basic provisions of the Howell-Barkley bill are those embodied in the present bill, and that the basis of the discussion between this committee representing the standard railway labor organizations and the executives of the railroads was the Howell-Barkley bill? Therefore, the reason why I challenged the Senator's statement that Mr. Atterbury was the author of this bill was because the proposition which was put before this joint committee was the Howell-Barkley bill, all discussion was based upon that bill, and the proposed law is in essential characteristics the same as the Howell-Barkley bill, which was considered at the last session of Congress.

Mr. REED of Missouri. Of course, this bill contains some of the old provisions of the Howell-Barkley bill. Every one of these railroad bills that we have had before us in years has contained provisions similar to those found in other bills, and so they started with the discussion of some of this legislation.

Then, after a full discussion, a subcommittee was appointed, consisting of Mr. Lee and Mr. Robertson and Mr. Doak, to which was submitted the question of preparing legislation, and so forth. That committee met, and that committee helped to round out and perfect this measure as it was finally recommended. Then they called a meeting out here in Chicago, without any real notice to these railroads as to what was going to happen, without any sufficient notice, and there they jammed through this proposition. It was done by the representatives of the financial interests, who were expressly barred by the agreement of their creation from dealing with such a subject; and we are told that that binds the railroads of the United States.

That is not all, Mr. President. There is plenty of other evidence that can be adduced as to the activity of Mr. Atterbury, the man who did more to break down the present scheme for settling disputes than all other men in the United States, and he, more than anybody else, is responsible for this legislation.

Mr. LA FOLLETTE. Mr. President, I think a number of the other roads for which the Senator is now pleading should be included in that statement.

Mr. REED of Missouri. There were some of them; but I say that this man and one other road—I can not call the name just now—were the ones that originally defied the order, and it was followed afterwards, and there have been some 40 defiance or refusals to obey the orders, and 5 of those were by the Pennsylvania—

Mr. LA FOLLETTE. Yes.

Mr. REED of Missouri. And 20 of them were by one other road.

Mr. LA FOLLETTE. Twenty-one of them were by the Erie Railroad, one of the signers of this petition for recommitment; the Chicago & Alton, another signatory of the petition, for over two and a half years has been a constant violator of the decisions; the Western Maryland; the Denver & Salt Lake has violated the orders of the board five times; the St. Louis & Southwestern has violated them twice; the Kansas City Southern, another signer of the petition, has violated them once; the Virginian has had a strike in progress for three years, which was brought on through a violation of the decision of the Railroad Labor Board.

Mr. REED of Missouri. I suppose entirely by the road.

Mr. LA FOLLETTE. The strike was brought on by the violation of the decision of the Railroad Labor Board.

Mr. REED of Missouri. Let us see where we get with this proposition. What has succeeded in being demonstrated is that under the present act—under which a party to a controversy can be summoned in and a decision rendered, but suffers no penalty if he does not answer the summons to come in, and no penalty if he does not obey the order—in several years of time some thirteen or fourteen thousand disputes have been settled, always being settled where both parties to the dispute were willing to come in and submit their differences in good faith. Now, it is proposed to substitute for that bill another bill that does not even summon them in, but simply leaves them free voluntarily to come in. How is that latter scheme going to bring them in any better than the former, and if they disobey the former scheme, why will they not disobey the latter scheme? Every time you prove that roads have disobeyed, or men have disobeyed—and the men have frequently disobeyed these orders—you have simply argued that neither of these schemes is very potential; but the weakness you assert for the present law certainly exists as to the proposed law, and there is no way to get away from that. You have to go to the other provisions of the bill to find its virtue.

I did not intend to discuss the merits of this bill. I wanted, if I could be permitted to do so, to discuss the failure to give a hearing, and I have discussed the proposition from the railroads' standpoint. Every man in the Senate knows that in the nearly 16 years I have sat here, I have never been an advocate of railroads. I have been on the other side of the proposition practically all of the time. But I believe we have reached a point in the history of the development of this country when everybody recognizes that we must have highways over which the people may move their goods, and over which they may travel, and that we can not have them if there is constant trouble and turmoil, and if we are guilty of unjust legislation.

So, I say, whenever any respectable body of railroads, or a single railroad, want to appear before any committee of Congress concerning any considerable railroad legislation, they ought to be heard, and they are entitled to be heard. We do not have to do what they recommend, but they are entitled to be heard and to present their views, and have them considered for what those views are worth.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. REED of Missouri. I will yield to any question pertinent to what I have just said.

Mr. LA FOLLETTE. I would like to ask the Senator if he does not think it strange that Mr. Bierd, who was present at the hearings while Mr. Emery was presenting his argument, did not signify a desire to be heard when he was there, at that time, instead of waiting until after the hearings had been closed?

Mr. REED of Missouri. Mr. President, I do not know whom Mr. Emery represented, but I assume that Mr. Emery was there to represent the National Association of Manufacturers or some other aggregation of business men.

Mr. LA FOLLETTE. He was. Mr. Bierd was in the room. Does not the Senator think it strange that he did not notify the chairman of the committee, or some other member, that he desired to be heard?

Mr. REED of Missouri. I do not know whether I think it is strange or not. I do not know what the circumstances were. I was not there. I take it that a man who is as earnest about this matter as Mr. Bierd is would have presented his views if there had been a sufficient opportunity. In addition to that, he may have gone home and consulted with his associates and with the representatives of other roads and then have come back to represent them or sought to come and represent them. The idea that the doors of a committee can be closed in the face of great organizations of men, simply because on the instant somebody was not ready to speak, is aside from the question. I am not talking about this from Mr. Bierd's standpoint. I have not any interest in it from Mr. Bierd's standpoint. But as a Senator of the United States I do have an interest in seeing to it that every fact that can be produced to throw light upon a great question of this kind should be produced and should be first laid before a Senate committee and then faithfully reported to the Senate. Whether he was there on the instant or not I care nothing.

Mr. LA FOLLETTE. May I ask the Senator one further question?

Mr. REED of Missouri. I yield.

Mr. LA FOLLETTE. If the Senator had been representing these 20 railroads and the legislation had passed the House and had come over to the Senate and hearings had been in progress

during the course of three or four weeks, would not the Senator have notified the committee formally that he desired to be heard without waiting for the hearings to come to a natural conclusion and then subsequently make the request?

Mr. REED of Missouri. That would just depend on the way they were holding their hearings, how much notice I had that they were about to conclude them. In any event, before these hearings were concluded this application was made.

What is there about a Senate hearing, which happens in a haphazard way, as all our hearings nearly do happen and must happen, that makes it so sacred? We meet for an hour or two in the morning; we hear one or two witnesses, we hurry them through, we adjourn for a day or two days, or four or five days. The Senator from Wisconsin [Mr. LENROOT] read the dates, showing that the meetings were widely scattered. Finally, some day the hearings are brought to a close. I know of no rule passed by this committee that the hearings would come to a close at a particular time. But before they did come to a close this application was made by wire, and acquiescence in the request would not have hurt this dignified committee a bit; and it is a committee, of course, of great dignity. Anything presided over by my friend from Indiana, and adorned by the presence of the other members of that committee, is a dignified body, we all know. It would not have hurt their dignity a bit to have said, "All right; I will get on the telephone, or put my clerk on the telephone, and call the members of the committee together for a certain day."

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

Mr. REED of Missouri. I yield.

Mr. WATSON. If the committee had had but one proposition before it, we might very well have acceded to that sort of a request, but here was a hearing that was scattered over possibly a month's time, and we gave everybody an opportunity to be heard who wanted to be heard until the hearings were closed.

Mr. REED of Missouri. But they had not been closed when you received this telegram.

Mr. WATSON. They were practically closed. Here was a man who sat in the committee room all the time, or a part of the time, who knew these hearings were in progress, and knew that they were about to be closed, because notice was given that we did not intend to keep on indefinitely with the hearings. In addition to that, I want to say to the Senator from Missouri, we had a very great many bills of equal importance with this measure before us, and we were having hearings every day.

Mr. REED of Missouri. I am not denying that.

Mr. WATSON. I know, but we can not forever go on with hearings. They must at some time or other be closed.

Mr. REED of Missouri. Yes.

Mr. WATSON. We were hearing witnesses on the question of railroad consolidation, a tremendous problem, off and on, day after day. We had the radio problem and many other problems of like character before us day after day. We can not indefinitely prolong hearings, when a man who wants to be heard sits there right in the committee room day after day and never makes his idea known to the committee.

Mr. REED of Missouri. I suppose every moment he sat there somebody else had the floor.

Mr. WATSON. But he could very well have come to me, as any number of other men did, and said, "Mr. Chairman, before these hearings close I would like to have an opportunity to be heard."

Mr. REED of Missouri. He did do that—

Mr. WATSON. No; he did not.

Mr. REED of Missouri. When he wired you before you had closed the hearings. Before they were ordered to be closed, he had wired you making the very request you now have repeated.

Mr. WATSON. I submitted that proposition to the committee the next time we met, and they decided that they would not hear him.

Mr. REED of Missouri. I am not criticizing you.

Mr. LENROOT. Mr. President, will the Senator again give the date of that wire?

Mr. REED of Missouri. February 10.

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

Mr. REED of Missouri. I yield.

Mr. KING. It is barely possible that the gentleman to whom the Senator from Missouri is referring was not at the time authorized to speak for all the railroads.

Mr. WATSON. He was authorized to speak for himself.

Mr. KING. He perhaps was waiting to see whether there was any testimony adduced that might call for a reply, and after he had heard the testimony which he did hear, perhaps he returned to communicate with his associates, and to receive authority to take such steps as, in their judgment, after the report which he made, were deemed necessary.

Mr. REED of Missouri. The hearings closed on February 10, I am advised. So this wire was sent on the very day Mr. Bierd was notified the hearings were closed. But he was not the only man who did not get a hearing. There were some organizations which did not get any hearing.

I am not saying or charging that the committee was unfair in the matter of trying to shut out evidence. I am simply arguing the point that it did not take this evidence.

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

The PRESIDING OFFICER (Mr. HOWELL in the chair). The clerk will call the roll.

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

Ashurst	Fletcher	McLean	Shipstead
Bayard	Frazier	McMaster	Shortridge
Bingham	George	McNary	Simmons
Blease	Gerry	Mayfield	Smoot
Borah	Glass	Metcalf	Stanfield
Bratton	Goff	Moses	Steck
Broussard	Gooding	Neely	Swanson
Bruce	Hale	Norbeck	Trammell
Butler	Harrel	Norris	Tyson
Cameron	Harris	Nye	Underwood
Copeland	Heflin	Oddie	Wadsworth
Couzens	Howell	Overman	Walsh
Cummins	Johnson	Phipps	Warren
Curtis	Jones, N. Mex.	Pine	Watson
Dale	Jones, Wash.	Ransdell	Weller
Deneen	Kendrick	Reed, Mo.	Wheeler
Edwards	Keyes	Reed, Pa.	Williams
Ernst	King	Robinson, Ind.	Willis
Fernald	La Follette	Sackett	
Ferris	Lenroot	Schall	
Fess	McKellar	Sheppard	

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

Mr. REED of Missouri. Mr. President, I want to have the attention, if I may, of the Senator from Wisconsin [Mr. LA FOLLETTE]. The Senator made the statement that the Chicago & Alton Railroad had been a persistent violator of orders of the present board. I stated in substance that I had no knowledge of that fact. I have made inquiry and I think I can state the facts.

The facts are that Mr. Bierd was the receiver of a railroad, the Peoria Railroad. The Labor Board issued an order to pay money to employees for back pay. The Peoria Co. was without funds with which to pay and the Federal court sustained the refusal to pay on the ground that there was no money. That is the Peoria case. My information is that the only case in which the Alton was concerned was a case brought in the Federal court in which the Alton was not the complaining party, but a suit was brought which had the effect of restraining compliance by the road with the order, and that suit is pending. My further information is that in every other instance the Alton has obeyed the orders of the board.

Mr. LA FOLLETTE. Mr. President, will the Senator permit me to state the case I have in mind or would he prefer that I should do it in my own time?

Mr. REED of Missouri. The Senator can do it right now if he desires.

Mr. LA FOLLETTE. On November 21, 1923, the Railroad Labor Board found in decision 2024 that the railroad was maintaining an agreement with its shop-craft employees, representing the consent of only 15 employees then in service out of 2,700 employees who were demanding a conference to negotiate a new agreement. The Labor Board decided that the road should receive in conference the representatives of a majority of the shop employees, and if there was any doubt as to who were their representatives a ballot should be taken. Former President W. W. Bierd, as one of the two receivers, refused to comply with the decision or to confer with the employees.

Mr. REED of Missouri. That is when the road was in the hands of a receiver?

Mr. LA FOLLETTE. Yes.

Mr. REED of Missouri. It is the Federal court the Senator is attacking now.

Mr. LA FOLLETTE. That does not deter me from stating the facts.

When the employees brought this astonishing situation to the attention of the Federal court the receivers filed a petition December 1, 1924, reciting the decision of the Railroad Labor Board and asserting that they "had at all times refused to comply with the above decision," and the receivers asked the Federal court to sustain them. The employees filed an answer to the receivers' petition, and have sought ever since December 1, 1924, to have a hearing upon the petition, but it has been postponed, at the repeated request of attorneys for the receivers, and is now set for June 16, 1926.

For two and one-half years the Chicago & Alton, in the hands of these Federal receivers, has through Mr. Bierd, formerly president and acting as one of the receivers, been flouting this decision of the Railroad Labor Board.

Mr. REED of Missouri. Mr. President, there was a case where the road was in the hands of the Federal court and the receivers were nothing but agents to represent the court. Whatever responsibility there is in that case clearly is the responsibility of the court. A number of courts have held that when they are running a railroad they will run it in their own way and permit no interference.

Mr. LA FOLLETTE. Mr. President—

Mr. REED of Missouri. I do not want to persist in just talking back and forth. I want, of course, to let my friend—and he is my friend and I am his friend—have the fullest opportunity to express himself; but I repeat if it had been true that Mr. Bierd had refused to abide by a single request or order of the board, if that were the case, the Senator has cited one case out of all the multitude of cases that have gone up, and in that case the Federal judge is the party responsible. If it were true that Mr. Bierd was the arch enemy of labor, yet if he desired to represent his road and present the arch enemy's side, he had the right to do it and should have been heard. But that is not the case. The Alton road, I am told, stands ready to submit its controversy to the present board. Out of all this history and all these disputes one case in the Federal court is brought up.

Let us look at the matter from another angle. Was he in time? In courts of justice, the most hard-boiled court of justice that we ever get into, before a case is formally closed, considers the case always open before the trial is completed for the purpose to offer evidence. Of course, there is an order of procedure; but even if an attorney has inadvertently failed to proceed at the exact moment of time, courts, in the interest of justice, allow evidence to be introduced or proceedings to be had a little out of order. What does the record show? The record shows that the committee met from time to time and at irregular times. They heard a few, and only a very few, witnesses. Their last meeting was on February 10, and here are the very last words of that meeting:

The CHAIRMAN. Mr. Emery, do you know of anybody else that wants to be heard?

Mr. DUNCAN. Mr. Thom wants to be heard further, Mr. Chairman.

The CHAIRMAN. Mr. Thom wants to be heard further?

Mr. DUNCAN. Yes, sir.

The CHAIRMAN. Suppose we adjourn, subject to the call of the chairman?

I would like to have an executive session of the committee for a few moments.

(Whereupon, at 12.20 o'clock p.m., the committee went into executive session and, after a short time spent in executive session, adjourned to meet at the call of the chairman.)

That was on the 10th day of February. The committee had not concluded its labors. It adjourned to meet at the call of the chairman; and on that day Mr. Bierd, who had been down here, not for days, as stated, but for about one hour of time, having gone back to his associates and counseled with them, wired and asked humbly to be permitted to be heard, and he was incontinently refused that privilege. I say that Senators may paint the Chicago & Alton Railroad as black as they please; they may attack Mr. Bierd as they please; but the fact is that everybody is entitled to his day in court, whether entitled to be heard as of right or not. The Senate is entitled to have an investigation made of a question like this that will throw every conceivable light upon the facts, so that we may have the facts and act upon them intelligently. If Mr. Bierd was concealing any absolute facts of importance to this committee, it would have been the duty of the committee to have subpoenaed him before it, compelled him to come, and compelled him to tell that which the committee desired to know. It is not a matter of a favor to Mr. Bierd or his road at all. It is a matter of having a real investigation of the question.

Now, how is it about the farmers? What do they know about the bill? What opportunity did they have to study it? There are men in both Houses of Congress to-day, I doubt not, who have not had a chance to study carefully and analyze this important measure, to compare it with previous legislation, to ascertain from the history of the occurrences under previous acts whether the bill really affords a remedial proposition. What chance did the shipper have? Mr. Emery came here representing great commercial bodies, and it may be said that as

they spoke through their representatives they had a hearing. But what chance did the farmer have? What chance did the main body of the people have?

Why should this bill, which affects for weal or for woe the commerce of 115,000,000 people, be rushed through on a short hearing where one or two railroad lawyers—one of whom at least is pretty thoroughly known as a lobbyist around the Capitol—appeared, and one or two representatives of labor appeared, who represented only a part of the great body of railroad labor, and one or two men appeared who represented commercial bodies? Why should not a measure of this kind be digested and every particle of information gathered that it is possible to gather? What justification is there for a denial of such a hearing?

Mr. President, I do not intend at this time to discuss the merits of the proposition. I am discussing only one question, namely, that we ought to send this measure back to the committee and give a hearing to those who are interested. Railroad rates are so high now that in many parts of the country the railroad tariff is an embargo upon the production and sale of vast quantities of agricultural products. There are places in my State, vast stretches of land, where melons are raised, where, I have been credibly informed, at certain seasons of the year melons rot on the ground because the total price that can be received in the market will not pay the freight tariff. We here are about to consider subsidies for the farmers in the shape of another bill that is coming before us.

What is the trouble with the farmer? One great trouble is that he must market his surplus products in Europe, and the price that he receives on his farm is the European price less the cost of transportation; so that every dollar of the cost of transportation comes out of his pocket. If the freight rates are very high, then that money is taken in large proportion from the farmer himself. If it costs him 10 cents to land a bushel of wheat in Europe, that 10 cents comes out of the farmer's wheat. So the very financial life of the farmers of this country, and likewise of other producers, depends upon the cost of transportation.

What makes up the cost of transportation? We have had in this country what might be termed scalawag railroad financing in the past. Many a good road has been wrecked by mismanagement; many an injustice has been done to the stockholder and bondholder. We have reached, I think, a better day. We all realize that railroads must be allowed to make a fair return upon their honestly invested capital if the roads are honest and efficiently managed. No one in this body will dispute that proposition. Very well. In order to secure such return, the railroads must first earn their expenses. One of the very largest elements of expense is the wages paid to the men. Do not let me be misunderstood. I know I shall be sufficiently misrepresented anyway, because if a man does not take an extreme view in favor of labor and of giving it everything that it may want, he is marked down as the enemy of mankind. I have on this floor consistently, as I did before I was ever here, advocated the cause of union labor. I am as much in favor of the just protection of labor, union or nonunion, as I ever was in my life, but when we come to consider the cost of hauling grain, of allowing a reasonable profit to be made by the owners of the railroads, one of the elements of cost is the wages paid, and my information is that the wages aggregate from 50 to 60 per cent of the total gross expenses of the railroads. Therefore, when it is proposed to set up a public tribunal to fix wages, the public has a direct interest in that proposition.

There are three parties to every one of these great railroad problems. There is the stockholder or owner of the road; there are the employees on the road; then there is the great public. The railroads are not private enterprises; they are not governed by the rules of law that govern private enterprises. They are public enterprises. Because they are public highways and public enterprises, they exercise the right of eminent domain. They can build their roads through a man's house; they can condemn and tear down a church, these companies can construct their roadbed across cemeteries and sacred ground. Why? Because they are public highways. They are created by the public; they are protected by the public; and upon the principle that they are mere highways for the people. They are not private enterprises at all; but as private money is invested in them, that private money has the right to a fair and just return; no more. When the profits of a road are in excess of the amount necessary to pay a fair and just return, the Government has a right to pass a law reducing the fares to be charged.

Now, we propose to set up a tribunal in which there will be only two of the three parties represented: The men, who

naturally want to get all the wages they can—and I do not blame them for that—and the officials of the companies, who ordinarily want to make all the profit for their roads that they can—and I do not blame them for that. That is the human side. Who is to take care of the public? Senators say the railroad management will keep the rates down. That does not follow. Under the present law the wealthy and prosperous roads are subject to the recapture clause and to the repayment into the Public Treasury of a portion of the profits they have made; and it might easily be that they would prefer paying higher wages to their men, and buying their peace, even though an unjust price were charged, to paying money into the Federal Treasury to be used by the Federal Government to sustain the railroads in other parts of the country. "To sustain the railroads in other parts of the country." Does that mean, as the law is now being administered, that that is to be done for the benefit of the railroad companies? Not at all.

It is really done for the benefit of the general public, for by this method the total cost of transportation is distributed so that the weaker roads and those in the more sparsely settled sections of the country can haul freight for less rates than they would be compelled to charge if they did not receive this benefit.

After all, this network of railroads that covers the United States is one system in the broad sense of the term, and the weaker parts must be sustained in some way, and if part of the money that comes from the great and prosperous roads is distributed to these weaker roads it means a reduction in freight and passenger charges upon those roads in the long run and in the aggregate. Accordingly there is a sound reason for the suspicion that Mr. Atterbury and some of the other representatives of the rich roads do not have a very strong incentive to keep down the wages. They will know under those conditions when questions come before a tribunal and there is no representation of the public one side of the case only is likely to be heard.

But suppose all I have said about this division of fares is unsound, that the reason is not there, still I say that no two men or two bodies of men have the right to sit and decide a question which concerns a third party in the absence of that third party. That third party is entitled to be there and to present his views, to offer his plan, to make his suggestions, to submit his proposals, and to have them considered along with the proposals of the other two interested parties. Where was the farmer in these hearings? Was he there? Is there any farm organization that has passed a resolution in favor of this bill? I have not heard of any, and I do not think anybody else has heard of any.

My understanding is that this bill is opposed by every manufacturing organization and every business organization in this country that has spoken. They are entitled to some consideration. We are not necessarily obliged to do the thing they recommend, but their opinions are entitled to great weight and consideration.

The National Grange and the Farm Bureau have asked for a hearing, and they have not had it yet. These two bodies have been divided on many questions. They are now united in opposition to this bill. Where is the farm bloc in the Senate? What has happened to the farm bloc? Has it ceased to exist? Where are the champions of agriculture when it is proposed to set up here a scheme whereby the railroad laborer and the railroad president can get together and in fact fix the railroad charges, for that is what it amounts to?

I should like to ask what public or quasi public body representing large numbers of people is back of this bill, outside of the particular organizations of labor that are generally known as the aristocracy among the railroad laborers? All the rest of these employees have a right to consideration. They are not here petitioning. Some of them are here remonstrating. They have been to me remonstrating.

Mr. President, we are told that the old law did not work because it was not obeyed. Why will this proposed law work? There is no compulsion in either one of them. But it is said: "Everybody has agreed to support this bill." Who is "everybody"? About 20 or 25 of the great systems of road are protesting against it. Surely they have not pledged themselves and bound themselves. The majority of the railroad men are not represented. How do you know they are going to obey this bill?

I have heard prophecies like this before. I have never seen a bill proposed here yet but its proponents would stand up and assert that it was going to work with infallible certainty. "Just pass this bill and everybody will become angels; peace will reign; all will be lovely and the goose hang high, and there will be no more trouble on earth." That is the kind of

stuff that we always hear. We heard it before in regard to this very legislation.

Let me read you a few excerpts; and I could go through the CONGRESSIONAL RECORD and find many, many more.

We had the Newlands bill up. It was proposed by Senator Newlands, whose memory we all love—a man of wonderful intellect, but of a still more wonderful imagination, and with a supreme confidence in humanity. I remember that he told us that if we created the Federal Trade Commission all the trusts would disappear; there would not be any more wickedness in commerce. He was mistaken. When that bill was up, it was reported to the Senate by Mr. Newlands on June 23, 1913, and he said this:

I will state, Mr. President, in connection with this report, that the bill presented has the sanction of the various brotherhoods connected with the employees of the railroads of the country, and that of the Civic Federation and the railway managers. It also has the approval of Judge Knapp, presiding judge of the Commerce Court, and of Mr. Neill, the former Commissioner of Labor, who figured so conspicuously in labor disputes between the railway companies and their employees.

So we were asked to pass that bill because everybody, they said, had agreed on it.

The Senator from Arkansas [Mr. ROBINSON] joined in the debate, and had this to say:

The proposed bill represents a measure which we are assured by representatives of all the leading organizations and the leading railroads concerned in this controversy will avert a strike that in all probability will occur unless the bill is passed.

And then the Senator from Arkansas dilated on the evils of the strike; but I recall that we had a strike. It came just the same.

The Senator from Arkansas went on and said:

We are in this situation. The bill as presented here represents an agreement between committees from the railroads and from their employees. As can be easily understood by everyone familiar with these conditions, there is always a degree of suspicion upon the part of both parties to such controversies that the other party is trying to secure the advantage. The necessity for passing this bill in its present form—

"Its present form!"—just the argument we are hearing now. "Pass it as it is now. Do not even read it carefully. Do not dot an 'i'; do not stroke a 't'. Just pass it as it is"; and that was the argument of the Senator from Arkansas [Mr. ROBINSON] then.

The necessity for passing this bill in its present form lies in the fact that it will be of no value whatever unless it is acceptable to both the railroads and their employees.

That is just what is being said now about this bill. Why, I could read the speech of the Senator from Arkansas on this bill, and it would fit the speeches made by the distinguished Senator from Indiana [Mr. WATSON] in logic, in argument, and in arrangement as the upper and lower jaws of a wild beast fit into each other.

Mr. WATSON. Mr. President, I am very sorry that the Senator from Missouri sees fit to compare the Senator from Arkansas, his leader, and myself to a wild beast.

Mr. REED of Missouri. Oh, no; I said that the arguments of each of you gentlemen fitted like the upper and lower jaws of a wild beast fit into each other. When God got through making ordinary humanity and concluded to improve on all His work, I think he created the two distinguished Senators in question.

Mr. WATSON. Aside from the sarcasm of my friend, which is always delightful to me—

Mr. REED of Missouri. I am not sarcastic; I am naturally complimentary.

Mr. WATSON. And especially so at the present time.

Mr. REED of Missouri. I have said nothing, as the Senator understands, intended to reflect on anyone.

Mr. WATSON. Oh, no; I understand that.

Mr. REED of Missouri. I am not quite through with these quotations. Perhaps the Senator will defer his question until that time.

Mr. WATSON. Certainly.

Mr. REED of Missouri. We had another Senator in this body at that time, a very positive character, a man who ordinarily followed his own judgment, and a man of splendid judgment, Senator Pomerene, of Ohio. Here is the argument he made then. It might just as well be handed over to one of the proponents of this bill and read now, because it is the only argument they are making:

Mr. President, I am in favor of this bill as it is written, and though in some respects I would prefer to see a change, I will not vote to change a single word in it, and for the reasons I shall state: It appears that before the committee the railway companies, through their presidents and representatives, and the railway men's organizations, through their chiefs, said that this bill represented months of work; that while there were slight differences of opinion they all agreed to accept it as a solution of the problem. A number of witnesses when interrogated before the committee said, in substance, that if the bill was passed as it was written, they did not believe there would be a single railroad or a single organization that would refuse to accept the plan of settlement here adopted.

It stands to reason that when they come before the Congress asking that this plan be incorporated into a statute no one of these parties would be in a position where he could honorably say, "I will not accept the plan of mediation or of arbitration which is therein contained."

So, Mr. President, these prophecies we have to-day and these arguments we have to-day count for nothing. We have heard them with reference to all the bills that have ever been proposed; but, singularly, in this particular class of legislation the appeal has always been made that we must have a bill that suits just the railroad employer and the railroad employee and that nobody else has anything to say about it.

Mr. President, somebody else does have something to say about it. There are about 115,000,000 human beings in this country, every one of whom will be affected for weal or for woe by this legislation. They have a right to be represented on every one of these questions.

Somebody said here the other day, "Oh, but you can not enforce the decision. You can not forbid the roads and the men to agree now." That is true. The roads and the men can agree now; but it is some of the roads and some of the men that are asking to have a public tribunal created to take the place of, or at least to qualify, the right of voluntary agreement which they have now; and when this Government is asked to set up a governmental tribunal to give weight and sanction to these agreements, to give them in a certain sense the form of law, then it is our privilege to see that there is somebody there to talk for the public.

Mr. President, let us send this bill back to the committee. Let us let the farmer be heard. Let us let the great business interests be heard. Let us permit the rest of the plain, common people of this country to be heard. Let us analyze this question and know what we are doing. What is the haste? What is the emergency? There is none. There is no threatened labor dispute to-day of any importance. Nearly every railroad in the United States is coming before the present board. The men are coming before the present board. Railroads that in the past have refused to submit to the decisions of the board are now coming before the board. Indeed, there never was a time since the present law was passed when conditions seemed as propitious as at the present moment.

Somebody said here the other day on the floor—I think it was the distinguished Senator from Indiana [Mr. WATSON]—that there would be no application for a raise of wages. Do I misquote the Senator?

Mr. WATSON. I said that in my judgment there would be no great demand for an increase of wages.

Mr. REED of Missouri. There is a demand already filed.

Mr. WATSON. I understand, but I am talking about the future.

Mr. REED of Missouri. There is a demand already filed for over \$100,000,000 of increase.

Mr. WATSON. Which has been pending for many months.

Mr. REED of Missouri. Yes. It is already here; and back of that, as is well known, there are other demands being prepared, amounting to from four to six hundred million dollars more a year. The real purpose of this bill is to raise railroad wages.

Mr. WATSON. Of course, I must of necessity take issue with my friend, and deny that statement absolutely, in toto.

Mr. REED of Missouri. I do not say that is the purpose of the Senator. I did not say that, and I do not say it now. I said the purpose of the bill. The Senator must not get himself confused with this bill. That would be a bad mixup. The Senator did not write this bill.

Mr. WATSON. No; I did not.

Mr. REED of Missouri. It was handed to him.

Mr. WATSON. I will say this: The Senator is right about it, I have no pride of authorship in this bill. I did not write it. I have not claimed at any time that I did.

Mr. REED of Missouri. Certainly not. So there is no offense when I say that the purpose of the bill is to do a particular thing.

Mr. WATSON. Not at all. The Senator and I are so familiar with the freedom of debate that there is no offense, whatever we happen to say. This bill was formulated, as the Senator knows, in the manner he understands it was brought to me, and those who drew it asked me if I would introduce it. I told them I must examine it first. I went over the bill with great care, I talked with a number on both sides who had participated in its formulation, and I came to the conclusion that the bill was a sound bill, and that it was as good a measure as we could get at this time for the present emergency. I still believe that.

Mr. REED of Missouri. What is the present emergency?

Mr. WATSON. The present emergency is this, that the Railroad Labor Board has broken down. There is nothing to which the two sides can appeal. They want to set up something in its place, and this is the best thing that can be found at this time to set up in its place.

Mr. REED of Missouri. Let us see if the Railroad Labor Board has broken down.

Mr. WATSON. I know it has broken down. Senators referred to "thousands of cases." Whenever a case is submitted in which a railroad is involved, and there are two or three thousand men involved, and the board has rendered some sort of decision or reached a conclusion about it, it is referred to as "two or three thousand cases." The trouble about it is that nearly all of the cases that have gone to the Railroad Labor Board have been petty grievances, individual in character largely. Whenever it comes to one of the great, far-reaching strikes, that threaten to tie up the interstate commerce of the country, or one of those disputes that has reference to wages, or to hours of service, or conditions of labor, the labor men and the railroads squarely assert before us that they never will again appeal to this board. That makes an emergency, and it is to meet that emergency that we are trying to provide.

Mr. REED of Missouri. That is well stated; but, outside of the music of the words, there is not anything in it.

Mr. WATSON. Can the Senator deny the fact?

Mr. REED of Missouri. Yes; I am absolutely denying the fact, as I understand it.

Mr. WATSON. Does the Senator deny that the railroad labor men have said that they never again would appeal to this board?

Mr. REED of Missouri. Certainly I deny that there is any such statement as that that is stood upon.

Mr. WATSON. It is admitted in the record.

Mr. REED of Missouri. I do not care anything about your record, taken under the circumstances under which it was taken.

Mr. WATSON. It was taken in a full and free hearing, where everybody—

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. REED of Missouri. The Senator from Indiana was on the floor.

Mr. WATSON. I yield to the Senator from Ohio [Mr. WILLIS.]

Mr. WILLIS. I wanted to ask about this matter. I say to the Senator frankly that I have been troubled by statements that have been made to me to the effect that persons who desired to be heard upon this bill were not given an opportunity to be heard. It was my understanding that this bill had been reported out after every interest which desired to be heard had had an opportunity to be heard. Men have told me within the last 24 hours that they sought opportunity to present their views but were not given that opportunity. Is that or not a fact?

Mr. WATSON. If the Senator had been here most of the afternoon—unfortunately, he has not been—he would have heard that whole thing thrashed out. I will say this to the Senator: The one man who has made the most fuss about it is a Mr. Bierd, the president of the Chicago & Alton Railroad, who sat in the committee room a good part of the time these hearings were going on and never opened his mouth. After he got away and got back home he came to the conclusion that he ought to be heard, and he wired back asking to be heard.

These hearings can not go on interminably. The Senator knows that a great committee like the Interstate Commerce Committee, with a number of bills before it that ought to be considered, can not everlastingly have hearings on one proposition. This whole thing was submitted to the committee, and they unanimously resolved that the hearings should cease. What more can we do? Every time some fellow telegraphs in from a far region who wants to be heard we can not open the hearings again. We would never get through with any hearings if we followed that course. The Senator knows that. This

man sat in the committee room, and these other people were there, and no protests were voiced. A Senator in my rear asks me how long. How long does it take a man sitting in a committee room to voice his protest?

Why send this bill back to the committee? I undertake to say that these things can be thrashed out on the floor of the Senate. The committee is simply a preliminary proposition. When a matter comes on the floor, if any Senator has a protest, he can voice it. If the railroad men or the railroad employees had wanted to protest, they could have protested if they had had one-half the eloquence, and certainly the stretch of imagination, possessed by my friend from Missouri in voicing his protest against this bill. They are being heard now. How long are we to have hearings and to permit everybody to be heard who wants to be heard?

Mr. WILLIS. Mr. President, I should like to say that the person and the persons to whom I have referred are not the person to whom the Senator has referred. They are representatives, not of the presidents of roads but representatives of the employees of the roads. It had been my understanding that both sides had been fully heard, and it is now alleged that one side was not heard.

Mr. WATSON. If there are two sides to it, I do not know anything about it. There is one gentleman who represented a very respectable body of labor; that is to say, some say he does and some say he does not. He says he does. I am accepting his views on the question. He made no request to be heard, as far as I know, until the hearings were all over. Then he came and asked that the bill be sent back in order that they might have an opportunity to be heard.

We can not be everlastingly sending bills back to committees. We can not everlastingly be conducting hearings in order that everybody who wants to be heard can be heard. There must be some end to the thing. We would never pass any legislation if we were to drag on interminably here having hearings until every protest had been filed.

Mr. WILLIS. I am not assailing the Senator or his committee, but I am trying to ascertain the fact as to whether there was a full opportunity to persons to be heard before this bill was reported. I am not expecting that the bill will be sent back because some individual complains of it, of course.

Mr. WATSON. That is all there is to it.

Mr. REED of Missouri. Mr. President, the Senator says that the present board has broken down. My information is distinctly to the contrary. My information is that there is not a railroad to-day in the United States that proclaims that it will not submit its controversies to this board.

Mr. WATSON. Oh, Senator; that is so entirely at variance with the facts—

Mr. REED of Missouri. Just tell us the name of the road. I want to get the road's name.

Mr. WATSON. Did the Senator read the report of the hearings before the committee?

Mr. REED of Missouri. Not all of them.

Mr. WATSON. Did he read what was said about that subject? Did he read what Mr. Thom, the attorney for all the first-class roads of America, said?

Mr. REED of Missouri. I do not care much what Mr. Thom says.

Mr. WATSON. If the Senator is going to wave aside the man who represents, in all legal contests, all the first-class roads of America, then, as a matter of course, he can just wave aside everybody by a wave of the hand.

Mr. REED of Missouri. Mr. Thom is here in Washington, spending his time chiefly, I think, on matters legislative for a few big roads.

Mr. WATSON. Not a few big roads; all the Class I roads of America.

Mr. REED of Missouri. Was any member of this board put on the stand?

Mr. WATSON. No.

Mr. REED of Missouri. No; the board was not heard, just as the farmers were not.

Mr. WATSON. The question was discussed in the committee as to whether the board should be called, and it was decided by a practically unanimous vote that they should not be called.

Mr. REED of Missouri. I have seen a statement from one of them, which is before me, to the effect that the board is functioning, and functioning better than it ever did.

Mr. WATSON. Which I deny.

Mr. REED of Missouri. You may deny it, but you did not hear them.

Mr. WATSON. I do not have to hear them to know what they are doing.

Mr. REED of Missouri. I do not know; but you ought to hear them. Let us see whom you did have. You had Mr. Atterbury, of the Pennsylvania.

Mr. WATSON. No; we did not "have" him; he came.

Mr. REED of Missouri. You had him. I did not say you sent for him; you had him.

Mr. WATSON. He came.

Mr. REED of Missouri. He deposited himself on your doorstep and you had him. You took him in.

Mr. WATSON. The Senator must know, if he is familiar with the great shop strike that occurred only a short time ago, that General Atterbury was the one man who stood out against labor in that fight.

Mr. REED of Missouri. Certainly; and now he is here as a special friend of labor and is going to settle everything by agreement.

Mr. WATSON. He kept on in that fight until he crippled his railroad, as everybody knows, until the efficiency and morale of his road was greatly injured. Everybody knows that. He got tired of that fighting proposition. He got tired trying to use force and coercion. He wanted to come to some method by which they could adjust differences between the management and labor. He has tried the other method, and now he wants to try this, and he came and made a strong plea to us to set up this machinery.

Mr. REED of Missouri. Having thrust this country into a great strike by refusing to obey the present law, and he now proposes to get up a law for everybody else who did obey the present law, he comes to the committee, not by summons, but he rushes to the committee, and you hear him. Very well. Let us go down the list.

Mr. William S. Brown testified. Whom did he represent? I will go through the list. Here is Mr. Thom, who represents these rich railroads; and he appears in this record, I think, very much more than anybody else. There was plenty of time to hear Thom.

Here is Mr. Richberg, who was counsel for the railway employees. They appeared by their attorney, and they had a right to.

Mr. Doak is the national legislative representative of the Brotherhood of Railway Trainmen. He had a right to be heard. But he was on one side of this question, of course.

I have found a reference to Mr. Brown's employment. He was president of the marine engineers. He testified to the extent of about 20 lines.

Then there was Mr. Emery, who represents the Manufacturers' Association. Then Mr. Richberg came back on the stand. Then Mr. Thom appeared again. That makes up volume 1.

Mr. WATSON. Mr. Emery was heard several times.

Mr. REED of Missouri. I think so.

Mr. WATSON. I can say to my friend that, so far as any protests against the passage of this bill from what he calls the standpoint of the public are concerned, no man more forcefully or cogently argued that side of it than Mr. Emery. He is a very able and very brilliant man.

Mr. REED of Missouri. That may be so, from the standpoint of a certain portion of the public. Then there is Mr. Patrick Crowley.

Mr. WATSON. He is president of the New York Central.

Mr. REED of Missouri. Then Mr. Emery came back again, then Mr. Charles L. Henry. Who was he? Mr. Willard was here representing the Baltimore & Ohio.

Mr. WATSON. Mr. Willard represented the Baltimore & Ohio.

Mr. REED of Missouri. I said Mr. Henry. Mr. Henry is the general counsel for the American Electric Railway Association. Mr. Richberg appeared again, Mr. Thom again, and Mr. Willard again. There were about six or seven witnesses there, all told, every one of them representing parties directly interested in this bill; all of them for the bill except Emery.

Does the Senator call that a hearing? It is the same kind of a hearing that is going to be given by this board that will be created, that will consist of railroad employees and railroad presidents. It will be a hearing by two of the interested parties, just as there was a hearing here by two of the interested parties and nobody else, except where Emery came in. So it is proposed to try the question of freight rates—for that is what this gets down to—between two of the interested parties and leave the great public out of consideration.

Mr. WATSON. There were long hearings on the House side by the Committee on Interstate and Foreign Commerce, longer than those we conducted, and the committee on the House side went into the subject, I think, at considerable length and quite extensively. They had many meetings of the committee in

which they considered the provisions of the bill. They reported it out unanimously. It was debated in the House for several days, quite fully debated, and the House passed the bill by a vote of 381 to 13.

Mr. REED of Missouri. The House passed a resolution by a bigger majority than that providing for the United States to go into the World Court, and the Senator from Indiana had the good sense and judgment to stand out and exercise his own opinion, and he got renominated by a majority of 140,000.

Mr. WATSON. One hundred and sixty-five thousand. Give me full credit.

Mr. REED of Missouri. I think he will be reelected—

Mr. WATSON. I thank the Senator.

Mr. REED of Missouri. As bad as he is—as bad a man from the political standpoint as he is, I mean.

Mr. WATSON. Yes; I understand that.

Mr. REED of Missouri. There were hearings before the House committee and they had the same crew before the House committee with two or three exceptions. Mr. Richberg, Mr. Henry, Mr. Thom, Mr. Emery, Mr. Rich, and two or three outsiders, possibly, appeared before the House committee. I have not had the time to trace them out to see which side they were on, but I think I recognize the names, and that they were all labor men or railroad men. The Senator did not have any public hearings. He had a hearing by two interested parties, and that is all he ever had.

Mr. WATSON. Because they are the interested parties.

Mr. REED of Missouri. Oh, no; the interested party is the great public, the people of the United States.

Mr. WATSON. They are the immediately interested parties, of course.

Mr. REED of Missouri. Exactly; and they are therefore selfish, because they are the two interested parties. They also were selfishly interested and the great public was interested, and yet the public was practically excluded from the hearings.

Mr. MOSES. Mr. President, the real interested party is the party that pays the bill, to wit, the public.

Mr. WATSON. We all understand that, but I say that in this great measure we have here made provision to take care of the public far better than it was taken care of by the existing law.

Mr. REED of Missouri. What is the provision in the bill that takes care of the great public?

Mr. WATSON. First, by the board of mediation appointed by the President to represent the public and which is a continuing board.

Mr. REED of Missouri. Why is that any better than we have in the present law?

Mr. WATSON. Secondly, by the emergency board that is appointed by the President and which represents the general public also, and which is better than is provided in the existing law. This is a new machine set up. The old one has broken down and they want something new to try, and when the two interested parties come together and ask to have something tried, I am willing to give them an opportunity to try it.

Mr. REED of Missouri. It is just as much the old machine as is the old Buick still an old Buick when you put a coat of paint on it and give it a different name. It is the same old Buick exactly. There is a machinery here that is without jurisdiction to enforce its orders.

Mr. WATSON. That is true.

Mr. REED of Missouri. It depends entirely upon the will of the two main parties to the controversy whether or not its decisions shall be obeyed. We have here a case where, no matter how often we go around the barn, we come out of the same hole we went in.

Mr. WATSON. It is true that there is no coercion in the bill. It is nothing but mediation and conciliation and arbitration. That is all there is to it.

Mr. REED of Missouri. But we have that in the old bill.

Mr. WATSON. And the Senator is not asking to go any further and put coercion in the bill?

Mr. REED of Missouri. No; I am not.

Mr. WATSON. There you are.

Mr. BRUCE. Mr. President, may I add to what the Senator has said that we had that provision in the Newlands Act and in the Erdman Act.

Mr. WATSON. Certainly.

Mr. REED of Missouri. The Senator wants to wipe out the old law and put this wonderful new bill in its place, and it does just exactly what the old law did.

Mr. WATSON. There were 61 cases decided under the Erdman law and 148 cases decided under the Newlands law. The cases when we had Government control were decided amicably by boards of adjustment, and we are going right on in the same line.

Mr. BRUCE. Nearly 13,000 cases have been decided since the Railroad Labor Board has been in existence.

Mr. WATSON. I deny that there are 13,000 cases of any consequence. Some cases of consequence have been decided, of course, but the great majority of those cases related to minor disputes.

Mr. REED of Missouri. They are the same character of cases that were decided by the other two boards, broadly speaking.

Mr. WATSON. Oh, no.

Mr. REED of Missouri. The Newlands Act was passed, and it was found that the Newlands Act would not settle all the disputes.

Mr. WATSON. I will say to my friend from Missouri that the Erdman Act and the Newlands Act dealt only with wages, hours of service, conditions of labor, and not the small grievances. They had no power to deal with those.

Mr. REED of Missouri. No; and the small grievances had been settled across the table by the men and by their bosses, if we want to use that term—their superintendents and managers—from time immemorial, and they are settled that way to-day by the thousands.

Mr. WATSON. No; thousands of them went to the Labor Board and were settled there.

Mr. REED of Missouri. And the Senator says it does not count in its favor. They did take a lot of them up there, but the Senator says they do not count.

Mr. WATSON. They did in the past, but these men say no longer will they go to the board.

Mr. REED of Missouri. Then these men are in just this position, that they are saying to the lawmakers of the country, "We came to you and asked you to pass the Erdman Act and you did it. We were not satisfied with it. We demanded that you should pass the Newlands Act and we said that would be satisfactory to everybody and would work, and you passed it. Then, having passed the present law, which differs from it only in slight ways, we are now here and want another law enacted. If you do not give us just what we want, we serve notice on you in advance that we will have nothing to do with the tribunal you have set up."

What is unfair about this tribunal? The great complaint is that it has decided cases against the railroads, and the railroads will refuse to obey, and that, on the other hand, the men sometimes refuse to obey, and now they say they will never obey, but if we will pass another bill which does not have any important difference, or if it has any important difference it is a sort of implied power in the President to seize the railroads, they will obey, and will come in and arbitrate everything. The same two sets of men are to sit opposite each other at the table. They are to conduct their negotiations together in the same way they do now. They will not come together now, it is said, but if we will pass this bill then they will come and sit down at the table and talk things over, and that is where nearly all of these disputes are settled. There may be a little different machinery beyond that, but it is just as ineffective as the machinery under the present bill, and now it is said, "Pass this bill which, makes no substantial change, and then we will all sit down and agree, and the millennium will dawn."

Mr. WATSON. Mr. President, will my friend let me ask if there is any substantial difference between them if neither provides for force or coercion, and the Senator does not want to provide force or coercion? If there be no difference between the two and they say, "We will agree to the one and will not agree to the other," and they want the one and do not want the other, why not let them have the one?

Mr. REED of Missouri. Because there is a difference. I was talking about the difference as to the men getting together, as to their right to confer, as to their right to exchange views and try to come to an agreement. But there is this difference, and this is why the bill is urged: In the present arrangement the public does have a representative, and in the new bill the public does not have a representative.

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

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

Mr. BRUCE. Would the Senator from Missouri like to have an absolutely authoritative statement as to the volume of work done by the Railway Labor Board?

Mr. REED of Missouri. Yes; I would.

Mr. BRUCE. This is the testimony of Mr. Hooper before the House committee:

From the date of its establishment, December 31, 1925, 13,941 disputes had been referred to the board. Of this number, 6,006 were of a

local nature, affecting individual roads and their employees in one or more classes of service or possibly two or three railroads at one point; and 7,935 were of a general nature, affecting large groups of railroads and their employees in any or all classes of service, such as general requests for wage increases or wage decreases or general revision of rules governing working conditions. The board during this period disposed of 13,447 of these submissions, 5,549 of which were of local nature and 7,898 of general nature. Of the total number of disputes, 912 did not reach the status of regularly docketed cases.

In other words, as against 61 disputes settled under the Erdman Act, we have 13,941 disputes, many of them involving matters of capital importance, settled by the Labor Board. Then, if the Senator from Missouri will pardon me, perhaps he would like to have a statement of just how far the decisions of the Railroad Labor Board have been violated:

The board's records show the following violations for the 201 class 1 carriers:

Brooklyn Eastern District Terminal	1
Chicago Northern Railroad Co.	1

The Senator will be especially interested in this:

Chicago & Alton Railroad	1
Chicago Great Western Railroad	1
Denver & Salt Lake Railroad	5
Duluth, Missabe & Northern Railway	1
Erie Railroad	21
Fort Smith & Western Railroad	1
Nevada Northern Railroad	2
Pennsylvania system	5
San Antonio & Aransas Pass Railway	2

This is a rather small percentage out of 13,447 disputes disposed of.

Mr. REED of Missouri. An interesting addenda to what the Senator has said is that the two railroads that disputed the board's authority in the majority of all the cases where there were disputes are the particular sponsors for this bill.

Mr. President, it is perfectly plain under the present law that the public has a representation—at least, it has a voice. Under the present bill it does not have a voice as long as the employees and the employers agree. They can get together and make any kind of an agreement they want to, and the public has nothing to say about it. They can agree to arbitrate or not to arbitrate. Then comes in the clause relating to the strike, and that is ineffective.

Mr. President, I want to see railroad labor well paid. The men are engaged in a hazardous employment; and, speaking broadly, and without any desire to flatter them in saying what I have said many times, they are a splendid body of men, they are entitled to fair treatment, they are entitled to a good wage, they are entitled to organize—a doctrine that I have always advocated, even when it was not very popular to advocate it. They are entitled through their organization to sit down and talk with their employers and to agree upon a wage; and if they do that, the law does not interfere—at least, it has never undertaken to do so up to this time. Now they say, and they have said it for many years, "We have reached a condition where we want a public body created, and that that body shall assume the responsibility of a decision."

When that decision is rendered, of course, it goes out with the force and effect and weight of a public decision, and would form a justification, if wages were raised in pursuance to such a ratifying order, for the railroad to say to the Interstate Commerce Commission, "We raised wages in obedience to a public order, and you must raise the tariffs so we can meet that charge." That puts the public into the business, so far as responsibility goes, and endangers the public to the extent that such a decision will form a precedent for action and a justification for action by the railroads and be very persuasive with the Interstate Commerce Commission.

Under those circumstances the public ought to be allowed to "sit in" on these decisions and have a voice. It is to get rid of that thing that this bill is brought forward, and for no other purpose, in my humble opinion.

We have been told that the decisions of the Railroad Labor Board are unimportant, that they never decided anything of importance.

Mr. WATSON. Oh, no; the Senator must know that I said they had decided some cases of importance, but that the great majority of the cases which they had decided were not important.

Mr. REED of Missouri. Very well. Here is one that they decided, and there was public representation, too. They rendered a decision under which there was a reduction of \$200,000,000 in wages, and not an employee struck. So this board is functioning. What is the use of saying it is not functioning? Before we wipe it out, let us know we are going to get

something better. But, above everything else—and I have taken all this time because I was interrupted; I had in mind some remarks to make which I would have been through with in 10 minutes. I warn Senators that when they interrupt me they extend me as to time.

Mr. WATSON. I am so pleased to hear the Senator's voice that I always like to interrupt him.

Mr. REED of Missouri. I know the Senator from Indiana loves my voice almost as much as I find a special delight in gazing into his amiable and intelligent countenance.

Mr. WATSON. I thank the Senator.

Mr. REED of Missouri. Above all, let us send this bill back to the committee, and let the farmers of this country be heard.

Mr. NORBECK. Mr. President, may I ask a question merely in order to clear up certain matters?

Mr. REED of Missouri. Certainly.

Mr. NORBECK. What public protection is there in the present law? If I understand correctly, the present board is authorized to prevent these mutual agreements as to wages and suspend them.

Mr. WATSON. The public "sits in" on the decisions.

Mr. NORBECK. Yes; but may the board also suspend action on any agreement that is reached as to wage increases without the matter being presented to the board?

Mr. WATSON. At the present time?

Mr. NORBECK. Yes.

Mr. WATSON. At the present time the roads and the employees may meet and agree on a wage increase regardless of the board; and it does not come before the board at all.

Mr. NORBECK. There is one letter here from a farm organization, I think, that says the present board may suspend temporarily a wage increase. Is that right, I will ask the Senator from Indiana?

Mr. WATSON. They have said that; but it is not correct, because to suspend it it would be necessary to suspend a private contract, which is unconstitutional and has been distinctly so held in a railroad case.

Mr. REED of Missouri. But the language is in the act; that is what the Senator means. It was resisted, however, and the courts held that it was unconstitutional, but nevertheless the language is in the act.

Mr. NORBECK. May I ask the Senator if the present board is a fact-finding board? As I understand, they have a right to hold hearings on numerous questions.

Mr. WATSON. Yes.

Mr. NORBECK. And to pass upon them and give their opinion to the public on them?

Mr. WATSON. Yes.

Mr. NORBECK. Is that true of the proposed board?

Mr. REED of Missouri. I do not think it is.

Mr. WATSON. If the Senator will permit me, they have no right to compel the attendance of any witness who does not want to appear.

Mr. NORBECK. As a matter of fact the present board has been hearing and questioning witnesses, has it not?

Mr. WATSON. Yes; where the witnesses have voluntarily appeared.

Mr. NORBECK. Is it not also a fact that the decisions of the present board in some very important cases have been complied with absolutely?

Mr. WATSON. In a number of cases they have been.

Mr. NORBECK. One of the first cases which the board considered some four or five years ago involved a wage increase of about \$600,000,000, did it not?

Mr. WATSON. Yes.

Mr. NORBECK. And was there not a decision a year or two later decreasing wages about \$300,000,000?

Mr. WATSON. About \$200,000,000, I think.

Mr. NORBECK. That was complied with, was it not?

Mr. WATSON. It was.

Mr. NORBECK. The present board has no right to suggest that wages be increased or reduced. Is that right?

Mr. WATSON. None at all.

Mr. NORBECK. And as I understand, the purpose of the bill now pending here is to turn over to the railroads and their employees the whole matter, and, in case they can not agree, then the proposed board is to try to get them together; but it is not a fact-finding board with power of decision or power to inform the public as to the facts.

Mr. WATSON. That is true.

Mr. NORBECK. And I also understand that in case they can not do anything an emergency board comes into being and it may render a decision?

Mr. WATSON. No; the emergency board does not render a decision. It simply gives the public the facts, as the Labor

Board is now empowered to do. All the Labor Board is empowered to do is to give the public the facts; and that is all the emergency board is empowered to do.

Mr. NORBECK. The public may have the facts from the present board.

Mr. REED of Missouri. I desire to yield the floor. I have said all I care to say. The Senator from North Dakota is asking his questions of the Senator from Indiana, and of course he may continue the colloquy. I am not trying to take him from his feet, but I am yielding the floor.

Mr. CUMMINS. Mr. President, before the Senator from Missouri takes his seat, I should like to ask him a question, if I may.

Mr. REED of Missouri. Very well.

Mr. CUMMINS. To what board proposed in this bill did the Senator from Missouri refer when he said that the board would give sanction to an increase in wages that would have to be accepted or would naturally be accepted by the Interstate Commerce Commission as a basis for fixing rates?

Mr. REED of Missouri. I mean this: There is a demand, by the men, let us say, for an increase of wages. The railroad presidents dispute that demand. The two parties fail to agree and then they propose to adjudicate it.

Mr. CUMMINS. Adjudicate it how? Before what board?

Mr. REED of Missouri. They have this proposal here of arbitration.

Mr. CUMMINS. The board of mediation and conciliation? Is that the board to which the Senator refers?

Mr. REED of Missouri. So that they can get a decision.

Mr. CUMMINS. But they do not get any decision. The board of mediation or conciliation does not decide anything. It has no power to decide anything.

Mr. REED of Missouri. I referred to arbitration.

Mr. CUMMINS. They have no power to decide by arbitration. They may induce the parties to the dispute to enter into arbitration but they do not decide anything.

Mr. REED of Missouri. But arbitrators do.

Mr. CUMMINS. Arbitration is purely, of course, a voluntary matter on both sides.

Mr. REED of Missouri. It is all done under the aegis and sanction of this bill, so that when a decision is rendered, and we will say wages are increased, thereupon the road appears before the Interstate Commerce Commission and asks for a raise in rates. The Interstate Commerce Commission examines into the expenses of the road; it finds this increase, and it says, "In our opinion, that is too great an increase."

The road responds, "The Congress set up these tribunals and we took the course laid down in the law. There was a decision rendered, and we are obeying that decision." I think that would be very persuasive with the Interstate Commerce Commission.

Mr. CUMMINS. But I did not quite understand the Senator, and for that reason I asked the question. The roads and the men can agree to arbitrate now; that is a matter that is within the scope of the contractual power; and arbitration under this bill would have no greater effect, except that the award of the arbitrators can be filed in the district court and a judgment rendered upon that award. I simply wanted to make the matter clear.

Mr. REED of Missouri. The Senator and I are not at all at variance with regard to the general proposition. What I say is that when we follow this machinery out we get to a point where a railroad can well stand in the presence of the Interstate Commerce Commission and say, "The wages which we pay are justified, because we are obeying a decision rendered pursuant to this law." On the other hand, if this scheme or plan is not set up and they exercise their lawful right of getting together and agreeing or even of arbitrating, that is a private transaction, and when they come before the Interstate Commerce Commission with that kind of transaction, I think their standing is very different from what it would be if they followed the proceedings laid down in a law enacted by Congress.

Mr. CUMMINS. There may be something in the suggestion if it proceeds to the judgment of a court, but not if it stops with the mere award of arbitrators.

Mr. REED of Missouri. I do not agree with the Senator as to that. I agree with him perfectly that such an award is not legally binding. I am not talking about the railroad being able to go before the Interstate Commerce Commission and say, "The board made an award; it is legally binding upon us, and we, therefore, have to raise these wages"; but I say that if the Senator represented the roads or if I represented them, I think I would say to the Interstate Commerce Commission, "Congress in its wisdom or lack of wisdom set up the

machinery; it was intended that it should function; it was intended that this board should make decisions; a decision has been rendered by the tribunal created by Congress; therefore, we were justified in obeying it, and we stand here now asking the Interstate Commerce Commission if it will penalize us for having done the very thing that Congress said we should do." I think I could make, and I know the Senator from Iowa could make, an appeal on that ground that would be very persuasive. I do not claim, the Senator will understand, that it absolutely binds the Interstate Commerce Commission.

Mr. NORBECK. Mr. President, I am in favor of the motion to recommit the pending bill to the Committee on Interstate Commerce in order that those may be heard who have had no opportunity to be heard. I have reference to those who pay the freight, those who bear the expense that will be incurred as the result of the passage of this bill. Some things have developed here in the debate; for instance, that there is a general wage-increase demand pending, estimated all the way up to \$700,000,000; \$100,000,000 of this is in the form of a demand which has been pending for some time and has received the favorable sanction of the Labor Board. The same railroad labor leaders who are pressing for these wage increases are also telling us that the Labor Board has not functioned satisfactorily. Of course, they mean it is not satisfactory to them. It is claimed that the provisions in the transportation act (the Esch-Cummins bill), which gave the Labor Board so much authority, has been partly crippled by a decision of the court. It is claimed they can not now interfere with a wage increase that is agreed upon between the railroads and the men. But that has no bearing on this question, as the railroads do not favor these increases. The opposition to the Labor Board, however, is based on different grounds. They can hold hearings; they can gather and compile evidence; they are a fact-finding board that can give these facts to the public.

Evidently somebody is afraid that the public shall have the information, for the bill now proposed will prohibit the Government board from publishing these investigations, hearings, and fact findings. They will not be permitted to tell the true condition of affairs. Do not the railroad men believe that they have a good enough case to go before the public with? Are they afraid that the other laboring men are not with them? Are they afraid that the farmers will realize that it will be an additional burden on them? Possibly they are even afraid that the railroad men have learned from five years' experience that they did not benefit from the wage increase that brought in its wake higher cost of material and, in fact, a higher cost of living.

There has been some criticism to show that the present board has not sufficient authority to function well, but it is admitted that the proposed board has even less authority. What is proposed is, in fact, two things—first, that where the railroads agree to the increase, nobody shall prevent it; second, where the railroads do not agree to an increase, it shall be left to arbitration, which always means a compromise; that is, they will get some increase, whether they be entitled to it or not.

Everybody agrees that the basis of prosperity is that labor must be well employed and that labor must be well paid, but it is admitted that the railway men are now about the best-paid employees there are in the United States. If, however, they are not, they can come before the Labor Board and make a case and show wherein they are getting less than others. There is a public tribunal to pass on the case, to gather all the facts, and to tell the public what their findings are. Why are we to do away with that?

Labor used to appeal to the public for protection. It is within the memory of every Senator here when the man who worked for a wage was the hardest-up man in the United States. He lived in the poorest cottage, his family had the poorest garments, his table had the scantiest food. It was his children that went barefooted and went to school without books. The wage earners were not getting their share. They began to organize.

They began to strike. The public was with them. When the men in the coal mines struck for a better deal, the public and even the farmers said: "They are entitled to it. We are for them." Public opinion sustained them and supported them, and they won their fight because the public was with them; and when they had won it we paid more for the coal, but we said that was all right.

The men in the steel mills went through the same process. They said they were not getting their fair share. The public supported their demands, and they won because public opinion was with them; and when the strike had been won we paid more for the steel. It was a tribute that was levied on every farmer in the land; but the farmer said:

They are not as well off as we are. We are willing to divide with them. It is all right.

Then we had the men and the women in the factories—the shoe factories and the clothing factories and the cotton mills and all along the line—each clamoring for a better wage; and the public was with them, because in most cases they were entitled to it.

Finally we got along to what seems now to have been a fairly balanced condition—the pre-war condition, when labor was fairly well employed at a fair wage, when business, as a rule, was prosperous, when the farmer was making a living and a little bit besides, when the boys were not driven from the farm, because there was a little gain each year. Good land was slowly advancing in value in the newer-settled sections of the country. In the older sections it had come to a standstill. An investigation was made by the Department of Agriculture about a dozen years ago to determine the net earnings of the average farmer during the pre-war conditions. It was found that the average farmer in the United States had a net income of \$200 per year in cash—that is, after he had paid his taxes, his insurance, his hired help, and so forth. But it was also found that he had an additional income, which was not a cash income. It grew out of the advantage of living on the farm. He had free water out of his own well; he got vegetables out of his own garden; he butchered a pig or a lamb, and the department found that these advantages amounted to \$400 a year. Therefore, the income of the average farmer before the war was \$600. These were conditions that existed from 1908 to 1913.

Those were the "good old days" that we are trying to get back to. That was the basis that the McNary-Haugen bill of two years ago was trying to put the farmers back to, and it raised such a hue and cry in the land. It was claimed that it would increase the cost of living. The Wall Street Journal opposed it because it would be an additional burden upon business. The radicals and the standpatters found a common ground. They had now discovered that you can not give a dollar to somebody without taking it from somebody else. They did not object when it was taken from the farmer, but they did object when it was proposed to put the farmer back on the pre-war basis of a \$600 annual earning power.

Mr. President, the bill for agricultural relief now pending before this Senate and advocated by the large farm organizations of the Nation is almost identical with the bill now pending in the House, called the Haugen bill. It does not propose to give the farmer the "ratio" price that was proposed originally in the McNary bill. The farmers have had to drop down in their demands. They are not now asking that pre-war prosperity be restored to them. They are simply asking that the tariff be made effective on what they produce as well as on what they buy.

I want to speak briefly about one of the large factors that brought about deflation in agriculture. I think it is the largest single factor. I think quite probably it was responsible for 70 or 80 per cent of the farmer's trouble.

During the summer of 1916, the organized railroad men served notice on the Government of Washington that they were organizing for a very effective strike that might cripple every industry in the land. In the midst of a presidential campaign they made their demands known to the party in power. They said if their demands were not complied with the strike would be ordered.

I am not speaking in criticism of the railroad men or of their leaders, for unrestrained selfishness will take everything in sight. This is done by organized business. It is likely to be done by any group that has the power to do it, especially when they are spurred on by leaders who want to get big salaries and want to make a great showing as a basis for more power and further promotion. My only complaint is that the public has to pay the bills of unjust demands as well as just demands. We recognize the motive back of it.

The leaders said:

We will stop every train in the land unless this Government departs from its traditional policy—we demand that the Government go into the price-fixing business, that they fix a minimum wage and hours of serving for us; that we are not going to depend on the law of supply and demand, but we depend upon our organized political power.

The party leaders were confronted with a grave political situation. They met hastily and discussed the matter nervously. Congress got orders for double speed, and in the midnight hour they passed the Adamson law without any regard to, or any understanding of, the far-reaching consequences of such act.

Wages went up and up, and continued to go up under the McAdoo railroading until \$2,000,000,000 in wages had been added to the cost of operating the railroads, the wage increase

of \$2,000,000,000 being approximately the value of the wheat crop and the cotton crop of the United States in a normal year. That was the increase that was granted in wages alone. That was not the increased cost of operating the trains, because the higher cost of material had to be added also.

If anyone had asked us whether the country could stand a \$2,000,000,000 increase in wages alone on the railroads, we would have said it was impossible; but it was absorbed largely by the increased freight and passenger rates. The balance was made up by appropriations out of the Treasury of hundreds of millions of dollars.

We could have stood that increase—not only the increase in wage but the classification that created additional jobs here and additional jobs there, the condition that made the shorter hours in order to get overtime for the full day, and all that—we could have stood that, but it was the indirect effects that caught us.

The wage that went on the railroads became the established wage in every town and township in the land. There was not a farm hand that did not go to his farmer and say, "They are paying more on the railroads." There was not a clerk in a store that did not go to his employer and say, "There is a new wage in the land; I want it." There was not a boy or a girl in the factories that did not say they had to have the same thing. So the net result of it all was to establish a new cost of living that depreciated the purchasing power of the dollar, and especially the farmer's dollar.

The increased freight rate was the small part of it. It did not make any difference whether the manufacturers' associations were here protesting—not very much. They were able to pass the cost along. It did not make any difference whether the wholesale houses were protesting; they added the increase to the price of the goods. It did not make much difference with the retail merchant, who was able to use his sharp pencil and mark up the prices of goods and thus absorb the increase. But there were a few classes of people who had no way to absorb that increase, and they had to take the whole shock. One was the farmer, who could not pass the cost along, because he had no way of increasing the price of what he sold. He had to pay this bill. Then we had the metal-mining industry of the West, the low-grade ore, worked at a small profit and giving employment to thousands of men; but the new standard of wages that came into being rendered the property valueless, and the men quit working. The same thing was true of some interior coal mines. I was told the other day about a town in Kentucky where the miners are being paid now an agreed wage. It was found that under the new deal they could not pay the union wage. The operator called the men in and said: "I will quit. The property is yours if you want it; but," he said, "what else can I do? If you will work at a wage at which I can compete, I will go ahead." And so they are working in that particular place at one-half the union wage.

The farmers have not much complaint with conditions, Mr. President, except as there has been interference with economic law—interference by organized business that takes its pound of flesh; interference by organized laborers that have been pulling such things as they are trying to pull in this bill; interference by Congress itself, like the act of 1916, that interfered with economic law and drove agriculture almost out of being.

The public has been the railroad man's best friend when he wanted his wrongs righted. Why is he afraid to leave his case with the public now? Why this great anxiety to get away from public representation on the boards having these matters in charge?

The railroads seem to have adopted this idea; and I do not want to uphold the railroad managements. We have had a good many things develop in the last 25 years, and one of them is that the owners of the roads hardly ever operate them any more. They are operated by paid officials who are not heavy stockholders. It is a case of absentee ownership, a good deal like the absentee ownership that used to exist in Ireland when the English lords owned the land. They are not giving attention to their business, but they are relying upon section 15a of the transportation law, which guarantees them in a way a fixed earning. The railroad companies now feel that it does not make any difference to them whether the wages are increased or not, as long as they can be recovered from increased freight rates.

Railroads seem to be perfectly willing to grant wage increases as long as it does not interfere with their dividends. They want the public to make up the loss. It is, indeed, a new condition we are in. We find the man who pays the wage and the one who receives it are in a deal to levy tribute on the public, and especially upon the farmers, hundreds of millions of dollars. This condition seems to be especially true of the

wealthier railroads, who under the increased freight rates already existing have a larger earning than contemplated by the law. Under the transportation act they are required to give the Government one-half of this excess earning. It is true that they have not paid much of it to the Treasury, but they do not like this provision of the Esch-Cummins law. These railroads have always resented Government interference. They seem willing and anxious to get into some arrangement with their employees to dissipate this fund, so it will not reach the Treasury. They want to tell Congress that their business must not be interfered with. When wage increases are granted on these roads it will naturally follow on all other roads, and there is no Government power to prevent it.

The last big wage increase on the railroads, of about \$600,000,000, came simultaneously with the deflation. It is true that the Labor Board afterwards realized it was a serious mistake, and, as admitted by the Senator from Indiana [Mr. WATSON], they ordered a reduction in the wage scale totaling about \$200,000,000. This became effective two or three years ago. The Labor Board has presented the case to the public and the railroad employees recognized that public opinion would not be with them, not if they resisted the findings of the board. But these employees are still insisting that the board does not function well.

About a year ago one of the railroads supporting this bill granted a voluntary wage increase of about 8 per cent; presumably they felt their surplus earning was too large. This increase necessarily was forced on the other railroad lines. The Railroad Labor Board were unable to stop it. This resulted in an increase of some \$300,000,000, more than neutralizing the wage reduction successfully inaugurated by the board a year or two previous.

The roads operating in the Northwest, the Southwest, and South have made innumerable applications for freight-rate increases to the Interstate Commerce Commission. They claim it is necessary in order to meet this increased wage scale. They claim section 15a entitles them to such increases. Their cases are also in court.

It is interesting to note that no champion of this bill has had the temerity to say on this floor that the railroad men are underpaid. In fact, it is admitted that they are the best paid employees in the whole land. It is also admitted that they are the most insistent for wage increases; and we lose sight of the fact that the wage increases when granted become a burden upon other laboring men and upon farmers and again establish a higher wage through the land—higher-priced goods and higher cost of living—and that in the end even the railroad employees find that their increase is largely or totally absorbed by this new condition.

The farmers have been betrayed by their friends, but they have been slow in realizing what has happened. They have awakened to it. The Farm Bureau and the National Grange have filed with this Senate a request asking that this bill be referred to the Committee on Interstate Commerce, in order that they may be heard. It was admitted that they were not taken into consideration on these hearings. It is admitted that no one spoke for them. It is admitted that the Labor Board requested a hearing before the Senate committee, which request was denied.

The only excuse given for denying the hearing is the statement that they "have been slow in getting in." Mr. President, the farmer is always slow. He is the most patient of all. He proceeds carefully. He does not want to wrong anybody. He has been the real stabilizing influence in the country, but that is no excuse for taking unfair advantage of him.

The amendment proposed by the Senator from Kansas [Mr. CURTIS] provides that wage increases may be denied by the Interstate Commerce Commission if they are of such a nature as to do injustice to the public interest. This would be at least a partial protection for the public and for the farmer. But, many Senators have indicated their opposition even to this amendment, therefore, the motion to refer this bill back to the committee.

What is the use of this Congress talking about doing something for the farmer? We have done nothing for the farmer, but we have not missed the opportunity to do something to the farmer. The majority of this Senate has done it every time it has had a chance during the five years I have been here. But, there has been no measure before us at any time that has threatened such injury to agriculture as does this Senate bill 2306.

Mr. KING. Mr. President, from what has been said I have gathered that all of the employees of the rich roads were for this measure. I have just received a letter from the Shop Employees' Association of the Union Pacific Railroad system, one of the rich roads, one of the most important roads in the

United States; and Mr. Anderson, the system general chairman, in his letter to me, states:

It will be noted that the attached substitute for section 10 also contemplates appropriate provisions with respect to power of investigation and authority to direct the assistance of the Government agencies in the same manner as provided for arbitration boards.

The amendments proposed to the general provisions of the act contemplate the insertion of a new section of two paragraphs, which would be given No. 11, and the other sections of the general provisions of the act renumbered accordingly.

The employees whom I represent and the officers of our association join me in urging your favorable consideration of the attached proposal, and anything you may do in behalf of our request will be greatly appreciated.

Yours very truly,

C. E. ANDERSON.

I send to the desk the two amendments submitted by the head of this organization, which I understand to be one of the large organizations of employees of the roads. One amendment is a substitute for section 10. The other is a new section, to be known as section 11a and 11b. I ask that they may be printed and lie upon the table for the consideration of the Senate.

The VICE PRESIDENT. The amendments will be printed and lie on the table.

Mr. BRUCE. Mr. President, I trust that this bill will not be recommitted. I am a member of the Committee on Interstate Commerce, and therefore I am in a position to know just what measure of consideration was given to the bill, and I say without hesitation that the very fullest measure of consideration was given to it. If there was anybody who did not have his day in court, did not have an opportunity to come before the committee to express his views with respect to the pending bill, I do not know who it was.

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

Mr. BRUCE. Yes.

Mr. KING. I ask this for information. Was the Federation of Farm Laborers heard before the committee?

Mr. BRUCE. If it was not heard, it must have been because it did not ask to be heard.

Mr. KING. Were they heard?

Mr. BRUCE. No; but they had every opportunity to be heard.

Mr. KING. Was the Farm Bureau heard, or were any members of that organization heard?

Mr. BRUCE. No; but they had every opportunity to be heard.

Mr. KING. Were the National Grange or any members of that organization heard?

Mr. BRUCE. No; but they had every opportunity to be heard.

Mr. KING. Were any of these dissenting roads heard, or were any of their representatives heard?

Mr. BRUCE. No; but it was simply because they did not choose to come before the committee, as I understand it. I am not going to mention any names, because no public interest would be subserved by my doing so, but I happen to know that one of the presidents of these dissenting roads was constantly hanging around the committee room, busily opposing in conversation with me, and doubtless in conversation with others, the enactment of this bill. But apparently he never was able to make up his mind to appear before the committee and give his views to it.

Mr. KING. Was that Mr. Bierd?

Mr. BRUCE. I am not going to mention any names, because no public purpose would be promoted by doing so. If one would be, I would mention it.

Mr. KING. The Senator offered an amendment in behalf of an organization the membership of which, if I understood the Senator correctly, is 150,000.

Mr. BRUCE. Yes.

Mr. KING. Was that organization heard?

Mr. BRUCE. They were not heard, simply because they did not choose to be heard. That is the only reason. There is no question that they were familiar with the proceedings from beginning to end.

Mr. KING. Is the Senator sure Mr. O'Neill and those whom he represents were familiar with the proceedings of the committee, and knew when the hearings were to be terminated and the bill to be reported?

Mr. BRUCE. Mr. O'Neill has been here ever since this bill has been pending in the Senate, and I assume that he was here in Washington when it was before the committee. He had just as good an opportunity to present his views to the committee as he had to present them to the Senate. I say that

with great respect to Mr. O'Neill, because I think that he is a fine man in every respect, and he is president of a splendid association of railway employees. But I think that he has had his full opportunity to present his views.

Mr. KING. If I am advised correctly—and Mr. O'Neill has spoken to me within the last day or two—he was not advised, and was not here when the bill was before the committee, but has been here in Washington since the discussion upon the bill began a few days ago, when the Senator from Indiana opened the debate.

Mr. BRUCE. The Senator is familiar enough with committee procedure to know that individuals are very rarely advised of the pendency of the proceedings on measures by committees. Usually when they are interested in the subject matter they are only too eager to ask the privilege of coming before committees and being heard.

Mr. KING. May I ask the Senator another question?

Mr. BRUCE. I yield with pleasure.

Mr. KING. If I understand correctly the petitions that were presented by the Senator from Kansas [Mr. CURTIS], every farm organization in the United States of importance, not only the national organizations but the State organizations, have appealed to the Senate by written petition for a recommital of this bill, to the end that their views may be heard. If I understand those petitions which were presented, many of those organizations did not fully understand the nature, the terms, the effect of the bill under consideration. If that be true, does the Senator think it is the duty of the Senate, I shall not say to take snap judgment, but to deny petitioners the right to have their views presented?

This is not a court. The Senator is an able lawyer, and even in a court where a judgment has been taken, the court oftentimes, upon his own motion, sets aside a solemn judgment of the court, and oftentimes, when an application is made for a reopening of the case, for the setting aside of the verdict or the judgment of the court in order that justice may be done, the court takes that action.

We are not acting in so solemn a matter. We are not a judicial body. It does occur to me that when twenty or thirty million of the farmers of the United States, through their representatives, ask to be heard, they should be heard, particularly when we are told that one of the reasons for holding Congress here now is for the consideration of farm legislation because of the dire distress of agriculture throughout the United States.

Mr. BRUCE. Mr. President, the Senator from Utah knows that a court does not set aside a judgment except where the judgment is tainted with fraud or is the result of surprise.

Mr. KING. Or excusable neglect.

Mr. BRUCE. Or when newly discovered evidence which, for one reason or another, could not have been brought forward at the time of the hearing, is discovered.

Mr. WATSON. Mr. President, if my colleague on the committee will permit me, Doctor Atkeson and Mr. Gray, the heads of two of the farm bureaus of the country, two of the most alert and intelligent men in the country engaged in enterprises of that sort, are stationed here in Washington permanently, are here all the time, are perfectly familiar with everything that is going on in Congress, and they must have had knowledge of the proceedings before the committee; must have known these hearings were being engaged in and being held constantly; and, of course, if they had wanted to be heard, they would have been heard if they had made the request. They passed it over and never made any request of the kind. The point about it is that now to recommit this bill means to delay it, not for the purpose of re-forming it or amending it but for the purpose of killing it.

Mr. BRUCE. The Senator says that the farmers and others did not understand the bill. That reminds me of a story told of Dr. Samuel Johnson. Some man said to him on one occasion, "I do not understand your reasons." Doctor Johnson replied, "It is my business to furnish you with reasons, not to furnish you with understanding," or words to that effect.

Mr. KING. If the Senator wants to charge all the farmers of the United States with lack of understanding, he is at perfect liberty to do so.

Mr. BRUCE. Indeed, I do not.

Mr. KING. Then there is no application to the Senator's story.

Mr. BRUCE. But if I were disposed to charge the farmers with lack of understanding, as I am not, I would not be deterred by any demagogic consideration from doing it. The Senator can rely on that.

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

Mr. BRUCE. I yield.

Mr. NORBECK. It was the distinguished Senator from Maryland who said that it was the northwestern farmers who were radical and asked unreasonable things. I recall the fact that the first demand that came to Congress for agricultural relief came from the Legislature of the State of Maryland, and not from the Northwest.

Mr. BRUCE. I have no doubt that if it came from the Legislature of Maryland it came in a thoroughly rational and sensible form.

Mr. NORBECK. If it came from Maryland it came in a rational form; but if it came from west of the Mississippi, it was radical. That is the Senator's logic.

Mr. BRUCE. I would not like to be pushed too far on that.

Mr. NORBECK. I would like to ask one question. Were those farmers sent for by this committee?

Mr. BRUCE. The Senator will have to ask the chairman of the committee that. But as far as I know, no witnesses were sent for. It is quite an exceptional thing for the Committee on Interstate Commerce to send for witnesses.

Mr. WATSON. We do not send for witnesses. They swarm in when they want to be heard.

Mr. NORBECK. Evidently they did not swarm in. They are trying to swarm in now, and the door is shut on them. The Labor Board is to be abolished because it is no good, but the committee did not even give those farmers a chance to be heard.

Mr. WATSON. They would simply come here and put up a case with which we were entirely familiar. We read everything they sent to us. They put their case in briefs of great size, and all of us read everything they had to say, and we unanimously decided that it was not necessary to have them before the committee. Those farmers never asked to be heard.

Mr. NORBECK. The Labor Board did not, either, but the committee asked them.

Mr. WATSON. They did ask to be heard.

Mr. NORBECK. And were refused?

Mr. WATSON. They were.

Mr. BRUCE. The Senator knows perfectly well why that was done. It was partly because the Howell-Barkley bill, a bill very closely resembling in character the pending bill, had been under consideration by the committee at the previous session of Congress. A voluminous mass of testimony had been taken, both before the House committee, as I recollect, and the Senate committee, in relation to the workings of the Railroad Labor Board. There was really nothing more to be said about the practical operations of the Railroad Labor Board. Moreover, while the pending bill was under consideration by the Senate committee a similar bill was being considered in the House, and I happen to have in my hand the testimony of Mr. Hooper, one of the members of the board, given before the House committee in regard to the practical workings of the Railroad Labor Board. The Senator can see for himself what a bulky document it is [holding it up].

I really do not think that it would be fair to the railway executives, who have given their approval to this bill, or to the railway workers, who have given their approval to this bill, and it would not be fair to the general public at this time to recommit the bill to the committee.

I feel that my views about that are entitled to just a little more respect than they would ordinarily be entitled to, because I am very eager to see this bill amended.

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

Mr. BRUCE. Yes.

Mr. FESS. There was much said about who wrote the bill, intimating that the committee had very little to do with it. Has it been stated on the floor of the Senate that after the bill had been gone over both by the House and the Senate committees, we had a joint meeting of the House and Senate committees, which virtually rewrote the bill?

Mr. BRUCE. Indeed, we did. We had a joint meeting of the two committees, and I recollect that I differed to a very considerable degree from some of the conclusions that had been reached by the House committee, and I was given the fullest opportunity to present my ideas, for what they were worth.

I was going on to say that it seems to me that my ideas are entitled to some respect, because I think that this bill ought to be amended. I agree entirely with what the Senator from Missouri has said about those provisions in it in relation to adjustment, mediation, and arbitration boards being nothing more than reproductions of the provisions of the Erdman and the Newlands Acts. There is very little new about the pending bill. It is to a large extent a return to legislative measures that have been tested and abandoned. But I do feel this, that the demerits, if there are any demerits worth speaking

of, of the Railroad Labor Board, have been grossly exaggerated by the railway executives and railway workers.

All of us know perfectly well that if the railway executives and the railway workers had their way, they would probably not permit themselves to be subjected to any public direction or control whatsoever, so far as railroad disputes are concerned. They much prefer to get together around a conference table and thresh out their controversies without the intervention of public authority in any form whatsoever. When I say that, I say something that was just as true of the general attitude of the railway executives toward the interstate commerce law itself as of the attitude of those executives toward the pending bill. The railway executives and the railway workers are always restive under the idea of any yoke being imposed on their necks by public regulation. They do not want to be regulated if they can prevent it. I know that that is true also so far as the public-service commissions of the country are concerned. When we enacted our public service commission law in the State of Maryland, the enactment was opposed by the public utility companies. That is human nature. Nobody wants to subject himself to any more control than he can help.

So I say that the shortcomings or defects, if there are any shortcomings or defects, of the railroad labor legislation have been unduly magnified, indeed, have been extravagantly emphasized. No other language is strong enough to convey the idea. Only a few moments ago, when the Senator from Missouri [Mr. REED] was speaking, I called attention to the fact that the Railroad Labor Board has disposed of some 13,000 controversies, one-half of which were controversies of real importance, involving wage increases, working rules, and all sorts of controversial or inflammable elements; and yet, with the exception of a few railway companies that ought to be ashamed of themselves, such as the Pennsylvania and the Chicago & Alton, and a few groups of railway workers, the decisions of the Labor Board have not been violated, notwithstanding the fact that no legal sanction of any kind was associated with the provisions of the Labor Board legislation.

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

Mr. BRUCE. Certainly.

Mr. WHEELER. The Western Railroad of Maryland, down in the Senator's own State, has a strike on its hands and it has refused absolutely, has it not, to abide by the decision of the board?

Mr. BRUCE. I am not excusing it, but now that I come to think of the matter I do not know how far it has refused to appear before the Railroad Labor Board. If it has refused, it, too, ought to be ashamed of itself.

Mr. WHEELER. It has not refused to appear, but it has refused, as I understand it, to comply with the orders of the Railroad Labor Board after they had been made.

Mr. BRUCE. That is what I mean. They have violated the decisions of the Railroad Labor Board then?

Mr. WHEELER. Yes; they have violated the decisions.

Mr. BRUCE. If that is so, my strictures will be gladly extended to embrace them.

Mr. WHEELER. I will say to the Senator that I wanted him to extend it because I think that was a flagrant case, where they flagrantly violated the decision of the board.

Mr. BRUCE. On the whole, the Railroad Labor Board has worked well, and I say it without the slightest hesitation. The only reason why it has not worked with the highest degree of smoothness and effectiveness is because there is no legal sanction of any kind attaching to its decisions. In other words, it has no punitive authority; there is no compulsory process by which it can carry its mandates into execution. Everybody knows that there are very few laws of this description that will work when there are no means provided by law for punishing violations of them. But, on the whole, the jurisdiction of the Railroad Labor Board has been heeded by the railway executives and by the railway workers.

It is absolute misrepresentation to say that a very large degree of authoritative force has not attended the decisions of the board. Therefore, if we can give the railway executives and the railway workers in every principal particular the machinery that they are asking for in connection with this bill, and yet at the same time properly enlarge the functions and powers of the President's emergency board in such a way as to give it some of the authority and some of the power that the Railroad Labor Board has, then I would rather have the pending bill than the Railroad Labor Board bill. In the first place, there would be no class representation on the President's emergency board. The labor board, of course, has three representatives of the carriers, three representatives of the railway workers, and three representatives of the public on it. The emergency board would be selected by the President with-

out any reference to class interests whatsoever. Then, of course, above all, the pending bill represents an honest, sincere effort on the part of the railway executives and the railway workers to arrive at an understanding with each other that will enable them to settle all future controversies between themselves peacefully.

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

Mr. BRUCE. Certainly.

Mr. WATSON. Inasmuch as we are compelled to recess at 5.30 o'clock and inasmuch as the Senator is addressing himself to the merits of the bill and not to the pending amendment, I want to ask the Senator whether he would be willing to postpone the remainder of his speech on the general subject so that we may take a vote on the motion to recommit right now?

Mr. BRUCE. Yes; I will be willing. I think I shall have no occasion to make any further remarks on the bill.

Mr. MOSES. Mr. President, the Senator from Indiana not only declines to hear people before the committee, but declines to hear them on the floor of the Senate.

Mr. WATSON. The Senator from Indiana has heard a very great deal. The Senator from Maryland is not addressing himself to the pending amendment, but to the merits of the proposition generally. If the Senator from Maryland is entirely willing to do so, inasmuch as we are compelled to recess at 5.30 o'clock, I will be glad if he would let us have a vote.

Mr. BRUCE. I think that the Senator's request is perfectly reasonable. I simply wish to say in conclusion that I believe that the bill, with a little amendment as respects the powers of the emergency board, could be made a much better piece of legislation than the Railroad Labor Board legislation.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas [Mr. CURTIS] to recommit the bill to the Committee on Interstate Commerce.

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

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

Mr. FERRIS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PEPPER]. I am informed that if he were present he would vote "nay." If I were at liberty to vote, I would vote "yea."

Mr. GOFF (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. HARRISON]. I am informed that if he were present he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. KING (when his name was called). I have a pair upon this vote with the Senator from South Carolina [Mr. SMITH], who is detained by illness. If I were permitted to vote, I would vote "yea." The Senator from South Carolina, if present, would vote "nay." Because of his absence I am compelled to withhold my vote.

Mr. REED of Pennsylvania (when Mr. PEPPER's name was called). The Senator from Pennsylvania [Mr. PEPPER] is necessarily absent to-day. His pair with the Senator from Michigan [Mr. FERRIS] has been announced. If he were present, he would vote "nay."

Mr. REED of Pennsylvania (when his name was called). I transfer my general pair with the senior Senator from Delaware [Mr. BAYARD] to the junior Senator from Delaware [Mr. du PONT] and vote "nay."

Mr. WADSWORTH (when his name was called). On this question I am paired with the senior Senator from Arkansas [Mr. ROBINSON]. In his absence I withhold my vote.

The roll call was concluded.

Mr. CURTIS. I regret to announce that my colleague [Mr. CAPPER] is detained by reason of a death in his family.

Mr. GERRY. I desire to announce that the Senator from Nevada [Mr. PITTMAN] is unavoidably absent on account of illness. If present, he would vote "nay."

Mr. BLEASE. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained from the Senate by illness.

Mr. UNDERWOOD (after having voted in the affirmative). I have voted in the affirmative, but I have a general pair with the Senator from Massachusetts [Mr. GILLETT]. I do not know how he would vote if he were present, and as he is absent I withdraw my vote.

Mr. GERRY. I wish to announce that the Senator from Mississippi [Mr. HARRISON] is necessarily absent. If he were present, he would vote "nay."

Mr. JONES of Washington. I desire to announce that the junior Senator from Delaware [Mr. du PONT], if present, would vote "nay."

The result was announced—yeas 14, nays 59, as follows:

YEAS—14			
Bingham	Hale	Moses	Reed, Mo.
Curtis	Jones, Wash.	Norbeck	Williams
Edwards	Keyes	Philips	
Fernald	McLean	Ransdell	

NAYS—59			
Ashurst	Fletcher	McKellar	Shipstead
Blease	Frazier	McNary	Shortridge
Borah	George	Mayfield	Simmons
Bratton	Gerry	Metcalf	Stanfield
Broussard	Glass	Neely	Steck
Bruee	Gooding	Norris	Swanson
Butler	Harrel	Nye	Trammell
Cameron	Harris	Oddie	Tyson
Copeland	Heflin	Overman	Walsh
Couzens	Howell	Pine	Warren
Cummins	Johnson	Reed, Pa.	Watson
Deneen	Jones, N. Mex.	Robinson, Ind.	Weller
Dill	Kendrick	Sackett	Wheeler
Ernst	La Follette	Schall	Willis
Fess	Lenroot	Sheppard	

NOT VOTING—23

Bayard	Ferris	McKinley	Smith
Capper	Gillett	McMaster	Smoot
Caraway	Goff	Means	Stephens
Dale	Greene	Pepper	Underwood
du Pont	Harrison	Pittman	Wadsworth
Edge	King	Robinson, Ark.	

So the Senate refused to recommit the bill to the Committee on Interstate Commerce.

The VICE PRESIDENT. The question recurs on the amendment offered by the Senator from Kansas [Mr. CURTIS].

Mr. WATSON. Mr. President, is the Senator from Kansas willing to have his amendment voted on now?

Mr. CURTIS. I think we had better wait until to-morrow.

Mr. WATSON. Now is the best time in the world. [Laughter].

Mr. CURTIS. If the Senate is ready to vote on it, I am willing.

SEVERAL SENATORS. Vote!

Mr. NORBECK. Mr. President, I should like to be heard on the amendment.

Mr. CURTIS. Mr. President, if there is to be any further debate on it, I think it had better go over. We shall have to take a recess at half past 5 o'clock.

Mr. WATSON. Very well.

ORDER FOR RECESS

Mr. CURTIS. Mr. President, I now ask unanimous consent that when the Senate completes its business to-night it take a recess until 12 o'clock noon to-morrow.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

INSIGNIA OF THE UNITED DAUGHTERS OF THE CONFEDERACY

The VICE PRESIDENT laid before the Senate the bill (H. R. 10202) granting an extension of patent to the United Daughters of the Confederacy, which was read twice by its title.

Mr. SWANSON. Mr. President, the House bill which has just come over and has been laid down by the Vice President is similar to Senate bill 3936, being Order of Business No. 778 on the calendar. It is a bill to extend to the United Daughters of the Confederacy a continuation of their design or insignia patent for the period of 14 years. A similar privilege was extended to the Daughters of the American Revolution and other similar societies. I ask unanimous consent for the immediate consideration of the House bill, and if that bill shall be passed, I will then move that the Senate bill be indefinitely postponed.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10202) granting an extension of patent to the United Daughters of the Confederacy, which was read, as follows:

*Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date November 8, 1898, being patent No. 29611, is hereby renewed and extended for a period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the United Daughters of the Confederacy: Provided, however, That no person who has manufactured the design of said patent between the 8th day of November, 1905, and the date of the passage of this act shall be held liable for infringement of this patent by reason of the continued manufacture and sale thereof.*

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

Mr. SWANSON. I move that Order of Business No. 778, being the bill (S. 3936) granting an extension of patent to the United Daughters of the Confederacy be indefinitely postponed.

The motion was agreed to.

#### BUSINESS AT EVENING SESSION

Mr. HEFLIN. Mr. President, is it the understanding that no bills will be considered to-night except bills that are unobjection to?

Mr. CURTIS. No.

Mr. ASHURST. Under the unanimous-consent agreement we are to consider bills that are objected to also; that is, that is one purpose of the evening session.

Mr. MOSES. They may be taken up under Rule VIII when the calendar is called for bills to which there is objection.

Mr. ASHURST. That is quite important.

The VICE PRESIDENT. Under the unanimous-consent order the calendar will be gone through with for the consideration of unobjection bills, and when the consideration of unobjection bills is concluded the calendar will be called for the consideration of bills under Rule VIII.

Mr. ASHURST. Which means that when the calendar is called under Rule VIII a Senator has the right to move to proceed to the consideration of a bill.

Mr. NEELY. Mr. President, if the Senator from Arizona will yield, I should like to call his attention to the fact that, with Ringling Brothers and Barnum & Bailey's circus in town, of course, there will not be a quorum here to vote on any objected bills.

Mr. ASHURST. If there shall be no quorum here, there will be a circus here, as Senators will be brought in. [Laughter.]

Mr. CURTIS. Mr. President, so that there may be no misunderstanding, I ask that the unanimous-consent order may be read. As I remember, I asked unanimous consent that the calendar be called for unobjection bills, and that if it was completed, then to commence again at the beginning and call the bills under Rule VIII.

The VICE PRESIDENT. That is correct.

Mr. GLASS. Beginning where on the calendar?

Mr. CURTIS. We would have to begin at the first bill, of course, but I intend to ask unanimous consent when we meet to-night that we begin where we left off this afternoon.

#### PRINTING OF PROHIBITION HEARINGS

Mr. MOSES. Out of order, from the Committee on Printing, I ask unanimous consent to report Senate Concurrent Resolution No. 17, and that it be read for the information of the Senate. Then I wish to ask further unanimous consent for its consideration.

The VICE PRESIDENT. The concurrent resolution reported by the Senator from New Hampshire will be read.

The legislative clerk read the resolution (S. Con. Res. 17), as follows:

*Resolved, etc.*, That, in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on the Judiciary of the Senate be, and is hereby, empowered to procure the printing of 10,000 additional copies of the hearings held before its subcommittee during the Sixty-ninth Congress, first session, on bills and resolutions relating to a modification of the national prohibition law, and of this number the committee shall cause to be delivered to the folding rooms of Congress 9,175 copies, of which 2,500 copies shall be for the use of the Senate and 6,675 copies shall be for the use of the House of Representatives.

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

Mr. BRUCE. Mr. President, I did not catch the reading of the resolution. I heard, however, a reference to prohibition.

Mr. MOSES. I asked that the resolution be read for the information of the Senate. It is a matter in which the Senator from Maryland is interested, I am sure.

The VICE PRESIDENT. The concurrent resolution will again be read.

The concurrent resolution was again read.

The VICE PRESIDENT. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

#### REGULATION OF COMMERCIAL AVIATION

Mr. BINGHAM. Mr. President, I ask unanimous consent for the reception at this time of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes. I ask that the report may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the report will be received and printed in the RECORD.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That as used in this act the term "air commerce" means transportation in whole or in part by aircraft of persons or property for hire, navigation of aircraft in furtherance of a business, or navigation of aircraft from one place to another for operation in the conduct of a business. As used in this act the term "interstate or foreign air commerce" means air commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession or the District of Columbia, but through the air space over any place outside thereof; or wholly within the air space over any Territory or possession or the District of Columbia.

"Sec. 2. Promotion of air commerce.—It shall be the duty of the Secretary of Commerce to foster air commerce in accordance with the provisions of this act, and for such purpose—

(a) To encourage the establishment of air ports, civil airways, and other air navigation facilities.

(b) To make recommendations to the Secretary of Agriculture as to necessary meteorological service.

(c) To study the possibilities for the development of air commerce and the aeronautical industry and trade in the United States and to collect and disseminate information relative thereto and also as regards the existing state of the art.

(d) To advise with the Bureau of Standards and other agencies in the executive branch of the Government in carrying forward such research and development work as tends to create improved air navigation facilities. The Secretary of Commerce is authorized to transfer funds available for carrying out the purposes of this subdivision to any such agency for carrying forward such research and development work in cooperation with the Department of Commerce.

(e) To investigate, record, and make public the causes of accidents in civil air navigation in the United States.

(f) To exchange with foreign governments through existing governmental channels information pertaining to civil air navigation.

"Sec. 3. Regulatory powers.—The Secretary of Commerce shall by regulation—

(a) Provide for the granting of registration to aircraft eligible for registration, if the owner requests such registration. No aircraft shall be eligible for registration (1) unless it is a civil aircraft owned by a citizen of the United States and not registered under the laws of any foreign country, or (2) unless it is a public aircraft of the Federal Government, or of a State, Territory, or possession, or of a political subdivision thereof. All aircraft registered under this subdivision shall be known as aircraft of the United States.

(b) Provide for the rating of aircraft of the United States as to their airworthiness. As a basis for rating, the Secretary of Commerce (1) may require, before the granting of registration for any aircraft first applying therefor more than eight months after the passage of this act, full particulars of the design and of the calculations upon which the design is based and of the materials and methods used in the construction; and (2) may in his discretion accept in whole or in part the reports of properly qualified persons employed by the manufacturers or owners of aircraft; and (3) may require the periodic examination of aircraft in service and reports upon such examination by officers or employees of the Department of Commerce or by properly qualified private persons. The Secretary may accept any such examination and report by such qualified persons in lieu of examination by the employees of the Department of Commerce. The qualifications of any person for the purposes of this section shall be demonstrated in a manner specified by and satisfactory to the Secretary. The Secretary may, from time to time, rerate aircraft as to their airworthiness upon the basis of information obtained under this subdivision.

(c) Provide for the periodic examination and rating of airmen serving in connection with aircraft of the United States as to their qualifications for such service.

"(d) Provide for the examination and rating of air navigation facilities available for the use of aircraft of the United States as to their suitability for such use.

"(e) Establish air traffic rules for the navigation, protection, and identification of aircraft, including rules as to safe altitudes of flight and rules for the prevention of collisions between vessels and aircraft.

"(f) Provide for the issuance and expiration, and for the suspension and revocation, of registration, aircraft, and airmen certificates, and such other certificates as the Secretary of Commerce deems necessary in administering the functions vested in him under this act. Within 20 days after notice that application for any certificate is denied or that a certificate is suspended or revoked, the applicant or holder may file a written request with the Secretary of Commerce for a public hearing thereon. The Secretary upon receipt of the request shall forthwith (1) arrange for a public hearing to be held within 20 days after such receipt in such place as the Secretary deems most practicable and convenient in view of the place of residence of the applicant or holder and the place where evidence bearing on the cause for the denial, suspension, or revocation is most readily obtainable, and (2) give the applicant or holder at least 10 days' notice of the hearing, unless an earlier hearing is consented to by him. Notice under this subdivision may be served personally upon the applicant or holder or sent him by registered mail. The Secretary, or any officer or employee of the Department of Commerce designated by him in writing for the purpose, may hold any such hearing and for the purposes thereof administer oaths, examine witnesses, and issue subpoenas for the attendance and testimony of witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths. Witnesses summoned or whose depositions are taken shall receive the same fees and mileage as witnesses in courts of the United States. All evidence taken at the hearing shall be recorded and forwarded to the Secretary for decision in the matter to be rendered not later than 10 days after completion of the hearing. The decision of the Secretary, if in accordance with law, shall be final. The denial, suspension, or revocation shall be invalid unless opportunity for hearing is afforded, notice served or sent, and decision rendered within the respective times prescribed by this subdivision.

**SEC. 4. Airspace reservations.**—The President is authorized to provide by Executive order for the setting apart and the protection of airspace reservations in the United States for national defense or other governmental purposes and, in addition, in the District of Columbia for public-safety purposes. The several States may set apart and provide for the protection of necessary airspace reservations in addition to and not in conflict either with airspace reservations established by the President under this section or with any civil or military airway designated under the provisions of this act.

**SEC. 5. Aids to air navigation.**—(a) Whenever at any time the Postmaster General and the Secretary of Commerce by joint order so direct, the airways under the jurisdiction and control of the Postmaster General, together with all emergency landing fields and other air navigation facilities (except airports and terminal landing fields) used in connection therewith, shall be transferred to the jurisdiction and control of the Secretary of Commerce, and the established airports and terminal landing fields may be transferred to the jurisdiction and control of the municipalities concerned under arrangements subject to approval by the President. All unexpended balances of appropriations which are available for and which have been allotted for expenditure upon such airways, emergency landing fields, and other air navigation facilities, except airports and terminal landing fields, shall thereupon be available for expenditure under the direction of the Secretary of Commerce, in lieu of the Postmaster General, for the purposes for which such appropriations were made. No part of such unexpended balances of appropriations shall be used for the purchase or establishment of airports or terminal landing fields.

"(b) The Secretary of Commerce is authorized to designate and establish civil airways and, within the limits of available appropriations hereafter made by the Congress, (1) to establish, operate, and maintain along such airways all necessary air navigation facilities except airports; and (2) to chart such airways and arrange for publication of maps of such airways, utilizing the facilities and assistance of existing agencies of the Government so far as practicable. The Secretary of Commerce shall grant no exclusive right for the use of any civil airway, airport, emergency landing field, or other air navigation facility under his jurisdiction.

"(c) Air navigation facilities owned or operated by the United States may be made available for public use under such

conditions and to such extent as the head of the department or other independent establishment having jurisdiction thereof deemed advisable and may by regulation prescribe.

"(d) The head of any Government department or other independent establishment having jurisdiction over any airport or emergency landing field owned or operated by the United States may provide for the sale to any aircraft of fuel, oil, equipment, and supplies, and the furnishing to it of mechanical service, temporary shelter, and other assistance under such regulations as the head of the department or establishment may prescribe, but only if such action is by reason of an emergency necessary to the continuance of such aircraft on its course to the nearest airport operated by private enterprise. All such articles shall be sold and such assistance furnished at the fair market value prevailing locally as ascertained by the head of such department or establishment. All amounts received under this subdivision shall be covered into the Treasury; but that part of such amounts which, in the judgment of the head of the department or establishment, is equivalent to the cost of the fuel, oil, equipment, supplies, services, shelter, or other assistance so sold or furnished shall be credited to the appropriation from which such cost was paid, and the balance, if any, shall be credited to miscellaneous receipts.

"(e) Section 3 of the act entitled 'An act to increase the efficiency and reduce the expense of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture,' approved October 1, 1890, is amended by adding at the end thereof a new paragraph to read as follows:

"Within the limits of the appropriations which may be made for such purpose, it shall be the duty of the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, (a) to furnish such weather reports, forecasts, warnings, and advices as may be required to promote the safety and efficiency of air navigation in the United States and above the high seas, particularly upon civil airways designated by the Secretary of Commerce under authority of law as routes suitable for air commerce, and (b) for such purposes to observe, measure, and investigate atmospheric phenomena, and establish meteorological offices and stations."

"(f) Nothing in this act shall be construed to prevent the Secretary of War from designating routes in the navigable air space as military airways and prescribing rules and regulations for the use thereof on routes which do not conform to civil airways established hereunder, or to prevent the Secretary of Commerce from designating any military airway as a civil airway, and when so designated it shall thereupon become a civil airway within the meaning of this act, and the Secretary of War is hereby authorized to continue the operation of air navigation facilities for any military airway so designated as a civil airway until such time as the Secretary of Commerce can provide for the operation of such facilities.

**SEC. 6. Foreign aircraft.**—(a) The Congress hereby declares that the Government of the United States has, to the exclusion of all foreign nations, complete sovereignty of the airspace over the lands and waters of the United States, including the Canal Zone. Aircraft a part of the armed forces of any foreign nation shall not be navigated in the United States, including the Canal Zone, except in accordance with an authorization granted by the Secretary of State.

"(b) Foreign aircraft not a part of the armed forces of the foreign nation shall be navigated in the United States only if authorized as hereinafter in this section provided; and if so authorized, such aircraft and airmen serving in connection therewith, shall be subject to the requirements of section 3, unless exempt under subdivision (c) of this section.

"(c) If a foreign nation grants a similar privilege in respect of aircraft of the United States, and/or airmen serving in connection therewith, the Secretary of Commerce may authorize aircraft registered under the law of the foreign nation and not a part of the armed forces thereof to be navigated in the United States, and may by regulation exempt such aircraft, and/or airmen serving in connection therewith, from the requirements of section 3, other than the air traffic rules; but no foreign aircraft shall engage in interstate or intrastate air commerce.

**SEC. 7. Application of existing laws relating to foreign commerce.**—(a) The navigation and shipping laws of the United States, including any definition of 'vessel' or 'vehicle' found therein and including the rules for the prevention of collisions, shall not be construed to apply to seaplanes or other aircraft or to the navigation of vessels in relation to seaplanes or other aircraft.

"(b) The Secretary of the Treasury is authorized to (1) designate places in the United States as ports of entry for civil aircraft arriving in the United States from any place outside thereof, and for merchandise carried on such aircraft,

(2) detail to ports of entry for civil aircraft such officers and employees of the customs service as he may deem necessary, and to confer or impose upon any officer or employee of the United States stationed at any such port of entry (with the consent of the head of the Government department or other independent establishment under whose jurisdiction the officer or employee is serving) any of the powers, privileges, or duties conferred or imposed upon officers or employees of the customs service, and (3) by regulation to provide for the application to civil air navigation of the laws and regulations relating to the administration of the customs and public health laws to such extent and upon such conditions as he deems necessary.

"(c) The Secretary of Commerce is authorized by regulation to provide for the application to civil aircraft of the laws and regulations relating to the entry and clearance of vessels to such extent and upon such conditions as he deems necessary.

"(d) The Secretary of Labor is authorized to (1) designate any of the ports of entry for civil aircraft as ports of entry for aliens arriving by aircraft, (2) detail to such ports of entry such officers and employees of the Immigration Service as he may deem necessary, and to confer or impose upon any employee of the United States stationed at such port of entry (with the consent of the head of the Government department or other independent establishment under whose jurisdiction the officer or employee is serving) any of the powers, privileges, or duties conferred or imposed upon officers or employees of the Immigration Service, and (3) by regulation to provide for the application to civil air navigation of the laws and regulations relating to the administration of the immigration laws to such extent and upon such conditions as he deems necessary.

"SEC. 8. Additional Assistant Secretary of Commerce.—To aid the Secretary of Commerce in fostering air commerce and to perform such functions vested in the Secretary under this act as the Secretary may designate, there shall be an additional Assistant Secretary of Commerce, who shall be appointed by the President, by and with the advice and consent of the Senate and whose compensation shall be fixed in accordance with the classification act of 1923. Except as otherwise specifically provided, the Secretary of Commerce shall administer the provisions of this act and for such purpose is authorized (1) to make such regulations as are necessary to execute the functions vested in him by this act; (2) to make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere and for law books, books of reference, and periodicals) as may be necessary for such administration and as may be provided for by the Congress from time to time; (3) to publish from time to time a bulletin setting forth such matters relating to the functions vested in him by this act as he deems advisable, including air navigation treaties, laws, and regulations and decisions thereunder; and (4) to operate, and for this purpose to acquire within the limits of the available appropriations hereafter made by the Congress, such aircraft and air navigation facilities, except airports, as are necessary for executing the functions vested in the Secretary of Commerce by this act.

"SEC. 9. Definitions.—As used in this act—

"(a) The term 'citizen of the United States' means (1) an individual who is a citizen of the United States or its possessions, or (2) a partnership of which each member is an individual who is a citizen of the United States or its possessions, or (3) a corporation or association created or organized in the United States or under the law of the United States or of any State, Territory, or possession thereof, of which the president and two-thirds or more of the board of directors or other managing officers thereof, as the case may be, are individuals who are citizens of the United States or its possessions and in which at least 51 per cent of the voting interest is controlled by persons who are citizens of the United States or its possessions.

"(b) The term 'United States,' when used in a geographical sense, means the territory comprising the several States, Territories, possessions, and the District of Columbia (including the territorial waters thereof), and the overlying airspace; but shall not include the Canal Zone.

"(c) The term 'aircraft' means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment.

"(d) The term 'public aircraft' means an aircraft used exclusively in the governmental service.

"(e) The term 'civil aircraft' means any aircraft other than a public aircraft.

"(f) The term 'aircraft of the United States' means any aircraft registered under this act.

"(g) The term 'airport' means any locality, either of water or land, which is adapted for the landing and taking off of aircraft and which provides facilities for shelter, supply, and repair of aircraft; or a place used regularly for receiving or discharging passengers or cargo by air.

"(h) The term 'emergency landing field' means any locality, either of water or land, which is adapted for the landing and taking off of aircraft, is located along an airway, and is intermediate to airports connected by the airway, but which is not equipped with facilities for shelter, supply, and repair of aircraft and is not used regularly for the receipt or discharge of passengers or cargo by air.

"(i) The term 'air navigation facility' includes any airport, emergency landing field, light or other signal structure, radio directional finding facility, radio or other electrical communication facility, and any other structure or facility, used as an aid to air navigation.

"(j) The term 'civil airway' means a route in the navigable airspace designated by the Secretary of Commerce as a route suitable for interstate or foreign air commerce.

"(k) The term 'airman' means any individual (including the person in command and any pilot, mechanic, or member of the crew) who engages in the navigation of aircraft while under way, and any individual who is in charge of the inspection, overhauling, or repairing of aircraft.

"SEC. 10. Navigable air space: As used in this act the term 'navigable air space' means air space above the minimum safe altitudes of flight prescribed by the Secretary of Commerce under section 3, and such navigable air space shall be subject to a public right of freedom of interstate and foreign air navigation in conformity with the requirements of this act.

"SEC. 11. Penalties: (a) It shall be unlawful, except to the extent authorized or exempt under section 6—

"(1) To navigate any aircraft within any air space reservation otherwise than in conformity with the Executive orders regulating such reservation.

"(2) To navigate any aircraft (other than a foreign aircraft) in interstate or foreign air commerce unless such aircraft is registered as an aircraft of the United States; or to navigate any foreign aircraft in the United States.

"(3) To navigate any aircraft registered as an aircraft of the United States, or any foreign aircraft, without an aircraft certificate or in violation of the terms of any such certificate.

"(4) To serve as an airman in connection with any aircraft registered as an aircraft of the United States, or any foreign aircraft, without an airman certificate or in violation of the terms of any such certificate.

"(5) To navigate any aircraft otherwise than in conformity with the air traffic rules.

"(b) Any person who (1) violates any provision of subdivision (a) of this section or any entry or clearance regulation made under section 7, or (2) any customs or public health regulation made under such section, or (3) any immigration regulation made under such section, shall be subject to a civil penalty of \$500 which may be remitted or mitigated by the Secretary of Commerce, the Secretary of the Treasury, or the Secretary of Labor, respectively, in accordance with such proceedings as the Secretary shall by regulation prescribe. In case the violation is by the owner or person in command of the aircraft, the penalty shall be a lien against the aircraft. Any civil penalty imposed under this section may be collected by proceedings in personam against the person subject to the penalty and/or in case the penalty is a lien by proceedings in rem against the aircraft. Such proceedings shall conform as nearly as may be to civil suits in admiralty; except that either party may demand trial by jury of any issue of fact if the value in controversy exceeds \$20, and facts so tried shall not be re-examined other than in accordance with the rules of the common law. The fact that in a libel in rem the seizure is made at a place not upon the high seas or navigable waters of the United States, shall not be held in any way to limit the requirement of the conformity of the proceedings to civil suits in rem in admiralty. The Supreme Court of the United States, and under its direction other courts of the United States, are authorized to prescribe rules regulating such proceedings in any particular not provided by law. The determination under this section as to the remission or mitigation of a civil penalty imposed under this section shall be final. In case libel proceedings are pending at any time during the pendency of remission or mitigation proceedings, the Secretary shall give notice thereof to the United States attorney prosecuting the libel proceedings.

"(c) Any aircraft subject to a lien for any civil penalty imposed under this section may be summarily seized by and placed in the custody of such persons as the appropriate Secretary may by regulation prescribe and a report of the case there-

upon transmitted to the United States attorney for the judicial district in which the seizure is made. The United States attorney shall promptly institute proceedings for the enforcement of the lien or notify the Secretary of his failure so to act. The aircraft shall be released from such custody upon (1) payment of the penalty or so much thereof as is not remitted or mitigated, (2) seizure in pursuance of process of any court in proceedings in rem for enforcement of the lien, or notification by the United States attorney of failure to institute such proceedings, or (3) deposit of a bond in such amount and with such sureties as the Secretary may prescribe, conditioned upon the payment of the penalty or so much thereof as is not remitted or mitigated.

"(d) Any person who fraudulently forges, counterfeits, alters, or falsely makes any certificate authorized to be issued under this act; or knowingly uses or attempts to use any such fraudulent certificate shall be guilty of an offense punishable by a fine not exceeding \$1,000 or by imprisonment not exceeding three years, or by both such fine and imprisonment.

"(e) Any person (1) who, with intent to interfere with air navigation in the navigable airspace or waters of the United States, exhibits within the United States any false light or signal at such place or in such manner that it is likely to be mistaken for a true light or signal required by regulation under this act, or for a true light or signal in connection with an airport or other air navigation facility, or (2) who, after due warning from the Secretary of Commerce continues to maintain any false light or signal, or (3) who knowingly removes, extinguishes, or interferes with the operation of any such true light, or signal, or (4) who without lawful authority knowingly exhibits any such true light or signal, shall be guilty of an offense punishable by a fine not exceeding \$5,000 or by imprisonment not exceeding five years, or by both such fine and imprisonment.

"(f) All penalties paid under this act shall be covered into the Treasury as miscellaneous receipts.

"SEC. 12. Separability.—If any provision of this act is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the application of such provision to other persons and circumstances shall not be affected thereby.

"SEC. 13. Time of taking effect.—This act shall take effect upon its passage; except that no penalty shall be enforced for any violation thereof occurring within 90 days thereafter.

"SEC. 14. Short title.—This act may be cited as the "Air commerce act of 1926."

And the House agree to the same.

WESLEY L. JONES,  
BERT M. FERNALD,  
HIRAM BINGHAM,  
DUNCAN U. FLETCHER,  
JOSEPH E. RANSDELL,

*Managers on the part of the Senate.*

JAMES S. PARKER,  
JOHN G. COOPER,  
SCHUYLER MERRITT,  
SAM RAYBURN,  
CLARENCE F. LEA,

*Managers on the part of the House.*

The VICE PRESIDENT. The report will lie on the table and be printed.

Mr. BINGHAM. Mr. President, Congress has been trying for about 10 years to reach a conclusion with regard to putting civil aviation on a proper basis. The Senate has twice in former Congresses, and last December in the present Congress, passed a bill for the promotion and regulation of civil aviation. The House of Representatives has never before this session been able to come to an agreement with the Senate on such legislation. This morning the committees of conferences of the two Houses reached a final agreement on the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes; and it is hoped that the bill may become a law in the very near future. I shall not press for the adoption of the conference report at the present time, but merely ask that it may be printed in the RECORD.

By a very happy coincidence this occurs on the very day when we read the news of that splendid flight made by Commander Byrd, who for the first time in history has succeeded in taking an airplane to the North Pole and back again.

A similar achievement was attempted, Senators will remember, last year by the great polar explorer Amundsen. He met with failure and his own safety was at stake for a long period of time. The flight from Spitzbergen to the North Pole by airplane is probably one of the most daring ventures that the modern world has ever seen. Commander Byrd started out for

a 1,600-mile flight over the polar wilderness, where an accident or an error in judgment would mean almost certain loss of life. It is one of those enormously difficult achievements which one likes to see performed by an American. In the present day, when so many of our young people are engaged in seeking comfort and luxury, are engaged in following the pursuit of the pleasures and of the senses, in music, dancing, dramatic art, in joy riding and other delightful things, and in avoiding hard work and anything that requires hardship or discomfort, it is a splendid thing, Mr. President, to witness the exploits of this young Virginia cavalier. Many years ago he started out with the ambition to penetrate into the unknown regions of the world. He has at last succeeded in doing what no other man has ever before done.

In these days we so often see people asking a friendly and fatherly Government to be paternalistic. Many requests come from all sides to have the Government keep us from hard work, misfortune, and danger. It is, indeed, inspiring to see a young man start out voluntarily over that wilderness, and without the urge of economic necessity, to face discomfort, to face known hardships of the most severe variety, almost to face certain death. We have it recorded this morning that he successfully returned, affording us another achievement to be proud of in connection with the use of the word "American."

It is a particular pleasure to submit this conference report at the present time. I hope it may be accepted by both Houses and result in the enactment of a law that will for the first time enable this Government to go ahead and to promote civil aviation. Every other government in the world has promoted air commerce by putting it on the same plane, more or less, as ocean navigation, but although we spend from ten to eleven million dollars every year for lighthouses, charts, buoys, and the promotion of sea navigation, we have never yet spent a cent in the promotion of commercial air navigation, for which this bill will provide. [Applause.]

Mr. DILL. Mr. President, before the Senator takes his seat, I wonder if he can give us any information as to how many more young men of our Navy are to risk their lives in flying over an unknown waste? The North Pole was discovered years ago. I understand that the expedition to which he has referred was under the auspices of the Navy. I ask him how many more times is the Navy going to send young men into this dangerous part of the world?

Mr. BINGHAM. Mr. President, I think the Senator from Washington is laboring under a misapprehension. The expedition of Commander Byrd to the North Pole was not undertaken by the Government or under the auspices of the Navy, Commander Byrd, a reserve officer, undertook this flight on his own responsibility. It was financed by private capital. He interested Edsel Ford, the son of that great American mechanical genius, Henry Ford. Mr. Ford helped him in organizing it and in aiding him to secure the money wherewith to equip the expedition. Commander Byrd is, Mr. President, a splendid example of that self-reliance and individual initiative of which we see so little to-day. He did not wait to be backed by the Government; he was not sent by the Navy or by the Army, although, Mr. President, his achievement does reflect credit on the Navy for having trained men of this kind and having on its list officers of this type.

In the Washington Evening Star of this afternoon I note with pleasure that congratulations on his air dash over the North Pole went forth to Lieut. Commander Richard E. Byrd from President Coolidge, Secretary Davis, of the War Department, and Secretary Wilbur.

Mr. Coolidge, on a cruise down the Potomac yesterday on the *Mayflower*, caused this statement to be issued at the White House:

The President sends his happiest congratulations to Commander Byrd on the report that he has flown to the North Pole. It is a matter of great satisfaction that this record has been made by an American. The fact that the flight seems to have been accomplished without mishap demonstrates the high development of the art of this country.

That it was made by a man trained in the American Navy is a great satisfaction.

The Secretaries of War and Navy joined in rejoicing at the successful polar flight by Commander Byrd.

Expressing delight that a Navy man was the first to fly over the pole, Secretary Wilbur said Commander Byrd's accomplishment—

is a matter of congratulation to him, to his crew, and to his Nation. We rejoice in his success and his safety.

Secretary Davis said he—

like all Americans—  
rejoiced at—

this new triumph of American aviation. Commander Byrd's feat is not only epoch making from a technical standpoint; it is a wonderful act of courage. A country with such servants will never fail in a crisis.

Mr. DILL. I understood the Senator to say that Commander Byrd was a naval officer, and I therefore thought the expedition was under the auspices of the Navy. Two years ago the Navy wanted to send the *Shenandoah* to the North Pole. I have great pride in the initiative of the men who want to do these things, but I object to the Government sending its young men out on these trips purely for spectacular purposes. The reason I asked the question was that I understood the Senator to say that Commander Byrd was connected with the Navy Department.

Mr. BLEASE. Mr. President, I should like to ask the Senator from Connecticut if Commander Byrd is any relative of Doctor Cook?

#### OHIO RIVER BRIDGE

Mr. FESS. Mr. President, I wish to enter a motion to reconsider the votes by which the bill (H. R. 10657) to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio, was read the third time and passed.

The VICE PRESIDENT. The motion of the Senator from Ohio will be entered.

#### RECESS

Mr. CURTIS. I move that the Senate take a recess until 8 o'clock this evening.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

#### EVENING SESSION

The Senate reassembled at 8 o'clock p. m., on the expiration of the recess.

The PRESIDENT pro tempore. Under the unanimous-consent agreement previously entered into, the call of the calendar for unobjection bills only will be proceeded with.

Mr. CURTIS. I ask unanimous consent that we begin with Order of Business 417, where we left off this afternoon.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent agreement proposed by the Senator from Kansas, to begin calling the calendar at the point where the Senate concluded to-day, namely, at Calendar No. 417?

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

Mr. WILLIAMS. Mr. President, I shall have to object.

The PRESIDENT pro tempore. The Senator from Utah will propound his parliamentary inquiry.

Mr. KING. Assuming that the request of the Senator from Kansas is granted and we continue on unobjection bills to the end of the calendar and then go back to the beginning, does the rule, or that part of the rule, apply which provides that when finishing the calendar we may then proceed under Rule VIII?

The PRESIDENT pro tempore. There is a unanimous-consent agreement already entered into.

Mr. KING. My understanding was that the unanimous-consent agreement contemplated that the entire calendar should be called for unobjection bills.

The PRESIDENT pro tempore. That was the understanding of the Chair, but the Senator from Kansas has now proposed another unanimous-consent agreement that we begin at Calendar No. 417, which unanimous-consent agreement is in order.

Mr. KING. I shall object to that unless—

Mr. CURTIS. Mr. President, in order to save time I will withdraw my request. I understand the Senator from Missouri [Mr. WILLIAMS] has a bill near the head of the calendar that he is anxious to have passed.

The PRESIDENT pro tempore. The calendar will be called for unobjection bills only. The clerk will report the first bill on the calendar.

#### REFUNDING OF TAXES ERRONEOUSLY COLLECTED

The bill (S. 2526) to extend the time for the refunding of taxes erroneously collected from certain estates was announced as first in order on the calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was read, as follows:

*Be it enacted, etc.*, That the Commissioner of Internal Revenue is hereby authorized and directed to receive, consider, and determine in accordance with law but without regard to any statute of limitation, any claim filed not later than six months after the passage of this act for money illegally collected from such estate under color of section 29 of the act of Congress approved June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes," and amendments, where and when and only when it be found and determined that such illegal collection was upon the erro-

neous interpretation of the law passed upon and condemned by the United States Supreme Court in decisions rendered in 1915 in the case of United States against Jones, and in the case of McCoach, Collector, against Pratt, reported in the Two hundred and thirty-sixth United States Reports.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such claimants as have presented or shall hereafter so present their claims any amounts allowed in the determination of any claims so defined and which shall have been presented in accordance with 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.

#### BILLS 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 the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1929) to provide home care for dependent children of the District of Columbia was announced as next in order.

Mr. BRUCE. Let the bill go over.

The PRESIDENT pro tempore. The bill will be 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 the bill go over.

The PRESIDENT pro tempore. 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 the joint resolution go over. The PRESIDENT pro tempore. It will be passed over.

#### INDIAN WAR PENSIONS

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 considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.*, That section 2 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, is amended to read as follows:

"SEC. 2. The period of service performed by beneficiaries under this act shall be determined: First, by reports from the records of the War Department, where there are such records; second, by reports from the records of the General Accounting Office showing payment by the United States, where there is no record of regular enlistment, or muster into the United States military service; and, third, when there is no record of service or payment for same in the War Department or the General Accounting Office by satisfactory evidence from muster rolls on file in the several State or Territorial archives; fourth, where no record of service has been made in the War Department or General Accounting Office and there is no muster roll or pay roll on file in the several State or Territorial archives showing service of the applicant, or where the same has been destroyed by fire or otherwise lost, or where there are muster rolls or pay rolls on file in the several State or Territorial archives but the applicant's name does not appear thereon, the applicant may make proof of service by furnishing evidence satisfactory to the Commissioner of Pensions: *Provided*, That the want of a certificate of discharge shall not deprive any applicant of the benefits of this Act."

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

#### 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 the bill go over.

The PRESIDENT pro tempore. 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. WILLIS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3321) to increase the efficiency of the Air Service of the United States was announced as next in order.

Mr. BINGHAM. I ask that the bill may go over in view of the fact that the House has passed a similar bill, which is being considered by the committee at this time.

The PRESIDENT pro tempore. 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. FESS. Let the bill go over.

The PRESIDENT pro tempore. 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 PRESIDENT pro tempore. The bill will be passed over.

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. FESS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 2) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918; to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend section 9, section 13, section 22, and section 24 of the Federal reserve act, and for other purposes, was announced as next in order.

Mr. WILLIS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 718) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended, was announced as next in order.

Mr. KING and Mr. BRUCE. Over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. REED of Pennsylvania. Mr. President, may I inquire what happened to Order of Business 250, the bill (S. 491) for the allowance of certain sums for extra labor above the legal day of eight hours at certain navy yards certified by the Court of Claims?

The PRESIDENT pro tempore. There were certain bills which were passed this morning when the calendar was called.

Mr. REED of Pennsylvania. Very well.

The bill (H. R. 3862) to provide for the storage of the waters of the Pecos River was announced as next in order.

Mr. WILLIS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 66) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, was announced as next in order.

Mr. JONES of Washington. I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### ENTRIES OF PUBLIC LANDS VALIDATED

The bill (H. R. 9037) validating certain applications for and entries of public lands, and for other purposes, was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands and Surveys with amendments.

The first amendment was, on page 8, after line 3, to insert a new section, as follows:

SEC. 14. That the Secretary of the Interior be, and he is hereby, authorized to allow the homestead application, Phoenix, Ariz., No. 057278, filed by Vearl Iverson, for all of section 2, township 35 north, range 10 west, Gila and Salt River meridian, effective October 8, 1924, the date filed, and that the State of Arizona, through its proper officers, be, and it is hereby, authorized to select 640 acres of surveyed, nonmineral, unappropriated, and unreserved public land in lieu of said section 2.

The amendment was agreed to.

The next amendment was, on page 8, after the section just agreed to, to insert a new section, as follows:

SEC. 15. That the Secretary of the Interior be, and he is hereby, authorized to allow the homestead application, Phoenix, Ariz., No. 042602, filed by Abraham Bundy, October 8, 1924, for the north half and southwest quarter, section 25, township 35 north, range 10 west, Gila and Salt River meridian.

The amendment was agreed to.

The next amendment was, on page 8, after the section just agreed to, to insert a new section as follows:

SEC. 16. That the Secretary of the Interior be, and he is hereby, authorized to issue patent upon desert-land entry, Evanston, Wyo., No. 05367, made by Marquis W. Clarkson on March 22, 1919, for the northeast quarter of the southeast quarter, west half of the southeast quarter, section 18, and northwest quarter of the northeast quarter, section 19, township 35 north, range 113 west, sixth principal meridian, in support of which final proof was submitted June 1, and on which final certificate issued on June 16, 1925.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILLS PASSED OVER

The bill (S. 201) authorizing the removal of the gates and piers in West Executive Avenue between the grounds of the White House and the State, War, and Navy Building was announced as next in order.

Mr. JONES of Washington. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2839) for the relief of Capt. James A. Merritt, United States Army, retired, was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The bill will be passed over.

R. H. KING

The bill (S. 1356) for the relief of R. H. King 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 R. H. King, of Alvin, Tex., former postmaster at that place, \$2,283.28, the amount paid by him to the Government of the United States on account of defalcation in the post office at Alvin while he was postmaster, said defalcation having occurred without fault or negligence on his part.

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

F. G. PROUDFOOT

The bill (S. 1860) for the relief of F. G. Proudfoot was announced as next in order.

Mr. KING. I ask for an explanation of the bill.

The PRESIDENT pro tempore. The bill was reported by the Senator from Colorado [Mr. MEANS].

Mr. SMOOT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

M. W. HUTCHINSON

The bill (S. 1650) for the relief of M. W. Hutchinson was announced as next in order.

Mr. TRAMMELL. This bill was unfavorably reported. I move that it be indefinitely postponed.

Mr. HARRIS. I have no objection to that course.

The motion was agreed to.

#### STEAMSHIP NEPTUNE

The bill (S. 115) for the relief of the owner of the steamship *Neptune* was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the claim of the owner of the steamship *Neptune* against the United States of America for damages alleged to have been caused by collision between said vessel and the U. S. S. *Eagle*, formerly known as the *Peerless*, on the 24th day of October, 1917, at a bulkhead in Gowanus Canal, near the foot of Smith Street, Brooklyn, N. Y., may be sued for by the said owner of the steamship *Neptune* 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 the 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 owner of the said steamship *Neptune* or against the owner of said steamship *Neptune* 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.

BILLS PASSED OVER

The bill (S. 6) for the relief of Addison B. McKinley was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3027) making eligible for retirement, under certain conditions, officers and former officers of the Army of the United States, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the World War, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 7609) to provide home care for dependent children was announced as next in order.

Mr. COPELAND. Mr. President, this is similar to the other bill which went over. I ask that it may go over to-night.

Mr. JONES of Washington. Is not that a different bill from the one which the Senator had in mind?

Mr. COPELAND. It is the same bill, but it is the House bill.

Mr. JONES of Washington. It is the same as the Senate bill that was reported out by the committee the other day?

Mr. COPELAND. It is.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 454) to prevent the sale of cotton and grain in future markets was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2584) to promote the development, protection, and utilization of grazing facilities on public lands, to stabilize the range stock-raising industry, and for other purposes, was announced as next in order.

Mr. WILLIS. This is a very long and important bill. I suggest that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3802) to amend the act known as the District of Columbia traffic act, 1925, approved March 3, 1925, being public, No. 561, Sixty-eighth Congress, and for other purposes, was announced as next in order.

Mr. BRUCE and Mr. KING. Over.

Mr. JONES of Washington. Mr. President, I want to make just a brief statement with reference to the bill. It is very important that we should get the bill through very soon. The Senator from Utah [Mr. KING] desires to have a number of amendments made, but has not had the opportunity to get them prepared. He has assured me that he will cooperate with us in trying to get the bill through in the next day or two. It ought to be passed, and I hope we will be able to pass it very promptly.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 188) to amend paragraph 2 of Rule XXXVIII of the Standing Rules of the Senate relative to nominations was announced as next in order.

Mr. WADSWORTH. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

PURCHASE OF LANDS BY M'MINVILLE, OREG.

The bill (H. R. 8534), an act to amend an act entitled "An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916," approved February 25, 1919 (40 Stat. p. 1153), was announced as next in order.

Mr. BRUCE. Let the bill go over.

Mr. STANFIELD. I hope there will not be any objection to the bill. It is purely a local measure.

Mr. BRUCE. I will withdraw the objection. I did not know the Senator was present.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That the act entitled "An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916,"

approved February 25, 1919 (40 Stat. L. p. 1153), be amended by eliminating therefrom the lands described as follows:

"Southwest quarter of the southwest quarter of section 3, and north half of the southeast quarter of section 13, all in township 3 south, range 6 west of Willamette meridian in the State of Oregon."

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

BILLS PASSED OVER

The bill (S. 3840) to provide for the consolidation of carriers by railroad and the unification of railway properties within the United States was announced as next in order.

Mr. REED of Pennsylvania. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3821) to place under the civil service act the personnel of the Treasury Department authorized by section 38 of the national prohibition act, was announced as next in order.

Mr. KING. Let the bill go over.

Mr. BRUCE. Mr. President, I ask the Senator from Utah whether he will not withdraw his objection? Everybody seems to be ready to vote on the bill. It is the Cramton bill, the bill which was introduced for the purpose of bringing the field force of the Prohibition Unit under the civil service law. I hope the Senator will withdraw his objection.

Mr. REED of Pennsylvania. I shall have to object to the consideration of the bill at this time.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 7893) to create a division of cooperative marketing in the Department of Agriculture; to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to provide for calling advisers to counsel with the Secretary of Agriculture on cooperative activities; to authorize cooperative associations to acquire, interpret, and disseminate crop and market information, and for other purposes, was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 5353) to amend the act of Congress approved March 4, 1913 (37 Stat. L. p. 876), was announced as next in order.

Mr. BRATTON. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

REGULATION OF SALE OF MATTRESSES IN DISTRICT OF COLUMBIA

The bill (S. 3148) to regulate the manufacture, renovation, and sale of mattresses in the District of Columbia was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That as used in this act—

(a) The term "mattress" includes any quilt, comfort, pad, pillow, cushion, or bag stuffed with hair, down, feathers, wool, cotton, excelsior, jute, or any other soft material and designed for use for sleeping or reclining purposes.

(b) The term "person" means individual, partnership, corporation, or association.

(c) The term "commissioners" means the Board of Commissioners of the District of Columbia.

Sec. 2. That no person in the District of Columbia—

(a) Who is a manufacturer or renovator of, or dealer in, mattresses shall sell, exchange, give away, or offer or have in his possession for sale, exchange, or gift any mattress which bears any false or misleading label, statement, design, or device, in respect of its materials or processes of manufacture or renovation, or which is not labeled as provided in section 3.

(b) Who is a renovator of mattresses shall use in whole or in part, in the renovation of any mattress, material which has formed part of any mattress theretofore, used in or about any sanitarium or hospital, or used by any individual having an infectious or contagious disease.

(c) Who is a manufacturer of mattresses shall use in whole or in part any secondhand material in the manufacture of mattresses sold, exchanged, or given way, or to be offered for sale, exchange, or gift, as new mattresses.

(d) Shall knowingly sell, exchange, give away, or offer or have in his possession for sale, exchange, or gift (1) any mattress which has been used, or is composed in whole or in part from material which has formed part of any mattress theretofore used in any sanitarium or hospital or by any individual having an infectious or contagious disease, or (2) any mattress which is composed in whole or in part of secondhand material which has not been thoroughly sterilized and disinfected by a process approved by the health officer of the District of Columbia.

(e) Who is a manufacturer or renovator of, or a dealer in, mattresses, shall remove, conceal, or deface, or cause or permit to be removed, concealed, or defaced, any label placed, in accordance with the provisions of this act, upon any mattress.

SEC. 3. That the label required by section 2 shall consist of a tag which shall be sewed or otherwise securely attached to the mattress. In case the mattress has not been renovated the label shall contain in plain, legible print in the English language a statement showing (a) the name and address of the manufacturer, (b) a description of the materials used in the manufacture of such mattress, and (c) whether such materials are in whole or in part second hand. In case the mattress has been renovated the label shall contain in such print the word "Renovated" and a statement of (1) the name and address of the renovator, and (2) a description of the materials used in the renovated mattress. For the purposes of this act the materials so used shall be described in such manner as the commissioners shall by regulation prescribe.

SEC. 4. That no dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the manufacturer residing in the United States from whom he purchases mattresses to the effect that the statements contained on the labels attached to such mattresses are true. Such guaranty, to afford protection, shall contain the name and address of the manufacturer making the sale of such mattresses to the dealer, and in such case the manufacturer shall be amenable to the prosecutions, fines, and other penalties which would attach, in due course, to the dealer under the provisions of this act. In case the manufacturer resides outside the District of Columbia it shall be the duty of each district attorney to whom the health officer of the District of Columbia shall report the violation to cause appropriate proceedings to be commenced and prosecuted against the manufacturer without delay in the proper courts of the United States.

SEC. 5. That any person violating any provision of section 2 or section 7 shall, upon conviction thereof, be punished by a fine of not more than \$500, or by imprisonment for not more than six months, or both. All prosecutions under this act, except as provided in section 4, shall be in the police court of the District of Columbia upon information by the corporation counsel or one of his assistants.

SEC. 6. That, except as provided in section 5, the administration of this act shall be in charge of the health officer of the District of Columbia under the supervision of the commissioners. The commissioners are authorized to make such regulations as may be necessary for the efficient administration of this act.

SEC. 7. That it shall be the duty of the health officer of the District of Columbia, whenever he has reason to believe that any provision of this act is being or has been violated, to cause an investigation to be made. For the purpose of such investigation the health officer, or any of his assistants designated by him in writing, shall have authority at all times during the ordinary business hours to enter any building or other place in the District of Columbia where mattresses are manufactured, renovated, or held for sale, exchange, or gift, or delivery in pursuance thereof. No person shall refuse or obstruct such inspection. Evidence obtained by the health officer or his assistants of any violation of this act shall be furnished the corporation counsel.

SEC. 8. That if on inspection the health officer or his assistants find in the District of Columbia any mattress held for sale, exchange, or gift, or delivery in pursuance thereof, which has been used or is composed in whole or in part of materials which have formed part of any mattress used in or about any sanitarium or hospital or by any individual having an infectious or contagious disease, or is composed in whole or in part of second-hand material which has not been thoroughly sterilized and disinfected by a process approved by the health officer, or if the health officer or his assistants find in the District of Columbia any such materials held for use in the manufacture or renovation of any mattress, the health officer shall, after first making and filing in the public records of his office a written order stating the reason therefor, thereupon without further notice cause such mattress or material intended to be used in the manufacture of any mattress to be seized, removed, and destroyed by summary action.

SEC. 9. That this act shall take effect 60 days after its enactment.

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. 2938) for the relief of the stockholders of the First National Bank of Newton, Mass., was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

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 was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6238) to amend the immigration act of 1924 was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 1752) for the relief of the Near East Relief (Inc.) was announced as next in order.

Mr. REED of Pennsylvania. Mr. President, I move that the bill be indefinitely postponed. In support of that motion I ask to be heard briefly.

Mr. WADSWORTH. I object to the consideration of the bill.

The PRESIDENT pro tempore. The bill goes over under objection.

The bill (S. 2929) to authorize the refunding of certain evidences of indebtedness issued by carriers in interstate commerce, and for other purposes, was announced as next in order.

Mr. STANFIELD. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 786) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, was announced as next in order.

Mr. KING. That bill will take too long to consider to-night. Let it go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 9463) to provide for the prompt disposition of disputes between carriers and their employees, and for other purposes, was announced as next in order.

Mr. FESS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### INTERSTATE TRANSPORTATION OF BLACK BASS

The bill (S. 3440) to regulate the interstate transportation of black bass, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That when used in this act the word "person" includes company, partnership, corporation, association, and common carrier.

SEC. 2. It shall be unlawful for any person to deliver to any common carrier for transportation, or for any common carrier or for any person knowingly to transport or carry, by any means whatsoever, from any State, Territory, or the District of Columbia, to or through any other State, Territory, or the District of Columbia, or to or through any foreign country, any large-mouth black bass (*Micropterus salmoides*) or any small-mouth black bass (*Micropterus dolomieu*) which has either been caught, sold, purchased, or possessed in violation of the law of the State, Territory, or the District of Columbia wherein the delivery of such black bass for transportation is made or the transaction or the carrying thereof begins.

SEC. 3. Any person violating the provisions of this act shall, upon conviction thereof, be punished by fine not exceeding \$200, or imprisonment for a term of not more than three months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 4. Nothing in this act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of this act, or from making or enforcing laws or regulations which shall give further protection to large and small mouth black bass.

SEC. 5. Nothing in this act shall be construed to prevent the shipment in interstate commerce of live fish and eggs for breeding or stocking purposes.

SEC. 6. This act shall become effective immediately upon its passage and approval.

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. 95) for the relief of Carlos Tomkins was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2279) for the relief of James C. Baskin was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### THOMAS G. PEYTON

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3330) for the relief of Thomas G. Peyton, which had been reported from the Committee on Military Affairs with an amendment in line 10, after the numerals "1910," to insert the following proviso:

*Provided*, That no back pay or allowances shall be held to have accrued prior to the passage of this act.

So as to make the bill read:

*Be it enacted, etc.*, That for all the purposes of computing pay the appointment of Thomas G. Peyton on September 20, 1913, to the United States Military Academy, under the authority of Joint Resolution

No. 8, approved September 3, 1913 (38 Stat. L. pt. 2, p. 1230), shall be taken and considered as a reappointment and reinstatement under his original appointment made on March 1, 1910: *Provided*, That no back pay or allowances shall be held to have accrued prior to the passage of this act.

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.

#### ADA BROWN-HOPKINS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3571) for the relief of Ada Brown-Hopkins, which had been reported from the Committee on Public Lands and Surveys with an amendment at the end of line 6 to insert the following proviso:

*Provided*, That patent to the land may be issued to Ada Brown-Hopkins upon the payment by her of \$1.25 per acre for the land within six months from the date of the enactment of this act, without further proof.

So as to make the bill read:

*Be it enacted, etc.*, That a patent be issued to lots 1, 3, 4, and 9, section 22, township 15 north, range 6 east, Craighead County, Ark., to Ada Brown-Hopkins upon her compliance with the homestead law: *Provided*, That patent to the land may be issued to Ada Brown-Hopkins upon the payment by her of \$1.25 per acre for the land within six months from the date of the enactment of this act, without further proof.

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.

#### LONGEVITY PAY OF CERTAIN ARMY OFFICERS

The bill (S. 1857) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes, was considered as in Committee of the Whole. The bill was read, as follows:

*Be it enacted, etc.*, That the Court of Claims shall certify to the proper accounting officers of the United States the findings of fact heretofore made for claimants in claims of officers of the United States Army for longevity pay under the decisions of the Supreme Court of the United States in *United States v. Morton* (vol. 112, U. S. Repts. p. 1) and *United States v. Watson* (vol. 130, U. S. Repts. p. 80), and of the Court of Claims in *Stewart v. United States* (vol. 34, Ct. Cls. Repts. p. 553).

And that the proper accounting officers of the United States shall proceed to settle the claims so certified and all other claims for longevity pay and allowances on account of services of officers in the Regular Army arising under section 15 of an act approved July 5, 1838, entitled "An act to increase the present Military Establishment of the United States, and for other purposes," and subsequent acts affecting longevity pay and allowances, in accordance with the decisions of the courts of the United States in all cases in which heretofore, namely, between 1890 and 1908, such claims were disallowed by any accounting officer of the Treasury, and no decision of a comptroller heretofore made against a claimant under said section 15 shall prevent a settlement under the terms of this act of any such disallowed claim. Every such claim shall be payable to the claimant or to his widow or to his legal representative: *Provided*, That no claim hereunder shall be allowed if made by any person who is an assignee of such claim nor to a legal representative without proof of the existence of blood relations to whom the fund would be distributed: *Provided further*, That it shall be unlawful for any agent or attorney, firm of attorneys, or any person engaged heretofore or hereafter in preparing, presenting, or prosecuting any claim under this act to charge or receive more than 20 per cent of any amount appropriated in satisfaction of the claim.

Mr. KING. I should like an explanation of that bill by some Senator who is familiar with it.

The PRESIDENT pro tempore. The Chair observes that the Senator from Alabama [Mr. UNDERWOOD] introduced the bill and that it was reported by the junior Senator from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. President—

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. CARAWAY. The bill relates to longevity pay for certain officers of the Army.

Mr. KING. Does it cover service of officers while cadets at the Military Academy?

Mr. CARAWAY. Mr. President, I presume most of the Senators are familiar with the fact that a ruling of the comp-

troller denied certain officers who applied for it while he was in office their longevity pay. Afterwards the Supreme Court reversed that decision. It has been held that these officers could not be paid because their claim had been presented and refused and no appeal was taken. The other officers who were similarly situated were paid. I presume no one could object to the passage of the bill, because it is intended to correct a discrimination against those officers who, without any fault upon their part, were denied this pay.

Mr. KING. Mr. President, I am rather curious to learn why this bill was not referred to the Committee on Military Affairs. I recall that there was some discussion some time ago with regard to certain officers who were graduates of West Point, who were denied certain emoluments, based upon the claim that they were not entitled to longevity taking into account the service which they rendered while at West Point. If it is that class of cases which this bill is designed to cover, I shall feel constrained to object.

Mr. CARAWAY. Let me say this much to the Senator from Utah: The law entitled these officers to pay, and others who had applied had been paid, but a comptroller construed the law so as not to permit these officers being paid. All of those who applied while that ruling stood were denied their pay, while those who applied before were paid. The Supreme Court reversed the comptroller's ruling, and those officers who applied afterwards were paid. Those covered by this bill, who made their application and had such application rejected by the particular comptroller referred to, were denied their pay. I repeat every other officer similarly situated was paid. I feel that under those circumstances these officers also should have been paid.

Mr. FLETCHER. The Supreme Court has held that the cadets at West Point were really a part of the Army.

Mr. CARAWAY. Yes; that the period spent there constituted a part of their service.

Mr. FLETCHER. One comptroller held that it did not; but the decision of the Supreme Court of 1908 was followed after that time, and all claims presented after 1908 were paid according to the Supreme Court decision. The object of this bill is to take care of those who were entitled to but who had previously been denied longevity pay.

Mr. CARAWAY. Merely as an historical incident, let me say that officers who left the Regular Army and joined the Confederate forces were by special act of Congress permitted to have this longevity pay, while those who stayed with the Union and served in the Union Army were denied their pay.

Mr. SMOOT. I wish to ask were these officers in the Confederate Army?

Mr. CARAWAY. No, sir; the officers who were in the Confederate Army have all been paid. Some of the officers who stayed with the Union were not paid. Those who went with the Confederacy—Lee, Jackson, and others—were paid. It was the officers who stayed on the Union side who did not get their pay.

Mr. SMOOT. I do not so understand it from the wording of the report.

Mr. CARAWAY. The report possibly is not very happily expressed.

Mr. SMOOT. I can not understand it.

Mr. CARAWAY. Mr. President, let me repeat very briefly what this bill proposes to do. Here is what happened: The law had been construed to mean that a part of an officer's service was the time during which he was a cadet at West Point. All officers who made claims for longevity pay, based upon the number of years they were at West Point, were paid, until, finally, one comptroller ruled that the time such officers were in the Military Academy was not to be counted in their service, and he denied them longevity pay covering that period. The Supreme Court of the United States, however, reversed his ruling, and said he was wrong. From that time on those officers who applied for their longevity pay received it; but as to some who had applied and whose applications had been denied, and no appeal had been taken, it was ruled that their case was concluded by the fact that when their applications to the comptroller had been denied they did not appeal, and therefore they were barred. So these officers were not paid. Those who applied before this ruling were paid. The ruling was appealed from and reversed and all who applied afterwards were paid. The bill simply allows to the officers or their representatives who applied to the comptroller and who made an erroneous ruling, from which they did not appeal, the same privilege that has been accorded to other officers.

Mr. LENROOT. I should like to ask the Senator a question. Have these claims been assigned?

Mr. CARAWAY. There is a provision in the bill that prevents anyone from claiming except the officers—and there are one or two of them still living—or their representatives.

Mr. LENROOT. Would that include an assignee?

Mr. CARAWAY. No, sir; it must be a representative and not an assignee.

Mr. LENROOT. The Senator feels certain about that?

Mr. CARAWAY. Yes, sir; I do.

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

CYRUS S. ANDREWS

The bill (S. 2855) for the relief of Cyrus S. Andrews was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

FOREST EXPERIMENT STATION IN PENNSYLVANIA

The bill (S. 2516) for the establishment and maintenance of a forest experiment station in Pennsylvania and the neighboring States was announced as next in order.

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

Mr. McNARY. Mr. President, I hope the Senator from Utah will not object to this bill.

Mr. KING. I withhold the objection.

Mr. McNARY. Mr. President, the Government has been very liberal in the appropriation of money for experiment stations in various portions of the United States, but in neither the great State of Pennsylvania nor in the State of New Jersey has the Government established such a forest station. Perhaps Pennsylvania had the finest line of timber of any State in the Union, but the Government has never up to this time made any effort to establish in that section a station for the purpose of making a study of the problems connected with the reforestation. In the Committee on Agriculture there was a unanimous vote in favor of reporting the bill. The Government has such stations in the West, in the South, in the Great Lakes region, and in the New England States, but this particular locality of all the country has been overlooked. I will say to the Senator from Utah, who is always fair, that it will be very unfortunate, indeed, for the great interest of forestry in the State of Pennsylvania not to provide such a station as is proposed to be established by this bill.

I may add that there has been no State in all the Union that has shown so much interest in the great problem of reforestation as has Pennsylvania. The people of that State have bonded themselves for millions of dollars to recover and replace burned-over and logged-over land; and if there is any State in any section of the country that ought to be entitled to a few dollars in order to establish and maintain a forestry experiment station it is that great State.

Mr. TRAMMELL. Mr. President—

Mr. McNARY. I yield to the Senator from Florida.

Mr. TRAMMELL. I desire to ask what amount of appropriation does this bill contemplate?

Mr. McNARY. It carries an appropriation of about \$50,000.

Mr. REED of Pennsylvania. As amended by the committee the bill proposes an appropriation of \$30,000.

Mr. McNARY. The Senator is correct as to that; I had overlooked that fact for the moment.

Mr. TRAMMELL. Let me ask the Senator from Oregon where are there such stations in the South? In what part of the South are they located?

Mr. McNARY. Two years ago the Government installed a station at Asheville, N. C., for which is provided the largest appropriation of all the forest experiment stations, namely, \$38,000, except the one at New Orleans, for which a like amount is appropriated. In the case of nearly all the other forest stations throughout the country only \$25,000 is appropriated, but the South has the two largest experiment stations there are in all the Union.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 3, after the words "amount of," to strike out "\$75,000" and to insert "\$30,000," so as to make the bill read:

*Be it enacted, etc.*, That in order to determine and demonstrate the best methods for the growing, management, and protection of timber crops on forest lands and farm wood lots, the Secretary of Agriculture is hereby authorized and directed to establish and maintain a forest experiment station at such place or places as may be determined as most suitable by him, in cooperation with the State of Pennsylvania

and with the neighboring States, and to conduct such silvicultural and other forest experiments and investigations as may be necessary, either independently or in cooperation with other organizations, institutions, or individuals, and that to carry out the purposes of this act an appropriation in the amount of \$30,000 is hereby authorized.

Mr. KING. Mr. President, I should like to ask the Senator from Oregon whether it is the policy of the Government to go into the States and provide these appropriations without cooperation by the States.

Mr. McNARY. Oh, yes. The Government is interested in the great problem of forest replacement. The forests are fast disappearing. They constituted one of our greatest resources a few years ago, but now are becoming almost an insignificant resource. The Government has adopted the policy of going into the States, not following State lines, however, and establishing these experimental stations, because it is interested in the great problem and for the further reason that one of the greatest investments of the country to-day is the land that is covered by timber in the national forests, in the national parks, and in the Indian reservations.

Mr. KING. Mr. President, did the investigation made by the Senator's committee demonstrate that these experimental stations established by the Federal Government were productive of any good results?

Mr. McNARY. Very good results, indeed. I do not think there is any activity of the Government comprehended under the Department of Agriculture which has instilled a greater interest in reforestation and the bringing back of great forests such as once covered the land as these stations have done. They teach the necessity of reforestation and show the methods which should be employed in such work; they give instructions as to how logging operations should be carried on and how to reforest with seed indigenous to the country; they inculcate the idea of forest-fire protection and of the results which follow from the destruction of forests. I have not found anyone as yet who is able to criticize the good work that is being done by the Forestry Bureau of the Department of Agriculture.

Mr. KING. Mr. President, I am inclined to think that the States themselves may handle these problems far better than can the Federal Government, but I shall not object to the bill.

Mr. FLETCHER. Mr. President, I simply want to confirm what the Senator from Oregon has said with regard to the importance of this kind of work. I think now only about \$10,000 a year is appropriated for the purpose of carrying on certain experiments with reference especially to the use of the pine tree, and the development of reforestation and naval stores in connection with that work. We have a small station at Stake, Fla., and I know of the value of this work. The only thing about it, to my mind, is that, in my judgment, the appropriation is not as large as it ought to be.

Mr. BRUCE. Mr. President, I should like to ask what constitutional authority there is for the Government setting up forestry stations in Pennsylvania.

Mr. REED of Pennsylvania. Mr. President, the Government has already done it, I suppose under the general-welfare clause, in all parts of the United States—the Southern Appalachians, the New England region, the central part of the country, the northern Rockies, and the northern Sierras. The whole Department of Agriculture is founded on the same idea. If there is no constitutional authority for studying reforestation, there is no constitutional authority for any activity of the Department of Agriculture.

Mr. BRUCE. The Senator from Pennsylvania knows, I am sure, that no specific Federal power can be deduced from the general-welfare clause.

Mr. LENROOT. Oh, yes; on appropriations there is.

Mr. BRUCE. I think the Senator is mistaken. I have had occasion only very recently to examine that question.

Mr. LENROOT. Does not the Senator find a distinction between taxes or obligations to promote the general welfare and appropriations of money to promote the general welfare?

Mr. BRUCE. No power to establish a forestry station in the heart of Pennsylvania is to be deduced from the general-welfare clause.

Mr. LENROOT. No; but I asked the Senator if he did not find, in all the decisions, that distinction?

Mr. BRUCE. But this does not involve any question of taxation.

Mr. LENROOT. No; and that is why it may come under the general-welfare clause.

Mr. BRUCE. Of course, attempts were made repeatedly to deduce specific Federal authority from the general-welfare clause of the Federal Constitution.

Mr. LENROOT. And it has always failed except in the expenditure of public money.

Mr. BRUCE. I object, Mr. President.

Mr. McNARY. Oh, Mr. President—

The PRESIDENT pro tempore. The bill will be passed over.

CYRUS S. ANDREWS

Mr. CUMMINS. Mr. President, I am interested in what disposition was made of the preceding bill.

The PRESIDENT pro tempore. It went over under objection.

Mr. CUMMINS. I do not believe anybody could object to that bill. I ask that we may return to it.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to return to the consideration of Order of Business No. 626. Is there objection?

Mr. CUMMINS. I do not believe anybody will object.

Mr. KING. Let us see what it is, first.

The PRESIDENT pro tempore. The bill will be read.

The Chief Clerk read the bill (S. 2855) for the relief of Cyrus S. Andrews, as follows:

*Be it enacted, etc.*, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Cyrus S. Andrews, who was a private in Company H, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 26th day of June, 1865: *Provided*, That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. KING. Let the Senator explain the bill.

Mr. CUMMINS. This man is simply an old soldier of 1863 who got mixed up and did not report properly and did not get an honorable discharge. I am simply trying to correct the record, which has been done a hundred times.

Mr. KING. I notice, if the Senator will pardon me, that the record shows that he was homesick and deserted.

Mr. CUMMINS. No; he did not desert.

Mr. KING. I am simply stating what the record shows. I quote from the report:

Parole prisoners were given a great deal of liberty and it is not difficult to believe that a homesick boy 17 years of age might readily conclude that his oath not to take up arms against the Confederacy released him from further military service.

Mr. CUMMINS. He served almost throughout the war.

Mr. KING. This report is quite inaccurate, then. It would seem to indicate that he deserted and took an oath to the Confederacy, or an oath not to fight further on the Union side. Let the bill go over until we can examine it.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 9039) to amend section 8 of the act approved March 1, 1911 (36 Stat. p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," was announced as next in order.

Mr. BRUCE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. McNARY. Mr. President, just a word for the RECORD, if the Senate will bear with me. That bill was called up to-day, and it was understood by the Senator from North Carolina [Mr. OVERMAN] and myself that we would work out during this session of Congress an amendment which perhaps will cure his objection. I do not want the bill to go over without explanation. I am going to call it up at some time before the session closes.

#### AMENDMENT OF INTERSTATE COMMERCE ACT

The bill (S. 1344) to amend paragraph (11), section 20, of the interstate commerce act was announced as next in order.

Mr. BRUCE. Let that go over.

Mr. SHEPPARD. Mr. President, will the Senator withdraw his objection temporarily, in order to permit me to make a statement?

Mr. BRUCE. Yes; I will.

Mr. SHEPPARD. This bill passed the Senate during the last Congress, but reached the House too late for consideration there. The object of the bill is to extend the existing liability

of the initial carrier on a through bill of lading for loss or damage to property by connecting carriers.

The Carmack amendment to the interstate commerce act, which was adopted a number of years ago, made the initial carrier liable for damages by connecting lines and has proved a great blessing to the shippers. In recent years, where fruits and vegetables and trucking products in general are shipped long distances, frequently across the country, it often becomes necessary to divert the shipments by wire because of market developments; and this bill is simply to extend the liability of the initial carrier to a case of that kind, to damages by carriers to whose lines the shipments are diverted.

Mr. BRUCE. But, Mr. President, ought the initial carrier to be liable under the provisions of the bill of lading when the shipment is diverted, and it is taken over a route not within the contemplation of the bill of lading at the time it was issued?

Mr. SHEPPARD. The bill provides that there must be through tariffs to the point to which the shipment is diverted. Shipper could not divert to a point under this bill unless it is included in existing tariffs of the initial carrier. The carriers make an arrangement between themselves by which, when the initial carrier pays damages, the carrier on whose line the damage occurs finally pays the amount involved. It is an extension of the principle of the Carmack amendment, and I trust the Senator will allow it to be considered and passed.

Mr. BRUCE. Very well.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Interstate Commerce with an amendment.

The amendment was on page 2, line 16, after the word "so," to strike out "transferred" and insert "transported," so as to make the bill read:

*Be it enacted, etc.*, That paragraph (11), section 20, of the Interstate Commerce act, as amended, be, and the same hereby is, amended by inserting after the words "when transported on a through bill of lading" in each instance where they occur in said paragraph the words "or when property so transported on a through bill of lading is reconsigned or diverted in accordance with the applicable tariffs filed as in this act provided," so that all that portion of said paragraph preceding the word "Provided," as first appearing in said paragraph shall, as amended, read as follows:

(11) That any common carrier, railroad, or transportation company subject to the provisions of this act receiving property for transportation from a point in one State or Territory or the District of Columbia to a point in another State, Territory, District of Columbia, or from any point in the United States to a point in an adjacent foreign country shall issue a receipt or bill of lading therefor, and shall be liable to the lawful holder thereof for any loss, damage, or injury to such property caused by it or by any common carrier, railroad, or transportation company to which such property may be delivered or over whose line or lines such property may pass within the United States or within an adjacent foreign country when transported on a through bill of lading or when property so transported on a through bill of lading is reconsigned or diverted in accordance with the applicable tariffs filed as in this act provided, and no contract, receipt, rule, regulation, or other limitation of any character whatsoever shall exempt such common carrier, railroad, or transportation company from the liability hereby imposed; and any such common carrier, railroad, or transportation company so receiving property for transportation from a point in one State, Territory, or the District of Columbia to a point in another State or Territory, or from a point in a State or Territory to a point in the District of Columbia, or from any point in the United States to a point in an adjacent foreign country, or for transportation wholly within a Territory, shall be liable to the lawful holder of said receipt of bill of lading or to any party entitled to recover thereon, whether such receipt or bill or lading has been issued or not, for the full actual loss, damage, or injury to such property caused by it or by any such common carrier, railroad, or transportation company to which such property may be delivered or over whose line or lines such property may pass within the United States or within an adjacent foreign country when transported on a through bill of lading or when property so transported on a through bill of lading is reconsigned or diverted in accordance with the applicable tariffs filed as in this act provided, notwithstanding any limitation of liability or limitation of the amount of recovery or representation or agreement as to value in any such receipt or bill of lading, or in any contract, rule, or regulation, or in any tariff filed with the Interstate Commerce Commission; and any such limitation, without respect to the manner or form in which it is sought to be made, is hereby declared to be unlawful and void.

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, was read the third time, and passed.

AMENDMENT OF JUDICIAL CODE

The bill (H. R. 9829) to amend section 87 of the Judicial Code was considered as in Committee of the Whole.

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

ALEXANDER McLAREN

The bill (S. 598) for the relief of Alexander McLaren was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the words "sum of," to strike out "\$15,000" and to insert "\$3,000," 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, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Alexander McLaren, Detroit, Mich., in full settlement and satisfaction of injuries sustained by him when struck by a truck of the Post Office Department.

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.

ROCHESTER MERCHANTISE CO.

The bill (S. 3555) for the relief of the Rochester Merchandise Co. was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with an amendment, to strike out all after the enacting clause, and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to the Rochester Merchandise Co., of Rochester, N. Y., the sum of \$780, being refund of purchase price paid to the War Department for truck bodies sold to the said Rochester Merchandise Co. at public auction, but not delivered.

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.

PERMANENT ASSOCIATION OF INTERNATIONAL ROAD CONGRESSES

The joint resolution (S. J. Res. 94) to authorize appropriations for the expenses of membership in the permanent association of international road congresses, and for other purposes, was announced as next in order.

Mr. CURTIS. Mr. President, did not a similar joint resolution pass some time ago covering this same matter? I understood that a House joint resolution passed, providing for three delegates for this same purpose. In view of that fact, I ask that this joint resolution go over.

Mr. JONES of Washington. Mr. President, according to the calendar this bill has only been read twice and it has gone to a committee.

The PRESIDENT pro tempore. It was reported as an original joint resolution from the committee; but the Chair is informed that a joint resolution from the House had previously passed which in some respects covers the subject matter covered in this joint resolution. On the objection of the Senator from Kansas the joint resolution will be passed over.

J. H. TOULOUSE

The bill (S. 546) for the relief of J. H. Toulouse was announced as next in order.

Mr. JONES of New Mexico. Mr. President, I ask that that bill may be passed over temporarily. On the next page of the calendar is a companion bill from the House, and I desire to have that bill taken up when it is reached.

The PRESIDENT pro tempore. In the meantime, does the Senator wish to have this bill indefinitely postponed?

Mr. JONES of New Mexico. Yes; that may be done.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Mexico.

The motion to postpone indefinitely was agreed to.

RATE OF POSTAGE ON FARM PRODUCTS

The bill (S. 949) to reduce the rate of postage on farm products, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I see no report in regard to this measure. It is a very important one. As I am advised, there was a deficit last year of some thirty or forty million dollars

from the operation of the Post Office Department. It would seem that this bill would increase the deficit, and I should like some explanation of it.

Mr. HARRIS. Mr. President, this bill does not require any appropriation or any expense for new employees. Every dollar that the Government receives is that much net. This is simply continuing for three years the experiment that we have been making for the past year with the parcel post. This service begins at the post office where the rural route starts, and ends there. It does not go on the rails. It is simply on the rural route. The carrier does not get any more for his services. The Government does not spend anything. As I have said, every dollar that comes in is that much in to the Government; but it does reduce the amount that the farmers pay in sending their produce—chickens, eggs, and other things—to town.

Mr. KING. Let me see if I understand the Senator. The bill provides that under regulations which may be promulgated by the Postmaster General he may make the rate of postage on farm products mailed directly from farm, garden, orchard, or grove for delivery, and so forth, one-half of the regular rate.

Mr. HARRIS. Just to the post office where the carrier starts. It does not cost the Government a cent. All the money goes to the Government, without any expense.

Mr. KING. If it reduces the rate of postage one-half, it would seem that there must be some loss somewhere. It simply reduces the rate.

Mr. HARRIS. No. The reason why it is reduced one-half is because there is no business coming into the Government from it, and this reduction will help. It will simply help the farmer.

Mr. KING. Is it for the purpose of making the Post Office Department a freight carrier for all farm products?

Mr. HARRIS. The purpose is to help the farmer in getting his products to town at a low price and to help the man in the town to get farm products at a low price. Everyone knows that the parcel post has been a disappointment to the framers of that legislation, and this is an experiment that the department is making in the hope of building it up without any additional expense.

Mr. KING. Is it for the purpose of putting the Government into competition with our interurban electric roads in carrying the farmer's products from the farm to the town?

Mr. HARRIS. Not at all. It does not touch the railroads at all. It stops at the post office where the carrier stops.

Mr. CARAWAY. It is to cover such things as the transportation of a dozen eggs.

Mr. KING. It means, then, that the Government becomes a freight carrier?

Mr. HARRIS. No.

Mr. KING. Well, we will let the experiment continue.

Mr. WILLIAMS. Mr. President, will the Senator from Georgia please tell us whether or not a report was made by the committee on this bill?

The PRESIDENT pro tempore. No report was made.

Mr. HARRIS. The committee were unanimously in favor of this bill last year, and then again this year.

Mr. WILLIAMS. There is no report on the bill, and I wondered whether the committee omitted to make a report.

Mr. TRAMMELL. Mr. President, I will state also that the bill is indorsed by the Post Office Department, as I understand. I will ask the Senator from Georgia if that is correct.

Mr. HARRIS. The Post Office Department has been making the experiment under the bill which was passed by the last Congress, and this is a bill of the same kind.

Mr. SMOOT. Mr. President, until a report is made on the bill I shall ask that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

WHITE HOUSE POLICE FORCE

The bill (S. 3844) to amend the act entitled "An act to create the White House police force, and for other purposes," approved September 14, 1922, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That section 3 of the act entitled "An act to create the White House police force, and for other purposes," approved September 14, 1922, be, and the same is hereby, amended by adding thereto a new paragraph to be known as paragraph (d), to read as follows:

"(d) The trial of the members of the White House police force for any conduct prejudicial to the reputation, good order, or discipline of such force shall be held before the Metropolitan police trial board under the laws and regulations pertaining to such board or as the same may be altered from time to time. No member of the Metropolitan police force, the White House police force, or of the United States park police

force, shall escape trial and punishment by reason of his transfer or assignment to any other of said forces."

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

QUANNAH PARKER

The bill (S. 3613) authorizing an appropriation for a monument for Quannah Parker, late chief of the Comanche Indians, was announced as next in order.

Mr. BRUCE. Let that go over.

Mr. HARRELD. Mr. President, I wish the Senator would withhold his objection just a moment.

I want to say that this appropriation is one of the most merited I know of. Quannah Parker, as everybody knows, was noted for his loyalty to the Government. A peculiar condition exists, in that the body of his mother, honored because of him, was, a few years ago, moved to the cemetery where he is buried, near Lawton, Okla., and buried there by the side of him, and a fine monument was erected to her memory. Quannah Parker, the son for whom the mother was honored, lies there without any mark to his grave at all. We do not believe that condition ought to be allowed to exist.

The bill proposes to appropriate \$1,500 for the purpose of erecting a monument over his grave. That is the situation. His mother, whose body was moved there by act of Congress, because of the desire of Congress to honor the son, has a monument at her head, and there is none over Quannah Parker's grave.

Mr. BRUCE. Mr. President, I do not see why monuments erected to the memory of Indians should be multiplied to such an extent as they seem to be at this session of Congress. I confess that, so far as Quannah Parker is concerned, while I have a little familiarity with American history, I never before heard of such a character. We have all heard of Sequoia, of course, the famous inventor of the Indian alphabet, but I confess that I want to know a little more about Quannah Parker. That is the reason why I objected.

The PRESIDENT pro tempore. The Chair will call the attention of Senators to the fact that we are proceeding under a rule which permits a Senator to speak only once, and for five minutes.

Mr. BRUCE. I withdraw the objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 for the purchase and erection of a suitable monument to the grave of Quannah Parker, late chief of the Comanche Indians, to be expended under the direction of the Secretary of the Interior and in accordance with such regulations as he may prescribe.

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

PROHIBITION OF USE OF WOODEN CARS

The bill (S. 951) to promote the safety of passengers and employees upon railroads by prohibiting the use of wooden cars under certain circumstances was announced as next in order.

SEVERAL SENATORS. Over!

Mr. HARRIS. Mr. President, several Senators have received letters in relation to the subject matter covered by this bill who do not understand what the bill provides. This is an entirely different bill from some that have been introduced touching on this subject. The only thing this bill would do would be, where there are two steel cars on a train and a frame car, to make the authorities put the frame car at the end instead of between the steel cars.

Last year in Ohio there was a wreck where a frame car was between two steel cars, and 12 people were killed. If the frame car had been at the end of the train instead of between the steel cars, nobody would have been killed. That is the object of this bill. Senators who have had letters about the steel car bill have been misinformed about it. It was the other bill against which complaint was made. A bill similar to this one passed the Senate last year.

The PRESIDENT pro tempore. Objection is made, and the bill will go over.

DEPOSIT AND EXPENDITURE OF INDIAN MONEYS

The bill (S. 3929) to authorize the deposit and expenditure of various revenues of the Indian Service as Indian moneys, proceeds of labor, was announced as next in order.

Mr. HARRELD. There is a House bill on the desk, House bill 11171, identical with this. I ask that that be substituted for this.

Mr. HARRIS. I object.

The PRESIDENT pro tempore. The bill will go over.

CHEROKEE, SEMINOLE, CREEK, CHOCTAW, AND CHICKASAW INDIAN CLAIMS

The joint resolution (H. J. Res. 134) authorizing the Cherokee Indians, the Seminole Indians, the Creek Indians, and the Choctaw and Chickasaw Indians to prosecute claims, jointly or severally, in one or more petitions, as each of said Indian nations or tribes may elect, was considered as in Committee of the Whole.

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

LEECH LAKE RESERVATION ROAD

The bill (H. R. 9967) authorizing an expenditure of \$6,000 from the tribal funds of the Chippewa Indians of Minnesota for the construction of a road on the Leech Lake Reservation, was announced as next in order.

Mr. HARRIS. I object.

The PRESIDENT pro tempore. The bill will be passed over.

UNITED STATES LIABILITY COMPENSATION

The bill (S. 3545) to amend 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, and acts in amendment thereof, was announced as next in order.

Mr. KING. Let that go over.

Mr. CUMMINS. Will the Senator from Utah withhold his objection for a moment?

Mr. KING. I will withhold the objection.

Mr. CUMMINS. Ever since the passage of the compensation act the commission has construed the act to mean that the commission might pay for an artificial arm or an artificial leg—

Mr. KING. Is that the only amendment to the present law?

Mr. CUMMINS. That is the amendment.

Mr. KING. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments; on page 2, line 2, after the word "services" to insert the word "appliances"; on line 7, after the word "services," to insert the word "appliances"; on line 12, after the word "services," to insert the word "appliances"; on line 15, before the word "and," to insert the word "appliances," so as to make the bill read:

*Be it enacted, etc.*, That section 9 of the 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, and acts in amendment thereof, is amended to read as follows:

"That for any injury sustained by an employee while in the performance of duty, whether or not disability has arisen, the United States shall furnish to the employee all services, appliances, and supplies prescribed or recommended by duly qualified physicians which, in the opinion of the commission, are likely to cure or to give relief or to reduce the degree or the period of disability or to aid in lessening the amount of the monthly compensation. Such services, appliances, and supplies shall be furnished by or upon the order of United States medical officers and hospitals, but where this is not practicable they shall be furnished by or upon the order of private physicians and hospitals designated or approved by the commission. For the securing of such services, appliances, and supplies the employee may be furnished transportation, and may be paid all expenses incident to the securing of such services, appliances, and supplies, which, in the opinion of the commission, are necessary and reasonable. All such expenses when authorized or approved by the commission shall be paid from the employees' compensation fund. Any award heretofore made by the commission on account of expenses incurred under section 9 of the act of September 7, 1916, prior to the passage of this act, shall be valid, if such award would be valid if made on account of expenses incurred under this section after the passage of this act."

SEC. 2. That section 21 of the 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," is amended to read as follows:

"Sec. 21. That after the injury the employee shall, as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or

by a duly qualified physician designated or approved by the commission. The employee may have a duly qualified physician designated and paid by him present to participate in such examination. If the employee refuses to submit himself for or in any way obstructs any examination, his right to claim compensation under this act shall be suspended until such refusal or obstruction ceases. No compensation shall be payable while such refusal or obstruction continues, and the period of such refusal or obstruction shall be deducted from the period for which compensation is payable to him.

"For any examination required by the commission the employee shall be paid all expenses incident to such examination which, in the opinion of the commission, are necessary and reasonable, including transportation and loss of wages incurred in order to submit to examination. All such expenses when authorized or approved by the commission shall be paid from the employees' compensation fund."

SEC. 3. That section 23 of the 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," is amended to read as follows:

"SEC. 23. That fees for examinations made on the part of the United States under sections 21 and 22 by physicians who are not already in the service of the United States shall be fixed by the commission. Such fees, and any sum payable to the employee under section 21, when authorized or approved by the commission, shall be paid from the employees' compensation fund."

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.

#### YUMA AND YUMA MESA RECLAMATION PROJECTS

The 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, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to credit the individual water-right applicants in the Yuma reclamation project and the purchasers of water rights in the Yuma Mesa auxiliary reclamation project, on the construction charges due under their contracts with the United States under the reclamation act and acts amendatory thereof and supplementary thereto, with their proportionate part of all payments heretofore made or hereafter to be made by the Imperial Irrigation district, of California, under contract entered into under date of October 23, 1918, between the said district and the Secretary of the Interior: *Provided*, That lands in the Yuma Indian Reservation for which water rights have been purchased shall share pro rata in the credits so to be applied.

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

#### FOREST EXPERIMENT STATION, PENNSYLVANIA

Mr. REED of Pennsylvania. Mr. President, I ask unanimous consent that we go back to Order of Business No. 627, Senate bill 2516, for the establishment and maintenance of a forest experiment station in Pennsylvania and the neighboring States. I understand the Senator from Maryland [Mr. BRUCE] is willing to withdraw his objection to the consideration of the bill.

Mr. BRUCE. I withdraw my objection.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment.

The PRESIDENT pro tempore. The amendment has already been 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.

#### KLAMATH INDIAN DELEGATE

The bill (S. 3382) to appropriate tribal funds of the Klamath Indians to pay actual expenses of delegate to Washington, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 3, after the word "That," to insert the words "the Secretary of the Interior is hereby authorized to expend"; on line 6, after the word "Oregon," to strike out the words "is hereby appropriated"; on line 10, after the word "Washington," to strike out the

words "in December, 1925, and January and February, 1926," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized to expend the sum of \$1,000, or so much thereof as may be necessary, of the tribal funds of the Klamath Indians of the State of Oregon, to pay the actual expenses of the one delegate of the said tribe, who has been elected by the general council of the Klamath Indians to attend to the business of the tribe and pay his expenses to Washington to present the affairs of the said Klamath Indians of the State of Oregon to the officials of the United States.

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.

The title was amended so as to read: "A bill to authorize the expenditure of tribal funds of the Klamath Indians to pay actual expenses of delegate to Washington, and for other purposes."

#### KATHERINE SOUTHERLAND

The bill (S. 1339) for the relief of Katherine Southerland, was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$3,000" and insert in lieu thereof "\$2,067, in full settlement of all claims," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine Southerland the sum of \$2,067, in full settlement of all claims for injuries received and losses sustained as a result of being run down and over by a motor truck of the United States Army in Washington, D. C., on November 7, 1921.

Mr. KING. I see that the Secretary of War says:

In view of the meager information of the War Department on this matter, I do not feel disposed to make any recommendation as to the merits of the bill.

Mr. MCKELLAR. Mr. President, in reference to this bill I will say to the Senator and to the Senate that Miss Southerland was an employee of the State Department, and was struck by an automobile driven by a young man from one of the near-by camps. A number of witnesses were produced, as is shown in the printed report, who testified that the accident was entirely the driver's fault. He was arrested; he was fined, and, I believe, served a term in jail.

Mr. KING. The fine was remitted.

Mr. MCKELLAR. That was done afterwards, but there was no doubt in the world about the negligence, almost criminal negligence, of the driver, because he just ran right over this lady. I hope the Senator will not object. A similar bill has already passed the Senate once or twice.

Mr. MAYFIELD. Mr. President, I want to say that I investigated this case three years ago, and if there ever was a meritorious measure, in my opinion, this is one.

Mr. KING. I do not object.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

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.

#### THE ROYAL HOLLAND LLOYD

The bill (H. R. 8894) for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands, was announced as next in order.

Mr. MEANS. Mr. President, I know not how that was placed on the calendar without being referred to a committee. Unless some one can explain, I will move to have the bill referred to the Committee on Claims.

The PRESIDENT pro tempore. The Chair is informed that when the bill came from the House unanimous consent was granted for reading it twice and placing it on the calendar. The Senator from Colorado now moves that the bill be referred to the Committee on Claims.

The motion was agreed to.

#### J. H. TOULOUSE

The bill (H. R. 1243) for the relief of J. H. Toulouse was announced as next in order.

Mr. MEANS. Mr. President, I make the same motion in reference to that bill.

Mr. JONES of New Mexico. That is the companion bill to the Senate bill to which I referred a while ago. The original bill was introduced in the Senate. It was considered by the Senate at the last Congress and passed. At this session the bill was introduced in the House as well as the Senate. The committee has favorably reported the bill which was introduced in the Senate, covering the same matter precisely, and it was that bill which I consented to have indefinitely postponed a while ago, having remarked that this bill was on the calendar and had passed the House and is the same measure.

Mr. MEANS. I said, in reference to the other bill, that if there were no explanation I would make the motion. The explanation in regard to this measure is satisfactory, and I withdraw the motion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

#### ALLOTMENT OF LANDS OF THE CROW TRIBE

The bill (H. R. 8185) to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled "An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes," was announced as next in order.

Mr. COPELAND. Mr. President, I would be glad if the Senator from Montana would say a word about this bill. It is undoubtedly all right, but I think we ought to inquire very carefully into these bills disposing of Indian lands.

Mr. WHEELER. This is the bill which the Indians themselves want to have passed.

Mr. COPELAND. It is not always good to give people what they want.

Mr. WHEELER. I think my colleague is more familiar with the bill than I am.

Mr. WALSH. Mr. President, this bill does not provide for the disposition of any land. The lands on the Crow Reservation have already been allotted. There are certain funds of these Indians in the Treasury, and the bill provides for a distribution of those funds among the Indians. They have asked for it, and the department seems to think they are entitled to it and ought to have it.

Mr. COPELAND. Does the Senator think they should have it?

Mr. WALSH. I do.

Mr. COPELAND. I have no objection.

Mr. WILLIAMS. Mr. President, I would like to inquire of the Senator from Montana whether the bill has been amended so as to meet the objections made to it by the Secretary of the Interior.

Mr. WALSH. I am not a member of the committee. My colleague is, and he may be able to tell the Senator more definitely about that.

Mr. WHEELER. The suggestions of the Secretary of the Interior have been complied with in reference to the matter.

Mr. WILLIAMS. They have been met?

Mr. WHEELER. That is my understanding of it. It has the entire approval of the Interior Department. That is the information the Senator from Wyoming [Mr. KENDRICK] has.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment, on page 3, line 20, after the words "*Provided further*" and a comma, to strike out down to and including the word "years" and the period on line 7, page 4, as follows:

That any allottee classified as competent and any adult incompetent Indian with the assistance of the superintendent may lease his or her allotment or any part thereof and allotments of minor children dependent upon them for support without restrictions, but the moneys received for all other minors shall be paid to the superintendent for the benefit of said minors, and where a group of allottees desire to lease their several allotments as a unit, such allottees may in writing agree to unite their several allotments and select a committee from their number to lease the whole thereof for and in their behalf under such terms as the said allottees may have previously agreed upon, but no lease shall be for a period longer than five years.

And to insert:

That any allottee classified as competent and any adult incompetent Indian with the advice and assistance of the superintendent which such adult incompetent shall seek, may lease his or her allotment or any part thereof and allotments of minor children dependent upon him or her for support without restrictions, but the moneys received for all other minors shall be paid to the superintendent for the benefit of said minors, and where a group of allottees desire to lease their several allotments as a unit, such allottees may in writing agree to

unite their several allotments and select a committee from their number to lease the whole thereof for and in their behalf under such terms as the said allottees may have previously agreed upon, but no lease shall be for a period longer than five years. All leases made under this section shall be recorded at the Crow Agency.

The amendment was agreed to.

Mr. LENROOT. Mr. President, I would like to know just what this bill would do. We can not tell from the reading of the bill. What changes have been made in the law?

Mr. WALSH. The original law was a very elaborate act, and this makes various changes in the law, agreed upon by the Indians and the department.

Mr. LENROOT. The Senator from Missouri asked if all the recommendations made by the Secretary had been incorporated in the bill. The Senator from Montana did not know about that.

Mr. WALSH. I said I was not a member of the committee and had not studied it with care.

Mr. LENROOT. I think some member of the committee ought to answer that question.

Mr. KENDRICK. For the information of the Senator from Wisconsin I desire to say that the bill is the result of a conference with representatives of the Crow Tribe, who were sent here for that purpose. Also it represents a full agreement between the members of the tribe and the Interior Department. Among other changes in the original allotment bill, it authorizes the Indians to exercise increased discretion in the leasing of their own individual lands and in other ways liberalizes the original law.

Mr. WALSH. I ought to state further with respect to the matter that early in the present session quite a delegation of Crow Indians were here. There existed among them quite a little difference of opinion concerning the changes that ought to be made in existing law governing the allotments of their lands. They held repeated conferences with the Indian Bureau, and the details of the bill were finally adjusted by conferences between themselves and myself. I gave it careful study at that time, but the details have escaped my recollection now.

Mr. LENROOT. The chairman of the committee is present and can inform the Senate about the matter. Does the bill incorporate the views of the Secretary of the Interior?

Mr. WHEELER. I was not paying strict attention to the discussion. That is my understanding, however. They finally compromised with the Secretary of the Interior, and the bill as it came out of the committee, as I understand it, incorporated the ideas of the Secretary of the Interior.

Mr. LENROOT. Upon that assurance I have no objection.

Mr. HARRELD. The bill was prepared in my office by my secretary, and I think it was prepared in accordance with the agreement between the committee and the Commissioner of Indian Affairs.

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 and passed.

#### BILL PASSED OVER

The bill (H. R. 9558) to provide for allotting in severally agricultural lands within the Tongue River or Northern Cheyenne Indian Reservation in Montana, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BLEASE. Mr. President, I ask unanimous consent to return to Order of Business 574, the resolution (S. Res. 188) to amend paragraph 2 of Rule XXXVIII of the Standing Rules of the Senate relative to nominations. The Senator from Nevada [Mr. PITTMAN] is present, and I would like to ask that the amendment to the rules be considered and passed. I do not think there is any objection to it. It seems to me now that the time has about arrived when we should say what we are going to say on the subject.

The PRESIDENT pro tempore. May the Chair suggest to the Senator that that may be done by motion under the unanimous-consent agreement after we finish calling the calendar for individual bills.

Mr. BLEASE. I am afraid that will not happen. I ask unanimous consent now. The resolution has been reported out unanimously, and I do not think there is any objection to it. I would like to have it passed.

The PRESIDENT pro tempore. Is there objection?

Mr. CARAWAY. Several Senators who did object to it previously are not now present. Therefore I object.

Mr. BLEASE. Then, Mr. President, I expect to object to every other bill that comes up to-night.

Mr. CARAWAY. I do not care if the Senator does. If the Senator imagines that is going to get him anything, he is very much mistaken.

Mr. BLEASE. The Senator is not looking for anything. He has everything he wants. His people gave him everything he wanted.

The PRESIDENT pro tempore. The Clerk will report the next bill on the calendar.

The bill (S. 3894) to regulate interstate commerce by motor busses operating or to operate as common carriers of passengers for hire through the interstate tunnel now being constructed under the Hudson River between the city of New York, State of New York, and the city of Jersey City, State of New Jersey, and over the interstate bridge now being constructed across the Delaware River between the city of Philadelphia, Commonwealth of Pennsylvania, and the city of Camden, State of New Jersey, was announced as next in order.

Mr. BLEASE. Over.

The PRESIDENT pro tempore. Will the Senator—

Mr. BLEASE. No; I mean to stick to what I said.

The bill (S. 62) for the allowance of certain claims for indemnity for spoliations by the French prior to July 31, 1801, as reported by the Court of Claims, was announced as next in order.

Mr. BLEASE. Over.

Mr. REED of Pennsylvania. Mr. President, I would like to say a word. I hope the Senator from South Carolina—

Mr. BLEASE. Mr. President, this is a matter of great importance to me and it is important to my colleague, who is at home sick, and I know what kind of a fight he has on his hands. Nobody objects to the resolution. The Senator from Kansas [Mr. CURTIS] has reported it and there is a unanimous report from the committee, as I understand. The Senator from Nevada [Mr. PITTMAN] is present, and there is no reason in the world why the Senate should not stop one minute and give a man the right to say how he voted in executive session on the Woodlock nomination. I see no objection to it. I do not see how anybody could object, and, so help me God, if they do object I shall object to every bill that comes up to-night under the unanimous-consent agreement.

Mr. SHORTRIDGE. Oh, Mr. President, I hope the Senator does not mean that.

Mr. CARAWAY. The Senator can not get anything by that kind of talk.

Mr. BLEASE. I am not hunting anything for myself. I do not need anything. I have good health, plenty of money, and a seat in the United States Senate. What else could a man want? [Laughter.]

Mr. CURTIS. Mr. President—

The PRESIDENT pro tempore. The Senate will be in order before further business is resumed. The Senator from South Carolina has the floor. Does the Senator yield to the Senator from Kansas?

Mr. BLEASE. I yield to the Senator from Kansas.

Mr. CURTIS. I hope the Senator will withdraw his objection, for this reason. If he will look at the report he will find that the Senator from Arkansas [Mr. ROBINSON], who is a member of the committee, filed a minority report. He wants to be here to take up his minority report when the resolution is considered. I promised the Senator from Arkansas that we would not call up the resolution in his absence.

Mr. BLEASE. Can the Senator give me any idea when he will be here?

Mr. CURTIS. I think he will be here in the next day or two. So far as I am concerned, I would like very much to take up the resolution, just as much as the Senator from South Carolina would, as he well knows.

Mr. SMOOT. Mr. President—

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

Mr. BLEASE. I yield.

Mr. SMOOT. I want to say also that there is another member of the committee who is bitterly opposed to the resolution. He is not here to-night. I know that he wants to be here when it comes up, because he stated so. So far as I am concerned, I am ready to vote on it this minute.

Mr. BLEASE. Then I will have to do like the rest of the Democrats and vote with the Republicans. [Laughter.] I withdraw my objection.

#### INTERSTATE COMMERCE BY MOTOR BUSSES

The PRESIDENT pro tempore. The Clerk will state the next bill on the calendar.

The bill (S. 3894) to regulate interstate commerce by motor busses operating or to operate as common carriers of passengers for hire through the interstate tunnel now being constructed under the Hudson River between the city of New York, State of New York, and the city of Jersey City, State of New Jersey, and over the interstate bridge now being constructed across the Delaware River between the city of Philadelphia, Commonwealth of Pennsylvania, and the city of Camden, State of New Jersey, was announced as next in order.

Mr. BINGHAM and Mr. FESS. Over.

Mr. COPELAND. Mr. President, this is an important bill, and before objection is raised to it I would like to have an opportunity to explain it in just a word or two.

Mr. KING. We can not pass the bill to-night.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will go over.

Mr. WADSWORTH. Mr. President, I hope the objections will not be insisted upon. As a matter of fact it is a local bill. It affects only the operation of the tunnel between New York City and Jersey City, and it seems to me Senators might let us pass it to-night.

Mr. REED of Pennsylvania. It affects also the bridge between New Jersey and Pennsylvania. I would like to say, if the Senator will permit me, that the bridge will be opened the 1st of July and if we do not pass some measure of this sort it will be absolutely useless because of the congestion of traffic. No other State is interested. All the parties have agreed on the bill. It simply vests in the public-service commission and the bridge and tunnel commission the right to control the number of motor busses that shall use the tunnel and the bridge. It is vitally necessary.

Mr. FESS. Mr. President, I thought there was another bill covering this matter.

Mr. REED of Pennsylvania. No; that bill is still in the committee. The reason why this is urged is because the other bill has not come out of the committee. This relates only to the tunnel and bridge.

Mr. FESS. That particular piece of legislation would not come out of the committee. It involves too much.

Mr. REED of Pennsylvania. I understood that, and that is why I introduced this particular bill.

Mr. FESS. I withdraw my objection.

The Senate as in Committee of the Whole proceeded to consider the bill.

Mr. WILLIAMS. Mr. President, will the Senator from Pennsylvania tell us why he does not think this bill will result in confusion under section 3, on page 5, of the bill, which gives an appeal from these State commissions to the Interstate Commerce Commission?

Mr. REED of Pennsylvania. I do not think there would be confusion. The theory of it is that while these facilities, the tunnel and the bridge, have been built entirely by money raised by the States and the local communities, nevertheless the traffic which moves over them is interstate commerce and therefore is within the regulatory power of the Interstate Commerce Commission. What is proposed here is for Congress to delegate to the local commission power to regulate, subject to the review of the Interstate Commerce Commission, the flow of interstate commerce across those two rivers. We all realize that when Congress asserts its power, the power of the Federal Government is paramount, and we have reserved that right in the bill, so that any order that is made by the Interstate Commerce Commission shall supersede all that is done by the local authorities.

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

Mr. REED of Pennsylvania. I am glad to yield to the Senator from Utah.

Mr. KING. I want to inquire of the Senator whether he regards a measure of this kind as necessary in view of the fact that, as I understood the Senator, the Federal Government does not intend to exercise its regulatory power, but will leave the entire matter to the States themselves. May not the States themselves then proceed to establish joint regulations for the conduct of the travel without any conference of power upon them by the Federal Government?

Mr. REED of Pennsylvania. Yes; it was my impression that they might; but the Supreme Court has very recently held in a motor-truck case that, without action by Congress, even the attempted regulation by the States of interstate motor-truck transportation is ultra vires the State. It was a very surprising decision to me, but the Senator will find the decision referred to and quoted from in the report of the committee.

Mr. MCKELLAR. Mr. President, when will the bridge and tunnel be opened?

Mr. REED of Pennsylvania. It is expected that the bridge will be opened for travel in July of this year, about six weeks from now.

Mr. MCKELLAR. And there must be congressional action? Has the bill passed the House?

Mr. REED of Pennsylvania. The bill has not passed the House, although a duplicate bill has been introduced by Congressman BACHARACH, of New Jersey.

Mr. KING. I suggest to the Senator, in view of the decision recently rendered which nullifies regulations of the States with respect to their domestic obligations in the matter of quarantine, that Congress ought to enact a law to declare that these matters, until Congress itself should act, shall be left entirely to the States.

Mr. WILLIAMS. Mr. President, may I inquire of the Senator from Utah, if the Senator from Pennsylvania pleases, whether he thinks that Congress should yield to the States the regulation of interstate commerce?

Mr. REED of Pennsylvania. If I may answer the question, I do not think the Congress should surrender its power. What it has done here is to keep a firm hold of the power, but to provide that the local regulations shall suffice if it does not overrule them. It is careful not to surrender the constitutional power.

Mr. KING. Mr. President, may I say that it was not my thought that Congress should surrender its power, but I believe that we might enact a law with safety and propriety that until Congress does assert its power over these matters the States may proceed.

Mr. CUMMINS. Mr. President, there is one very important part of the bill which has not been mentioned; that is to say, the bill attempts to confer upon the State authorities the right to regulate interstate commerce; but it also provides that if the tribunals of the States are unable to agree, there can be an appeal to the Interstate Commerce Commission. It has been my view that this assertion of Federal authority is sufficient to make the law constitutional.

Mr. REED of Pennsylvania. As a practical matter, quite aside from the constitutional question, it seems obvious to anybody who has seen the throngs of automobiles toward the ferries in New York that in the absence of some regulation—and there is not a breath of Federal regulation yet—the tunnel and the bridge are going to be useless for the public. We will have motor cars just climbing over one another there. I know that in my own city of Pittsburgh we opened a similar traffic tunnel about three years ago, and there was no sufficient regulation of the traffic that passed through it. It had scarcely been opened before there resulted a traffic jam in the tunnel and before they could get it cleared there were more than 20 people taken out unconscious from the fumes of the gas from automobiles that were stalled in the tunnel. It is a question not only of convenience, but of life.

Mr. WALSH and Mr. MAYFIELD addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield; and if so, to whom?

Mr. REED of Pennsylvania. I yield to the Senator from Montana [Mr. WALSH].

Mr. WALSH. I do not think the constitutionality of this legislation could be open to question at all. Section 10 of Article I of the Constitution provides that no State shall enter into any compact or agreement with another State without the consent of Congress, which, of course, means that with the consent of Congress two States may enter into an agreement with each other. It was undoubtedly the intent of the Constitution to meet just such a situation as this, where the independent action of two States would be quite abortive. It becomes necessary for them to enter into some arrangement and agreement in relation to the handling of traffic of this character or else the whole thing must be surrendered to the States, and they would not be able even to construct the means of transportation from one State to the other.

Mr. REED of Pennsylvania. I think the Senator from Montana is exactly right, and it was because of that thought that Congress gave its consent to the States jointly to construct the very facilities about which we are now talking.

Mr. MAYFIELD and Mr. BINGHAM addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield; and if so, to whom?

Mr. REED of Pennsylvania. I think the Senator from Texas first asked me to yield, and I yield to him.

Mr. MAYFIELD. I should like to ask the Senator from Pennsylvania, is it not the purpose of this bill to confer upon the State of New York and the State of New Jersey the power to regulate interstate commerce?

Mr. REED of Pennsylvania. Yes; subject to the control of the Interstate Commerce Commission.

Mr. BINGHAM. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Pennsylvania now yield to the Senator from Connecticut?

Mr. REED of Pennsylvania. I yield to the Senator from Connecticut.

Mr. BINGHAM. I should like to ask whether the Senator from Pennsylvania would have an objection to an amendment on page 6, line 5, to strike out the word "and" and to insert the words "or with"? It occurs to me that unless that shall be done, in the way it now reads there might be a conflict of jurisdiction between the Secretary of War, who under the bridge act normally controls tolls, and the commissioners of the two States involved; but by inserting the words "or with" the clause will be separated in such a way that the jurisdiction of the Secretary of War as to the regulation of tolls will not be infringed.

Mr. REED of Pennsylvania. I understand the amendment suggested by the Senator from Connecticut would come in line 5 on page 6?

Mr. BINGHAM. Yes.

Mr. REED of Pennsylvania. The words "or with" in line 3, I think, will govern all that follows.

Mr. BINGHAM. Without the words "or with" at the point I have indicated it would seem as though the "collection of tolls, rentals, or other charges" and "the regulation of traffic therein and thereon under the laws of said States" were joined together. By inserting the words "or with" again in line 5 it differentiates them.

Mr. REED of Pennsylvania. I would be satisfied to accept that amendment.

Mr. WILLIAMS. Mr. President, I should like to inquire once more of the Senator from Pennsylvania whether he would have any objection, in line 17, on page 5, to strike out the word "appeal" and to insert "present a complaint to"?

Mr. REED of Pennsylvania. I think the amendment of the Senator from Missouri is unobjectionable. The expression he suggests, it seems to me, is quite a synonym for the word "appeal."

Mr. WILLIAMS. It seems to me that section 3 contemplates that there may be an absolute failure of action, in which case there would be no right to appeal; but if the matter is presented afresh by the complainant to the Interstate Commerce Commission, upon the failure of the commissions of New Jersey, Pennsylvania, and New York to act, then the jurisdiction of the Interstate Commerce Commission is conceded at the beginning rather than taken there on appeal.

Mr. REED of Pennsylvania. Would the word "apply" satisfy the Senator?

Mr. WILLIAMS. Yes; perfectly.

Mr. REED of Pennsylvania. Then I move that the word "appeal" be stricken out and the word "apply" substituted therefor. It is for the purpose of perfecting the amendment.

The PRESIDENT pro tempore. May the Chair for his own information discover something? The bill was introduced by the Senator from Pennsylvania [Mr. REED] and reported by the Senator from Iowa [Mr. CUMMINS]. Under the practice, the Senator from Iowa is in charge of the bill, because he reported the bill with the committee's amendment. Does the Senator from Iowa accept these perfecting amendments that are being offered?

Mr. REED of Pennsylvania. Under the practice the Senator from Iowa is in charge of the bill and, under the circumstances, I am in charge of the floor.

Mr. LENROOT. The Senator from Iowa can not accept an amendment.

The PRESIDENT pro tempore. For the committee? Why not?

Mr. LENROOT. Of course not.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. To a committee amendment?

Mr. LENROOT. Certainly not.

The PRESIDENT pro tempore. It is done here every day.

Mr. LENROOT. It is done only by unanimous consent.

The PRESIDENT pro tempore. If the Senator from Wisconsin objects, then the question is, first, upon the amendment proposed by the Senator from Connecticut [Mr. BINGHAM] to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is upon the amendment proposed by the Senator from Pennsylvania [Mr. REED] to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is upon the amendment proposed by the committee, as amended.

Mr. WADSWORTH. Mr. President, merely to make perfectly definite the jurisdiction of the New York State authorities so that there shall be no confusion, I desire to offer three amendments to the committee amendment, all to the same purpose. On page 3, line 14, after the word "That," I move to insert the words "the Public Service Commission of the State of New York" (comma).

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from New York to the committee amendment.

Mr. REED of Pennsylvania. Mr. President, realizing that I am not in charge of the bill and that I have no right to consent for anybody but myself, I should like to say that it seems to me that the amendment proposed by the Senator from New York is entirely unobjectionable.

The PRESIDENT pro tempore. Nevertheless, in view of the position taken by some Senators on the floor, the question is upon agreeing to the amendment proposed by the Senator from New York to the amendment proposed by the committee.

The amendment to the amendment was agreed to.

Mr. WADSWORTH. Mr. President, I have another amendment to offer on page 5.

Mr. SMOOT. If the amendment last presented by the Senator was agreed to as it was stated, it would read very funny.

Mr. WADSWORTH. Not very funny.

Mr. SMOOT. There will have to be another word or punctuation mark there.

Mr. WADSWORTH. What should it be?

Mr. SMOOT. I understand the Senator's amendment comes in after the word "that" in line 14.

Mr. WADSWORTH. Yes; and it would read in this way:

That the Public Service Commission of the State of New York, the Transit Commission of the State of New York, and the Board of Public Utility Commissioners of the State of New Jersey are hereby authorized—

And so forth.

Mr. SMOOT. The Senator did not say "comma" after the words "Public Service Commission of the State of New York," and a comma should be placed there.

Mr. WADSWORTH. I thought I said "comma." I may have said "comic."

Mr. SMOOT. The Senator did not say "comma" or "comic," either.

The PRESIDENT pro tempore. Does the Senator from Utah wish the reporter's notes read?

Mr. SMOOT. If the Senator insists that he used the word "comma," I ask that the record be read.

Mr. WADSWORTH. Never mind; I admit I did not say it.

Mr. President, on page 5, at the end of line 9, following the word "said," I move to insert the words "Public Service Commission of the State of New York, the."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York to the amendment proposed by the committee.

The amendment to the amendment was agreed to.

Mr. WALSH. Mr. President, will the Senator please indicate just how it is that two separate bodies in the State of New York exercise jurisdiction over this matter?

Mr. WADSWORTH. Yes, Mr. President. The Transit Commission of the State of New York has jurisdiction only inside the city of Greater New York. The public service commission has jurisdiction over transportation and its regulation over the remainder of the State. It is easily conceivable—in fact, it is inevitable—that much of this traffic going through the tunnel between New Jersey and New York will not have its termination, as it were, in the city of New York, but will go on into the State. So it is necessary to give the public service commission of the State jurisdiction over such traffic.

Mr. WALSH. Then, as I understand, the transit commission would have jurisdiction over part of it and the public service commission over the remaining part?

Mr. WADSWORTH. Yes, and these amendments are proposed at the earnest request of the chairman and members of the Public Service Commission of the State of New York.

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

Mr. WADSWORTH. Yes.

Mr. LENROOT. I take it that there would have to be unanimous action of all the bodies before there could be any effective action?

Mr. WADSWORTH. Certainly, if there were not unanimous action, the matter would go to the Interstate Commerce Commission.

Mr. REED of Pennsylvania. Mr. President, I might add there that it was stated to the Committee on Interstate Commerce that the transit commission would be merged with the public service commission before the tunnel was actually opened. We now discover that that will probably not be the case.

Mr. WADSWORTH. The Senator is correct.

Mr. REED of Pennsylvania. So the amendments of the Senator from New York are necessary.

Mr. COPELAND. Mr. President, will my colleague yield?

Mr. WADSWORTH. Certainly.

Mr. COPELAND. Is there any prospect that the port authority might have anything to say about this?

Mr. WADSWORTH. No. The port authority has no jurisdiction whatsoever of public transportation, but merely in relation to the development of the port, the matter of the construction of docks, and so forth.

Mr. COPELAND. Even though the building of tunnels and their use is concerned?

Mr. WADSWORTH. I do not think they could act in a public utility matter of this kind.

Mr. President, if the second amendment has been adopted, I desire to offer a third.

The PRESIDENT pro tempore. The second amendment proposed by the Senator from New York to the amendment reported by the committee has been agreed to.

Mr. WADSWORTH. Then, on page 5, in line 22, after the word "upon," I move to insert the words "the Public Service Commission of the State of New York."

The PRESIDENT pro tempore. Without objection, the amendment to the amendment is agreed to.

Mr. PITTMAN and Mr. HOWELL addressed the Chair.

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. PITTMAN. Mr. President, we were considering in the Committee on Interstate Commerce a general bill dealing with the control of passenger busses and also of trucks. There were a great many objectionable features in that bill, and I am trying to find out if some of them are in this measure. I do not have any objection, nor do I see any objection, to the public utilities commissions of New York and New Jersey or Pennsylvania and New Jersey regulating transportation through a tunnel or possibly over a bridge, but I find a great deal of objection to such regulation on public highways and streets. This bill seems to carry with it the right to control traffic running from the interior of New York to the interior of New Jersey through the tunnel, because it says—and this is the language I have in mind—

over any route in such States, a part or the whole of which route is through an interstate tunnel.

The Senator from New York is including another commission, which may control the traffic outside of the city of New York. Of course, if the words "a part" mean anything at all, or if the word "route" means anything at all, it means something that starts at Buffalo, for instance, and comes down across the State of New York and goes through that tunnel. If that be so, then the busses along that whole route can be controlled, and it seems to me that was the intention of the Senator's amendment. Why is it necessary to control the passage of busses over the public highways when all that need be done is to control them in the tunnel alone? Mind you, Mr. President, under this bill a man can not run a bus for hire; he can not run a taxicab for hire; he can not run an automobile for hire unless there is issued a certificate of public convenience and necessity. That is all right for traffic going through the tunnel, but it is not all right for traffic running from Buffalo across the State of New York into Jersey City.

Mr. REED of Pennsylvania. Mr. President, what this bill does is to retain in the States the control they now have over the busses running over their own highways. That is the reason it is put in that way. We did not want to limit their control over motor busses only to the small segment of the journey over the bridge or through the tunnel. We retain for them the same control over the use of their highways that they now have on an intrastate bus trip. It would not be right to let those busses run without regulation as far as the city of New York or the city of Jersey City are concerned. We retain that control in the States. I think what the Senator was apprehensive of in the bill that he speaks about was in putting control in Washington over the use of the local highways.

Mr. PITTMAN. Possibly. I have no objection to the States controlling the highway system within the States at all.

Mr. REED of Pennsylvania. But the Senator would object to having some commission here in Washington tell a man how he shall use the highways of Nevada.

Mr. PITTMAN. That is exactly what this bill does.

Mr. REED of Pennsylvania. No, sir; it does not; it does just the reverse of that.

Mr. PITTMAN. Because there is provided an appeal to the Interstate Commerce Commission provided the traffic crosses the line.

Mr. REED of Pennsylvania. That is because it is interstate commerce.

Mr. PITTMAN. Absolutely; it is interstate commerce. As a Member of Congress, however, I do not desire to give the Interstate Commerce Commission that control over bus lines.

Mr. REED of Pennsylvania. We have gone as far as we constitutionally can to keep local home control over these busses; and I hope the Senator will believe that we have done it because of the sentiment that he feels and that we felt there in the committee.

Mr. PITTMAN. As it deals only with three States, and I am not quite as much interested in those States as other Senators are, I am not going to raise the question; but, of course, when the other bill comes up, dealing with all the United States, I am going to raise the same question.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, as amended.

The amendment, as amended, 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.

The title was amended so as to read: "A bill to regulate interstate commerce by motor busses operating or to operate as common carriers of passengers for hire over routes, a part or the whole of which are through the interstate tunnel now being constructed under the Hudson River between the city of New York, State of New York, and the city of Jersey City, State of New Jersey, and over the interstate bridge now being constructed across the Delaware River between the city of Philadelphia, Commonwealth of Pennsylvania, and the city of Camden, State of New Jersey."

#### PROHIBITION OF USE OF WOODEN CARS

Mr. HARRIS. Mr. President, I ask unanimous consent to return to Order of Business 642, Senate bill 951, to promote the safety of passengers and employees upon railroads by prohibiting the use of wooden cars under certain circumstances. I think the clerks misunderstood the remark of the Senator from Texas [Mr. MAYFIELD]. He did not object to the consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

Mr. MAYFIELD. Mr. President, I want to say to the Senator from Georgia that I made no objection whatever to his bill. I have never objected to the consideration of any bill since I have been a Member of the Senate.

Mr. HARRIS. The clerks understood that the Senator from Texas did object.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request preferred by the Senator from Georgia to return to the consideration of Order of Business 642, Senate bill 951?

Mr. KING. Let the bill be stated.

The PRESIDENT pro tempore. The Secretary will state the title of the bill.

The CHIEF CLERK. A bill (S. 951) to promote the safety of passengers and employees upon railroads by prohibiting the use of wooden cars under certain circumstances.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That when used in this act the term "common carrier" means a common carrier subject to the interstate commerce act, as amended, engaged in the transportation of passengers.

SEC. 2. On and after 30 days after the passage of this act it shall be unlawful for a common carrier to use a car other than a steel or steel underframe car between steel cars or steel underframe cars, or in front of any steel car or steel underframe car, in any train used in whole or in part for the transportation of passengers.

SEC. 3. Any common carrier which violates the provisions of this act shall be liable to a penalty of not less than \$100 nor more than \$500 for each offense and \$100 for each day of the continuance of the offense. Such penalty shall accrue to the United States and may be recovered in a civil suit brought by the United States.

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

#### FRENCH SPOILATIONS

The bill (S. 62) for the allowance of certain claims for indemnity for spoliations by the French prior to July 31, 1801, as reported by the Court of Claims, was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### DEPOSIT AND EXPENDITURE OF INDIAN MONEYS

Mr. HARRELD. Mr. President, I am informed by the Senator from Georgia [Mr. HARRIS] that he now withdraws his objection to the consideration of Senate bill 3929, Order of Business 643, and I should like to return to that bill.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request preferred by the Senator from Oklahoma?

Mr. KING. Let the bill be stated.

The PRESIDENT pro tempore. The bill will be read.

The Chief Clerk read the bill (S. 3929) to authorize the deposit and expenditure of various revenues of the Indian Service as Indian moneys, proceeds of labor.

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

Mr. KING. Mr. President, I desire to ask the Senator if this is the bill to which some of the Indians made very serious objection? I was told by a number of them who waited upon me, representing various tribes, that there were several bills to which they objected very strenuously, one with respect to police regulations and the conferring of certain judicial power upon certain employees of the Government, and also some disposition made of the funds for educational purposes, transfers from one fund to the other.

Mr. HARRELD. Mr. President, I know of those objections. I do not think this is one of the bills to which they objected. Here is what this is:

As far back as 1883 Congress authorized the Interior Department to open the account known as "Indian moneys, proceeds of labor"; and from that time to this that account has been running there, and they have credited to that account moneys coming from the sale of cattle, moneys from the sale of this, that, and the other thing.

Recently the Comptroller General has raised a question as to whether or not they can properly charge to that account certain funds, and pay them out for the benefit of the tribes, as they have been doing since 1883. This bill is simply to authorize them to do just what they have been doing—to place those miscellaneous collections to the credit of any particular tribe under the head of "Indian moneys, proceeds of labor," and then to spend the money for the benefit of that particular tribe. It is just what they have been doing since 1883, as I say; but because of objections made by the Comptroller General they need this legislation to settle the difficulty.

Mr. KING. I should like to ask the Senator if the Indian tribes and their representatives approve of this bill?

Mr. HARRELD. I have never heard any objection to this bill from any source. This is a departmental bill, introduced by me at the request of the department, and I have not heard any objection from any source.

Mr. LENROOT. Mr. President, I should like to ask the Senator what becomes of these miscellaneous revenues now. Where do they go?

Mr. HARRELD. It seems that they carry an account of this sort with each tribe separately, and these miscellaneous collections are credited to that account; and they have for years been paying that out for the benefit of the tribe in a way authorized by Congress, I presume, or perhaps it was a small amount and was paid out on their own initiative. I am not sure about that.

Mr. LENROOT. Is there not any law that now requires the disposition of those revenues?

Mr. HARRELD. They have never thought there was any need for a law. These are only small amounts, just the odds and ends of collections on behalf of the tribe.

Mr. LENROOT. I supposed that we had some law that required some disposition of all revenues received from every source; and if there is such a law, this bill in its present form would not accomplish it.

Mr. HARRELD. I do not know about the form of it. I introduced the bill just in the form in which they asked me to introduce it.

Mr. LENROOT. The bill says:

Hereafter all miscellaneous revenues derived from Indian reservations, agencies, and schools, which are not required by existing law to be otherwise disposed of—

And so forth. If there is any law that requires any kind of disposition, there would be nothing to which this bill could apply.

Mr. HARRELD. As I understand, this is something like the account that almost every bank carries. It is just a place where they take care of the odds and ends of collections, small amounts. It does not usually run very high. They have always exercised the privilege of using this money in their discretion. This is simply to authorize a continuance of that course.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

#### COLVILLE INDIAN RESERVATION

The bill (H. R. 9351) extending the period of time for homestead entries on the south half of the diminished Colville Indian Reservation was considered as in Committee of the Whole.

Mr. COPELAND. Mr. President, this is another Indian bill. Will some Senator make clear what this means?

Mr. JONES of Washington. Mr. President, certain lands known as the Colville Indian Reservation in the State of Washington were opened to settlement quite a number of years ago, and the time for filing homestead entries was limited to a period of five years. Then, in 1922, another bill was passed giving a further five years. That time has now expired, and unless we enact a provision of this kind the land that has not been taken up can not be entered.

Mr. COPELAND. The Senator thinks this will be a just piece of legislation, does he?

Mr. JONES of Washington. I do. The Secretary recommends it.

Mr. SMOOT. Mr. President, in the title of the bill the word "half" is misspelled "hahlf." I should like to have that corrected, and have the word spelled right.

The PRESIDENT pro tempore. The typographical correction will be made as requested.

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

#### DISTRICT PUBLIC UTILITIES COMMISSION

The bill (S. 3403) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, 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 24, after the word "same," to insert "Provided, That the amount expended by the commission in any valuation or rate case shall not exceed one-half of 1 per cent of the existing valuation of the company investigated, and that the amount expended in all other investigations shall not exceed one-tenth of 1 per cent of the existing valuation for any one company for any one year," so as to make the bill read:

*Be it enacted, etc.*, That section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913 (37 U. S. Stat. p. 974), be amended by adding a new paragraph, No. 42a, to read as follows:

"Par. 42a. That the expenses of any investigation, valuation, revaluation, or proceeding of any nature made by the Public Utilities Commission of any public utility operating in the District of Columbia shall be borne by the public utility investigated, valued, revalued, or otherwise as a special franchise tax in addition to all other taxes imposed by law, and such expenses with 6 per cent interest may be charged to operating expenses and amortized over such period as the Public Utilities Commission shall deem proper and be allowed for in the rates to be charged by such utility. When any such investigation, valuation, revaluation, or other proceeding is begun the said Public Utilities Commission may call upon the utility in question for the deposit of such reasonable sum or sums as, in the opinion of said commission, it may deem necessary from time to time until the said proceeding is completed, the money so paid to be deposited in the Treasury of the United States to the credit of the appropriation account known as "Miscellaneous trust-fund deposit, District of Columbia" and to be disbursed in the manner provided for by law for other expenditures of the government of the District of Columbia, for such purposes as may be approved by the Public Utilities Commission. Any unexpended balance of such sum or sums so deposited shall be returned to the utility depositing the same: *Provided*, That the amount expended by the commission in any valuation or rate case shall not

exceed one-half of 1 per cent of the existing valuation of the company investigated, and that the amount expended in all other investigations shall not exceed one-tenth of 1 per cent of the existing valuation for any one company for any one year.

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.

#### TABLETS FOR REVOLUTIONARY BATTLE FIELD OF WHITE PLAINS, N. Y.

The bill (S. 3811) for the erection of tablets or markers upon the Revolutionary battle field of White Plains, State of New York, was announced as next in order.

Mr. WADSWORTH. Mr. President, this bill—Order of Business 661, Senate bill 3811—has been reported to the calendar unanimously by the Committee on Military Affairs. In the meantime the House of Representatives has passed House bill 3990, and upon its reception by the Senate it was referred to the Committee on the Library. The House bill is identical with the Senate bill, and I am quite sure that the provisions of either bill are quite unobjectionable. I therefore take the liberty of asking unanimous consent—and I do it with the knowledge that the chairman of the Committee on the Library is present here—that the Committee on the Library be discharged from the consideration of the House bill, in order that I may substitute the House bill for the Senate bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Committee on the Library is discharged from the further consideration of House bill 3990.

Mr. WADSWORTH. I now ask unanimous consent for the consideration of the House bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3990) for the erection of a monument upon the Revolutionary battle field of White Plains, State of New York.

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

The PRESIDENT pro tempore. Without objection, Senate bill 3811 will be indefinitely postponed.

#### BILL PASSED OVER

The bill (S. 3701) for the relief of David McD. Shearer was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### IRRIGATION DAM, WALKER RIVER, NEV.

The bill (S. 2826) for the construction of an irrigation dam on Walker River, Nev., was announced as next in order.

Mr. SMOOT. Mr. President, there is no report upon this bill. I will ask that it go over, too.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. ODDIE. Mr. President, I will ask the Senator from Utah if he will withdraw the objection until I make a statement in regard to the bill?

Mr. SMOOT. Yes; I will withdraw the objection temporarily.

Mr. ODDIE. Mr. President, I have introduced an amendment which is a substitute for the bill. The Department of the Interior has reported favorably on this authorization for an appropriation. It is a most worthy cause, Mr. President.

This bill provides an authorization for an appropriation for a small dam in the Walker River district in Nevada. The white settlers came to this district in 1860, a few of them before that. There are hundreds of settlers in the district. They went on the land in good faith. They acquired their titles to the land from the Government under homestead entries and desert-land entries. Before they received their patents from the Government for these lands they were compelled to prove their water rights, which they did. On proving those water rights to the satisfaction of the Interior Department the patents were issued and the Government accepted their money for the patents. They have been in peaceable possession for over 60 years and have built several hundred miles of canals and ditches. Their improvements amount to over \$15,000,000.

The annual production of the district is about \$2,000,000. In the last year or two, two storage reservoirs have been built by the people in the district. They have called on the Government for no money at all. They have bonded the district for about a million dollars, and have built these reservoirs themselves from the proceeds of the sale of the bonds. They have a capacity of about 92,000 acre-feet.

In this district there are 60 miles of railroad, seven towns and communities, six churches, two flour mills, a creamery, and two banks with combined assets of more than a million and a quarter dollars. The production of the district consists of beef cattle, dairy cattle, horses, sheep, hogs, poultry,

hides, wool, butter, honey, alfalfa hay, alfalfa seed, grain, and potatoes. The lands are in the State of California and in the State of Nevada, about 70,000 acres in Nevada under cultivation, and about 38,000 acres in the State of California.

There is an Indian reservation below these lands of the white settlers. The extra water that has been stored in the last year or so in the reservoirs that have been built will furnish more water to the lands in the Indian reservation than they had before, because of the return flow and the conservation of the flood waters.

In the last year or so the Department of the Interior has brought suit against every one of the white settlers along this river in the State of Nevada and in the State of California. Mr. President, for the Government to bring suit against all of the white settlers is a blow which those settlers can not stand, and which they should not be compelled to stand. It is ruinous, unjust, and un-American. Our Government has recognized the water rights of these white settlers. One branch of the Department of the Interior has granted patents to these lands. It has accepted the money from these settlers for these patents. It has recognized the water rights that belong to these patented lands. Now, after 60 years of peaceable possession by these white settlers, another bureau of the Department of the Interior, the Indian Bureau, brings suit against all those white settlers on the ground that they have no water rights, that the Indians' rights antedated theirs in 1859.

Mr. President, this bill will end all of that trouble. It authorizes a small appropriation for an investigation of conditions in connection with the building of this proposed dam.

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

Mr. ODDIE. I yield.

Mr. SHORTRIDGE. Has the Senator offered an amendment to the bill?

Mr. ODDIE. Yes; the amendment is on the desk, and I should like to call it up.

Mr. SHORTRIDGE. I think if the Senator should offer that amendment and briefly explain it, there would be no objection to the bill.

Mr. ODDIE. I will ask that the amendment be read.

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

The CHIEF CLERK. The amendment is to strike out all after the enacting clause and to insert the following:

For constructing a dam in Schurz Canyon, on the Walker River, State of Nevada, to provide water for the irrigation of lands allotted to Indians on the Walker River Indian Reservation, Nev., including reconnaissance work in said canyon to determine to what extent the water supply of the river can be augmented and conserved by the impounding of its said waters, and to determine if there is a feasible reservoir site, or sites, available for the storage of such waters, and for construction of the necessary dam, or dams, and appurtenant structures, and for the purchase and acquisition of necessary lands and rights of way in connection with the construction of the dam and appurtenant structures. For the above-named purposes an appropriation of \$175,000 is hereby authorized, of which sum \$10,000 shall be used for the reconnaissance work herein referred to.

Sec. 2. That upon the passage of this act all proceedings, legal or otherwise, on the part of the Federal Government affecting the water rights of water users of said river shall forthwith be suspended, and if and when the project be found feasible shall be dismissed.

Mr. ODDIE. I hope that with this explanation the Senator from Utah will understand the situation.

Mr. SMOOT. What has been read at the desk is the bill itself.

The PRESIDENT pro tempore. This is the amendment proposed by the committee.

Mr. SHORTRIDGE. Striking out all after the enacting clause, and substituting—

The PRESIDENT pro tempore. Substituting the language just read.

Mr. SHORTRIDGE. It does not authorize an appropriation?

Mr. SMOOT. It is an authorization.

The PRESIDENT pro tempore. It authorizes the appropriation of \$175,000.

Mr. SHORTRIDGE. I understood that it provided for a survey.

SEVERAL SENATORS. Regular order!

The PRESIDENT pro tempore. The regular order is demanded, and the bill will go over.

#### CITIZENSHIP FOR INHABITANTS OF THE VIRGIN ISLANDS

The bill (S. 2770) to confer United States citizenship upon certain inhabitants of the Virgin Islands and to extend the naturalization laws thereto was announced as next in order.

Mr. MCKELLAR. Let that go over.

Mr. WILLIS. Mr. President, I trust the Senator will withdraw his objection.

Mr. MCKELLAR. I understand that another committee has a similar bill before it.

Mr. WILLIS. The Senator is mistaken.

Mr. MCKELLAR. As I understand it, this bill gives citizenship to all the inhabitants of the Virgin Islands.

Mr. WILLIS. Not to all of them, but to certain of them.

Mr. MCKELLAR. To practically all of them. I do not think it is wise to do that. We certainly ought to look into it very carefully, further than we could now, and I ask that the bill may go over.

Mr. WILLIS. I trust the Senator will permit me to make a brief explanation.

Mr. MCKELLAR. Certainly.

Mr. WILLIS. The Senator is laboring under a misapprehension in one respect. I chance to be a member of both the committees to which he has referred. This bill was fully considered by the Committee on Immigration, to which it very properly belongs.

The situation with reference to the inhabitants of these islands is particularly unfortunate, so far as citizenship is concerned. They came into the United States with great enthusiasm in 1917. They are now, so to speak, people without a country. They are not citizens of the United States or of Denmark, or of any place, and the purpose of this bill is, under very carefully prepared restrictions, to grant them citizenship.

I can not believe any Senator desires that any considerable number of people under the aegis of American protection shall be without American citizenship. This bill proposes to grant them citizenship. It does not change the government of the Virgin Islands of the United States but merely extends the citizenship. I trust the Senator will withdraw his objection.

Mr. MCKELLAR. I will ask that is go over for to-night anyway.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WILLIS. I ask unanimous consent to have printed in the RECORD as a part of my remarks the committee report, for the information of Senators.

The PRESIDENT pro tempore. Is there objection?

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

#### CITIZENSHIP FOR THE INHABITANTS OF THE VIRGIN ISLANDS

Mr. WILLIS, from the Committee on Immigration, submitted the following report (to accompany S. 2770):

The Committee on Immigration, to which was referred the bill S. 2770, having considered the same, report favorably thereon with the recommendation that the bill do pass.

A convention between the United States of America and Denmark, providing for the cession to the United States of all territory owned or claimed by Denmark in the West Indies, including the islands of St. Thomas, St. John, St. Croix, and certain smaller adjacent islands, was concluded and signed by plenipotentiaries of the respective powers on the 4th day of August, 1916.

Article 6 of this convention relates to the citizenship of the inhabitants of these islands, and is as follows:

"Danish citizens residing in said islands may remain therein or may remove therefrom at will, retaining in either event all their rights of property, including the right to sell or dispose of such property or its proceeds. In case they remain in the islands, they shall continue until otherwise provided to enjoy all the private, municipal, and religious rights and liberties secured to them by the laws now in force. If the present laws are altered, the said inhabitants shall not thereby be placed in a less favorable position in respect to the above-mentioned rights and liberties than they now enjoy. Those who remain in the islands may preserve their citizenship in Denmark by making before a court of record, within one year from the date of the exchange of ratifications of this convention, a declaration of their decision to preserve such citizenship; in default of which declaration they shall be held to have renounced it and to have accepted citizenship in the United States; for children under 18 years the said declaration may be made by their parents or guardians. Such election of Danish citizenship shall, however, not, after the lapse of the said term of one year, be a bar to their renunciation of their preserved Danish citizenship and their election of citizenship in the United States and admission to the nationality thereof on the same terms as may be provided according to the laws of the United States for other inhabitants of the islands.

"The civil rights and the political status of the inhabitants of the islands shall be determined by the Congress, subject to the stipulations contained in the present convention.

"Danish citizens not residing in the islands but owning property therein at the time of the cession shall retain their rights of property, including the right to sell or dispose of such property, being placed in this regard on the same basis as the Danish citizens residing in the

islands and remaining therein or removing therefrom, to whom the first paragraph of this article relates."

It will be observed that this convention left in a somewhat vague situation the status of inhabitants of the Virgin Islands of the United States. Evidently legislative action by the Congress of the United States was contemplated by the framers of this convention and certainly by the people of the Virgin Islands.

These people welcomed the coming of the United States and never entertained a thought that theirs should become a no man's land and that they themselves should be placed in a status of doubtful citizenship. Unfortunately, the organic act of 1917, passed in time of world stress and excitement, gave but scant attention to the rights of the islanders. It provided what was expected to be only a temporary form of government, suited to the needs of the hour, and did not undertake to define the citizenship status of the inhabitants of the Virgin Islands of the United States. Almost a decade has passed and nothing further has been done in this matter. In the pressure of other matters the needs of the Virgin Islands have been overlooked. Their people are patriotic, industrious, and patient. They have a right to expect that their needs will not be overlooked by Congress and that they will at least not be forgotten by the great Nation of which they are a part.

Your committee, after careful consideration of the subject, is of the opinion that the least that can be done at the present time is to clarify and define by appropriate legislation the citizenship status of the inhabitants of the Virgin Islands of the United States, so that they with greater assurance may proceed on the path of progress, which it is hoped will lead to better and freer government and more satisfactory economic conditions in the islands.

With this object in view, the passage of S. 2770 is recommended.

Section 1 provides that all former Danish citizens who have continued to reside in the Virgin Islands or in the United States and who did not preserve their Danish citizenship under the terms of article 6 of the convention, and also all natives of the islands who were temporarily absent at the time of the cession and who have since returned and now reside in the islands, and their children born subsequent to the date of transfer of sovereignty from Denmark to the United States, shall be citizens of the United States.

Section 2 provides for a special mode of naturalization for those who were absent from the islands and have received an honorable discharge from the military or naval forces of the United States.

Section 3 provides for persons hereafter born in the Virgin Islands of the United States. The rule of citizenship already provided in the fourteenth amendment to the Constitution of the United States.

Section 4 provides that the District Court of the United States for Porto Rico shall have jurisdiction for the naturalization of aliens residing in the Virgin Islands of the United States.

The enactment of this legislation is an act of justice to these people, who will thus be given fresh courage for the larger problems crying for solution and renewed confidence in the great Nation of which they were glad to become a part.

#### PRINTING OF THE CONSTITUTION AND DECLARATION OF INDEPENDENCE

The concurrent resolution (S. Con. Res. 12) to provide for the printing of the Constitution of the United States, as amended to April 15, 1926, together with the Declaration of Independence, as a Senate document was announced as next in order and was considered.

The concurrent resolution had been reported from the Committee on Printing with amendments, on page 1, line 5, before the word "index," to insert the word "an"; after the word "index," to insert a comma and the words "in such form as may be directed by the Committee on Printing," so as to make the concurrent resolution read:

*Resolved, etc.*, That the Constitution of the United States as amended up to April 15, 1926, together with the Declaration of Independence, be printed as a Senate document, with an index in such form as may be directed by the Joint Committee on Printing, and that 3,500 additional copies be printed, of which 1,000 copies shall be for the use of the Senate and 2,500 copies for the use of the House of Representatives.

The amendments were agreed to.

The concurrent resolution was agreed to.

#### LOWER COLORADO RIVER BASIN

The bill (S. 3331) to provide for the protection and development of the lower Colorado River Basin was announced as next in order.

Mr. ASHURST. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

#### DETROIT MARINE HOSPITAL RESERVATION

The bill (S. 3738) to amend an act entitled "An act authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of

the beneficiaries of the United States Public Health Service, and for other purposes," approved June 7, 1924, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the "Act authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality, and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Service, and for other purposes," approved June 7, 1924, be amended to read as follows:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to transfer to the Department of Commerce for lighthouse purposes that portion of the United States marine hospital reservation at Detroit, Mich., together with the improvements thereon, described as follows: Beginning at the northwest corner of the present marine hospital reservation, on Jefferson Avenue, and running thence in a northeasterly direction along the southerly side of said Jefferson Avenue, 55 feet to a point; thence in a southeasterly direction 150 feet to a point; thence southwesterly a distance of 55 feet to a point in the westerly boundary line of said marine hospital site; and thence with said westerly boundary line in a northwesterly direction a distance 150 feet to the place of beginning.

SEC. 2. The Secretary of the Treasury is also authorized and directed to transfer from the Treasury Department to the Department of Commerce, for a lighthouse depot, all of the unused portion of the United States post-office and courthouse property at Key West, Fla., now in use for lighthouse purposes. And the Secretary of the Treasury is further authorized and directed, upon completion and occupancy of the new Federal building upon the site heretofore acquired for the purpose at Key West, Fla., to transfer the old Federal building and site thereof to the Department of Commerce for the use of the Lighthouse Service, which site is described as follows: Commencing at the corner of the post-office site at the intersection of Front Street and the projection of the northerly line of Greene Street; running thence in a northerly direction with the west line of Front Street a distance of approximately 101.5 feet to a point; thence in a northwesterly direction a distance of approximately 77 feet, to the corner of the Treasury Department iron fence between the said post-office site and the navy depot; thence with a line of said iron fence in a southwesterly direction a distance of approximately 44 feet to the north wall of said post-office building; thence with the line of said north wall of the post-office building in a westerly direction a distance of approximately 22 feet to the Treasury Department iron fence; thence in a northwesterly direction along the line of said fence, following a curve having a radius of approximately 23.2 feet, a distance of approximately 24.2 feet to a point; thence following the line of said iron fence in a westerly direction a distance of approximately 17 feet to a point; thence along the line of said fence in a northwesterly direction a distance of approximately 5 feet to a point; thence along the line of said fence in a westerly direction a distance of approximately 55 feet to a point; thence in a southerly direction following a line parallel with the west line of Front Street, a distance of 150 feet to a point; thence in an easterly direction following a line parallel to and approximately 15 feet distant from the north line of the lighthouse blacksmith shop, a distance of 15 feet to a point; thence in a southerly direction along a line parallel with the west line of Front Street, a distance of approximately 95 feet to a point in the projection of the north line of Greene Street; thence in a northeasterly direction along the said projected north line of Greene Street a distance of approximately 203 feet to the point of beginning.

SEC. 3. That the Secretary of Commerce be, and he hereby is, authorized and directed to transfer to the Treasury Department, in exchange for the unused portion of the United States post office and courthouse property at Key West, Fla., and that portion of the marine hospital reservation at Detroit, Mich., hereinbefore referred to, for a new marine-hospital site, a tract of approximately 5½ acres at Windmill Point, Detroit, Mich., including submerged land, now being used for lighthouse purposes, reserving sites for aids to navigation and the necessary rights of way in such locations as the Commissioner of Lighthouses may select.

SEC. 4. The proceeds derived from the sale of the remainder of the present United States marine hospital reservation at Detroit, Mich., is hereby made available for the construction of buildings on the so-called Windmill Point site when transferred as above provided.

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

#### JUDICIAL DISTRICTS OF TENNESSEE

The bill (H. R. 5006) to detach Hickman County from the Nashville division of the middle judicial district of the State of Tennessee and attach the same to the Columbia division of the middle judicial district of said State was considered as in Committee of the Whole.

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

## MEDAL IN MEMORY OF HENRY W. LONGFELLOW

The bill (S. 4018) to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the poet Henry W. Longfellow was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That a medal with appropriate devices, emblems, and inscriptions, commemorative of the poet Henry W. Longfellow, shall be prepared under the direction of the Secretary of the Treasury at the United States mint at Philadelphia. The medal herein authorized shall be manufactured subject to the provisions of section 52 of the coinage act of 1873, from suitable models to be supplied by the International Longfellow Society, and the medal so prepared shall be delivered at the Philadelphia Mint to a designated agent of the said International Longfellow Society in such numbers as they may require, not to exceed 500,000, upon payment of the total cost thereof.

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

## MINNESOTA NATIONAL FOREST

The bill (H. R. 292) to authorize the Secretary of Agriculture to acquire and maintain dams in the Minnesota National Forest needed for the proper administration of the Government land and timber, was announced as next in order.

Mr. KING. I would like to have some explanation of the bill.

Mr. SHIPSTEAD. Mr. President, I will be very glad to make an explanation. The Government of the United States bought an island in Cass Lake, Minn., containing a large tract of fine timber. They bought altogether 10 sections. They have many hundred million feet of timber in a national forest there in charge of the Forest Service.

The intention is to cut the timber as it matures, but to cut it scientifically, and preserve the forest as a national forest.

In order to transport that timber, as the water is low at certain stages when they want to float it, this dam is necessary. Some years ago a private lumber company had a dam at this place, but they have abandoned the dam. The dam is washing away and the Government can not transport its timber at the time of the year when it is necessary to transport it. The bill simply provides that they may construct a dam to raise the water for the purpose of transporting that timber.

Mr. KING. Did the Government of the United States go into the State of Minnesota and buy a large area of cut-over land?

Mr. SHIPSTEAD. No; they bought a large area of virgin timber from the Indians and made a national forest out of it. Several hundred million feet of that timber is on an island in the lake.

Mr. KING. This is for the purpose of making proper disposition of such timber as the Government may not require?

Mr. SHIPSTEAD. Yes. The bill has the approval of the Department of the Interior.

Mr. KING. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 1, after the word "section," to strike out "1" and insert in lieu thereof "21," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of Agriculture is hereby authorized to accept, on behalf of the United States, title to a dam and appurtenances thereto constructed and hitherto maintained under authority of law by the J. Neils Lumber Co. at the outlet of Cass Lake in the State of Minnesota, together with the right of way for the abutment of said dam on lot 2, section 21, township 146 north, range 30 west, fifth principal meridian, and the flowage rights thereon, and to thereafter maintain or reconstruct said dam in good and serviceable condition: *Provided*, That when Lake Wlnibigoshish is at such a level as to hold Cass Lake at a level of 2.5 feet or more on the Cass Lake gauge enough of the dam shall be removed or kept open to permit the passage of boats and logs.

SEC. 2. That if the maintenance of the dam by the United States as provided in section 1 hereof shall cause any lands in private ownership to be submerged and damaged the Secretary of Agriculture may, in his discretion, acquire title to said lands so submerged by purchase under the provisions of sections 7 and 8 of the act of March 1, 1911 (36 Stat. L. p. 961), or in lieu of such purchase may compensate the owners of said submerged lands for all damages sustained by reason of said submergence upon proper showing of proof that said damages are due exclusively to the maintenance of the dam as authorized herein.

SEC. 3. That to carry out the purposes of this act there is hereby authorized to be appropriated, out of any moneys in the Treasury not

otherwise appropriated, for expenditure during the fiscal year ending June 30, 1927, the sum of \$5,000 and annual appropriations of like sums to carry out the purposes of this act during ensuing years are hereby authorized.

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, and passed.

## ALTUS (OKLA.) RESERVOIR

The bill (H. R. 9559) granting certain public lands to the city of Altus, Okla., for reservoir and incidental purposes, was considered as in Committee of the Whole.

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

## FOREIGN FIELD SERVICE

The bill (S. 3473) to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

## COLUMBIA RIVER BRIDGE, OREGON

The bill (S. 3804) granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct, maintain, and operate a bridge across the Columbia River between Longview, Wash., and Ranier, Oreg., was announced as next in order.

Mr. McNARY. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

## TOLLS OVER INTERSTATE BRIDGES

The bill (S. 3889) to amend the interstate commerce act, as amended, in respect of tolls over certain interstate bridges, was announced as next in order.

Mr. KING. Mr. President, there is a very important question involved in connection with this bill, and I should like to have some explanation in regard to it.

Mr. MAYFIELD. Mr. President, I will say that under the law—

Mr. KING. Does the Senator desire to have the bill taken up?

Mr. MAYFIELD. No; I will ask that it go over, without prejudice.

Mr. BINGHAM. Mr. President, if the Senator would not object, I should like to move that the bill be referred to the Committee on Commerce. As a matter of fact, it establishes quite a new principle in connection with toll bridges, and places under the Interstate Commerce Commission the regulation of such bridges.

Mr. MAYFIELD. I hope the Senator will not make that motion. I intend to prepare an amendment to the bill similar to that presented by the Senator from New York [Mr. WADSWORTH] to a bill which was passed this evening, making this a local bill.

The PRESIDENT pro tempore. Under objection, the bill will be passed over.

## NECHES RIVER DAM, TEXAS

The bill (S. 3768) granting the consent for the construction of dam or dams in Neches River, Tex., was considered as in Committee of the Whole.

Mr. SHEPPARD. I offer an amendment, which I send to the desk.

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

The amendment was to strike out all after the enacting clause, and in lieu thereof to insert the following:

That the consent of Congress is hereby granted to the Neches Canal Co., Beaumont Irrigating Co., the city of Beaumont, Tex., and the city of Port Arthur, Tex., or any two or more of them jointly, to construct a dam or dams across the Neches River at points suitable to the interests of navigation above the city of Beaumont, Tex.: *Provided*, That the work on such dams shall not be commenced until the plans therefor have been filed with and approved by the Secretary of War and the Chief of Engineers of the United States Army.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. KING. Is that work to be conducted by the Government? Does it involve any Government expense?

Mr. SHEPPARD. It involves no expense to the Government. It authorizes local interests to construct a dam or

dams in the Neches River to protect the water supply of the cities of Port Arthur and Beaumont, Tex.

Mr. LENROOT. Is there any power involved?

Mr. SHEPPARD. There is not.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

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.

The title was amended so as to read: "A bill granting the consent of Congress for the construction of a dam or dams in Neches River, Tex."

#### RUSSIAN RAILWAY SERVICE CORPS

The bill (S. 1921) to give military status and discharges to the members of the Russian Railway Service Corps, organized by the War Department under authority of the President of the United States for service during the war with Germany, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 2, line 4, to strike out the words "article 4 of the war risk insurance act" and insert in lieu thereof "Title III of the World War veterans' act, 1924," so as to make the bill read:

*Be it enacted etc.*, That the officers appointed by the President, and who served honorably during the war with Germany on and after April 6, 1917, in the Russian Railway Service Corps, organized by the War Department under authority of the President of the United States, shall have as to such service the status of commissioned officers in the military forces of the United States with rank corresponding to that designated in the President's appointment, and shall receive a full and honorable discharge from the military service of the United States, and shall be entitled to make application for insurance under Title III of the World War veterans' act, 1924, if such application is made within 120 days from the approval of this act.

The amendment was agreed to.

Mr. KING. I would like to ask the Senator to make an explanation, and in the explanation state the number who would be affected by the bill, the probable cost to the Government, and, generally, the purpose of the bill.

Mr. LENROOT. Mr. President, I am sorry that I can not state the number involved. I do not now recollect. But a similar bill has passed the Senate three times. At the last session it passed the Senate and was favorably reported by the Military Affairs Committee of the House.

The situation is that during the war, the War Department organized what was known as the Russian Railway Service Corps. Officers were appointed by the President of the United States, and given commissions. They performed as hazardous a service as anyone engaged in the war, but they were without a legal military status. They did not receive honorable discharges, and the only purpose of this bill is to enable them to receive honorable discharges, and to apply for insurance under the insurance act.

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.

#### DISBURSING OFFICERS OF THE ARMY, NAVY, AND MARINE CORPS

Mr. KING. Mr. President, I would like to have the question which I asked the Senator from New York, and which was sotto voce on my part and probably on his part, go in the Record in connection with the bill. I asked the Senator from New York whether the bill to which the Senator from Wisconsin then referred gave retirement privileges.

Mr. WADSWORTH. Oh, not at all. It does not make them officers of the Army in that respect.

Mr. KING. There is no pensionable status or anything of that nature?

Mr. WADSWORTH. Yes; it puts these men on the same status as emergency officers who served in the World War in the Army proper. These men served in a military status in Siberia under orders from American Army officers. They were recruited by our State Department after consultation with the old Russian Government. They were requested to go over there and run their railroads. These men came in violent contact with very difficult conditions, Bolshevik uprisings, the rescue of the Czechoslovakian armies, bringing them back to Vladivostok, and serving with the Allies. They did not hold a military status under the laws governing the Army of the United States; that is all.

Mr. KING. I thank the Senator.

The bill (S. 1485) to authorize disbursing officers of the Army, Navy, and Marine Corps to designate deputies was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 2, line 4, after the word "deputy," to insert a colon and the words "*Provided*, That every deputy so designated for a disbursing officer who is bonded shall, if not already under bond, give bond as required by the head of the department concerned," so as to make the bill read:

*Be it enacted etc.*, That when, in the opinion of the Secretary of War or the Secretary of the Navy, the exigencies of the service so require, disbursing officers of the Army, Navy, and Marine Corps may, with the approval of the head of their executive department and the consent of their surety or sureties, if any, designate deputies for the purpose of having them make disbursements as their agents, sign checks drawn against their disbursing accounts with the Treasurer of the United States, and discharge all other duties required according to law or regulation to be performed by such disbursing officers, and the agent officer shall be subject, for his official misconduct, to all liabilities and penalties prescribed by law in like cases for the officer for whom he acts as deputy: *Provided*, That every deputy so designated for a disbursing officer who is bonded shall, if not already under bond, give bond as required by the head of the department concerned.

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.

#### UNITED STATES MILITARY ACADEMY

The bill (S. 2039) to establish a department of economics, government, and history at the United States Military Academy at West Point, N. Y., and to amend chapter 174 of the act of Congress of April 19, 1910, entitled "An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes," was announced as next in order.

Mr. WADSWORTH. Mr. President, the House of Representatives has passed a bill identical with this one, the bill (H. R. 4547) bearing the same title as the Senate bill. It is on the Senate Calendar later on. I ask unanimous consent that the Senate proceed to consider the House bill.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Is there objection to the request of the Senator from New York that the House bill be substituted for the Senate bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4547) to establish a department of economics, government, and history at the United States Military Academy, at West Point, N. Y., and to amend chapter 174 of the act of Congress of April 19, 1910, entitled "An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes."

Mr. KING. Mr. President, will the Senator explain the bill?

Mr. WADSWORTH. There will be no additional cost for two or three years until we reach the Army appropriation bill that carries the item for the purchase of textbooks for the use of the department of economics, government, and history at West Point. When the curriculum at West Point was changed and restored to four years, that department was established by regulation and a professor was assigned to it. However, so strict is the Congress with respect to the curriculum at West Point that every department there must be solemnly authorized by act of Congress. The course has never yet been authorized by suitable legislation for the teaching of economics, history, and government. The bill is to make that professor's job a legal job.

Mr. HARRIS. Mr. President, I desire to offer an amendment to the bill to be added as a new section.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. At the proper place in the bill insert the following:

That the number of cadets now authorized by law at the United States Military Academy, and the number of midshipmen now authorized by law at the United States Naval Academy, are each hereby increased by 40 from the United States at large, to be appointed by the President from among the sons of officers, soldiers, sailors, and marines of the Army, Navy, and Marine Corps of the United States who were killed in action or died prior to July 2, 1921, of wounds or injuries received, or disease contracted in line of duty during the World War.

Mr. HARRIS. Mr. President, the amendment provides that the President may name 10 cadets to the Naval Academy and 10 cadets to the Military Academy each year for four years from among the sons of men who were killed in action or who died from wounds during the World War. The Superintendent of the Military Academy reports that he can take care of these boys without any additional expense except for food and clothing, and the same is true at the Naval Academy. The Army every year requires more new second lieutenants than are graduated from the Military Academy. The Navy and Marine Corps have need of more than this number of additional cadets. The amendment simply gives to the sons of men who were killed this additional opportunity. We do less for the boy whose father was killed than we do for the man who was not injured in any way. This amendment allows the President to make these appointments.

The PRESIDING OFFICER. The Chair would ask whether the amendment as proposed is similar to Order of Business 794, Senate bill 3712?

Mr. HARRIS. It is; and the Committee on Military Affairs unanimously recommended it.

Mr. WADSWORTH. That is true.

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.

The PRESIDING OFFICER. Without objection Senate bill 3712, calendar No. 794, will be indefinitely postponed.

#### AMENDMENT OF NATIONAL DEFENSE ACT

The bill (S. 2912) to further amend section 125 of the national defense act of June 3, 1916, as amended, was considered as in Committee of the Whole. The bill had been reported from the Committee on Military Affairs with an amendment on page 1, line 12, to strike out the period and quotation marks and insert in lieu thereof a colon and quotation marks, so as to make the bill read:

*Be it enacted, etc.*, That section 125 of the national defense act of June 3, 1916, as amended, be, and the same is hereby, further amended so that the first proviso contained in the second paragraph of that section will read as follows:

*Provided*, That hereafter upon the discharge or furlough to the Reserve of an enlisted man all uniform outer clothing then in his possession, except such articles as he may be permitted to wear from the place of termination of his active service to his home as authorized by this section, will be retained for military use:

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.

#### WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM

The bill (S. 3080) to authorize the payment of expenses of the Washington-Alaska military cable and telegraph system out of receipts of such system as an operating expense was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That hereafter such amount of money as may be authorized by the Secretary of War may be withheld temporarily from the receipts of the Washington-Alaska military cable and telegraph system by the auditor of said system as a working balance from which to make payments of money transfers from and to Alaska and between points within Alaska, to be accounted for accordingly; and the expenses of procuring necessary official bonds, as determined by the Secretary of War, of enlisted men employed in connection with such money transfers, shall be paid out of the receipts of such system as an operating expense.

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

#### STANDARDS FOR HAMPERS, ETC.

The bill (S. 3926) to fix standards for hampers, round-stave baskets, and splint baskets for fruits and vegetables, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.*, That the standard hampers and round-stave baskets for fruits and vegetables shall be of the following capacities: One-eighth bushel, one-fourth bushel, one-half bushel, three-fourths bushel, 1 bushel, 1 1/4 bushels, and 2 bushels, which, respectively, shall be of the cubic content set forth in this section. For the purposes of this act a bushel, standard dry measure, has a capacity of 2,150.42 cubic inches.

(a) The standard one-eighth-bushel hamper or round-stave basket shall contain 268.8 cubic inches.

(b) The standard one-fourth-bushel hamper or round-stave basket shall contain 537.6 cubic inches.

(c) The standard one-half-bushel hamper or round-stave basket shall contain 1,075.21 cubic inches.

(d) The standard three-fourths-bushel hamper or round-stave basket shall contain 1,612.8 cubic inches.

(e) The standard 1-bushel hamper or round-stave basket shall contain 2,150.42 cubic inches.

(f) The standard 1 1/4-bushel hamper or round-stave basket shall contain 3,225.63 cubic inches.

(g) The standard 2-bushel hamper or round-stave basket shall contain 4,300.84 cubic inches.

SEC. 2. That the standard splint baskets for fruits and vegetables shall be the 4-quart basket, 8-quart basket, 12-quart basket, 16-quart basket, 24-quart basket, and 32-quart basket, standard dry measure. For the purposes of this act a quart standard dry measure has a capacity of 67.2 cubic inches.

(a) The 4-quart splint basket shall contain 268.8 cubic inches.

(b) The 8-quart splint basket shall contain 537.6 cubic inches.

(c) The 12-quart splint basket shall contain 806.4 cubic inches.

(d) The 16-quart splint basket shall contain 1,075.21 cubic inches.

(e) The 24-quart splint basket shall contain 1,612.8 cubic inches.

(f) The 32-quart splint basket shall contain 2,150.42 cubic inches.

SEC. 3. That the Secretary of Agriculture shall in his regulations under this act prescribe such tolerances as he may find necessary to allow in the capacities for hampers, round stave baskets, and splint baskets set forth in sections 1 and 2 of this act in order to provide for reasonable variations occurring in the course of manufacturing and handling. If a cover be used upon any hamper or basket mentioned in this act, it shall be securely fastened or attached in such a manner, subject to the regulations of the Secretary of Agriculture, as not to reduce the capacity of such hamper or basket below that prescribed therefor.

SEC. 4. That no manufacturer shall manufacture hampers, round stave baskets, or splint baskets for fruits and vegetables unless the dimension specifications for such hampers, round stave baskets, or splint baskets shall have been submitted to and approved by the Secretary of Agriculture, who is hereby directed to approve such specifications if he finds that hampers, round stave baskets, or splint baskets for fruits and vegetables made in accordance therewith would not be deceptive in appearance and would comply with the provisions of sections 1 and 2 of this act.

SEC. 5. That it shall be unlawful to manufacture for sale or shipment, to offer for sale, to sell, to offer for shipment, to ship, or to import or cause to be imported into the continental United States, hampers, round stave baskets, or splint baskets for fruits or vegetables, either filled or unfilled, or parts of such hampers, round stave baskets, or splint baskets that do not comply with this act: *Provided*, That this act shall not apply to Climax baskets, berry boxes, and till baskets which comply with the provisions of the act approved August 31, 1916, entitled "An act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for basketes and other containers for small fruits, berries, and vegetables, and for other purposes" (39 U. S. Stat. L. p. 673), and the regulations thereunder. Any individual, partnership, association, or corporation that willfully violates this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500: *Provided further*, That no person shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the manufacturer, wholesaler, shipper, or other party residing within the United States from whom the hampers, round stave baskets, or splint baskets, as defined in this act, were purchased, to the effect that said hampers, round stave baskets, or splint baskets are correct, within the meaning of this act. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of the hampers, round stave baskets, or splint baskets to such person, and in such case such party or parties making such sale shall be amenable to the prosecution, fines, and other penalties which would attach in due course under the provisions of this act to the person who made the purchase.

SEC. 6. That any hamper, round stave baskets, or splint basket for fruits or vegetables, whether filled or unfilled, or parts of such hampers, round stave baskets, or splint baskets not complying with this act, which shall be manufactured for sale or shipment, offered for sale, sold, shipped, or imported, may be proceeded against in any district court of the United States within the district where the same shall be found and may be seized for confiscation by a process of libel for condemnation. Upon request the person entitled shall be permitted to retain or take possession of the contents of such hampers or baskets, but in the absence of such request, or when the perishable nature of such contents makes such action immediately necessary the same shall be disposed of by destruction or sale, as the court or a judge thereof may direct. If such hampers, round stave baskets, splint baskets, or parts thereof be found in such proceeding to be contrary to this act, the same shall be

disposed of by destruction, except that the court may by order direct that such hampers, baskets, or parts thereof be returned to the owner thereof or sold upon the payment of the costs of such proceeding and the execution and delivery of a good and sufficient bond to the effect that such hampers, baskets, or parts thereof shall not be sold or used contrary to law. The proceeds of any sale under this section, less legal costs and charges, shall be paid over to the person entitled thereto. The proceedings in such seizure cases shall conform as near as may be to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in such cases, and all such proceedings shall be at the suit and in the name of the United States.

SEC. 7. That this act shall not prohibit the manufacture for sale or shipment, offer for sale, sale, or shipment of hampers, round stave baskets, splint baskets, or parts thereof, to any foreign country in accordance with the specifications of a foreign consignee or customer not contrary to the law of such foreign country; nor shall this act prevent the manufacture or use of banana hampers of the shape and character now in commercial use as shipping containers for bananas.

SEC. 8. That it shall be the duty of each United States district attorney to whom satisfactory evidence of any violation of this act is presented to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States in his district for the enforcement of the provisions of this act.

SEC. 9. That the Secretary of Agriculture shall prescribe such regulations as he may find necessary for carrying into effect the provisions of this act, and shall cause such examinations and tests to be made as may be necessary in order to determine whether hampers, round stave baskets, and split baskets, or parts thereof, subject to this act, meet its requirements, and may take samples of such hampers, baskets, or parts thereof, the cost of which samples, upon request, shall be paid to the person entitled.

SEC. 10. That for carrying out the purposes of this act the Secretary of Agriculture is authorized to cooperate with State, county, and municipal authorities, manufacturers, dealers, and shippers, to employ such persons and means, and to pay such expenses, including rent, printing publications, and the purchase of supplies and equipment in the District of Columbia and elsewhere, as he shall find to be necessary, and there are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for such purposes.

SEC. 11. That sections 5 and 6 of this act shall become effective at but not before the expiration of one year following the 1st day of November next succeeding 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.

#### MARIA MAYKOVICA

The bill (S. 2525) for the relief of Maria Maykovica was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$10,000" and to 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, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$5,000 to compensate Maria Maykovica, a widow without children, for permanent bodily injuries received and sustained by her on the evening of September 23, 1923, when she was struck by an Army truck as she was crossing Barracks Road, about two blocks south of Mannon's Park, St. Louis County, Mo. The injuries sustained included compound fracture of the right leg, entire left arm lacerated, breaking of several ribs, etc., and was caused by negligence of United States soldiers driving the Army truck.

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.

#### JOHN W. KING

The bill (H. R. 1731) for the relief of John W. King 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 issue to John W. King, of Avery, Tex., one permanent United States coupon bond in the denomination of \$1,000 of the third Liberty loan 4 1/4 per cent bonds of 1928, with coupon due September 15, 1920, and coupons to maturity attached thereto, in lieu of a temporary coupon bond (number unknown) of the same loan in the denomination of \$1,000 with three coupons attached, destroyed by fire, charred fragments of which have been presented to the Treasury Department, and to pay interest at the rate of 4 1/4 per cent per annum from September 15, 1918, to March 15, 1920, in the amount of \$63.75, representing the coupons attached to the temporary bond when destroyed: *Provided*, That the said bond shall not have been

previously presented or ascertained to be in existence, and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *And provided further*, That the said John W. King shall file in the Treasury Department a bond in the penal sum of double the amount of the bond, and the interest which would accrue thereon until the principal becomes due and payable in such form and with such securities as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the destroyed bond hereinbefore described or the coupons belonging thereto.

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

#### HEIRS OF LOUIS F. MEISSNER

The bill (H. R. 1897) for the relief of the heirs of the late Louis F. Meissner 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 redeem, in favor of Charles A. Meissner, Cecille J. Wenzel, and Louis F. Meissner, Jr., sole heirs of Louis F. Meissner, deceased, United States coupon bonds Nos. 76978, 76979, 76980, and 76981, in the denomination of \$100 each, of the 4 per cent funded loan of 1907, with interest thereon at the rate of 4 per cent from October 1, 1906, to July 2, 1907, the date of the maturity of the bonds, without presentation of said bonds or the coupons representing interest thereon from October 1, 1906, to July 2, 1907, which are alleged to have been stolen: *Provided*, That the said bonds shall not have been previously presented for payment, and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *Provided further*, That the said Charles A. Meissner, Cecille J. Wenzel, and Louis F. Meissner, Jr., shall first file in the Treasury Department a bond in the penal sum of double the amount of the bonds and the interest which had accrued thereon when the principal became due and payable, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the bonds hereinbefore described or the coupons belonging thereto.

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

#### WILLIAM D. M'KEEFREY

The bill (H. R. 2011) for the relief of William D. McKeefrey 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 redeem in favor of William D. McKeefrey, of Leetonia, Ohio, United States coupon bonds Nos. 39675, 39676, and 39677, in the denomination of \$100 each, of the 3 per cent loan of 1908-1918, with interest from date of issue to August 1, 1918, the date of maturity, at the rate of 3 per cent per annum, without presentation of the said bonds or the coupons representing interest thereon from the date of issue to the date of maturity thereof, the bonds, with all coupons attached, having been lost or destroyed: *Provided*, That the said bonds shall not have been previously presented for payment, and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *And provided further*, That the said William D. McKeefrey shall first file in the Treasury Department a bond in the penal sum of double the amount of the bonds and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed bonds hereinbefore described or the coupons belonging thereto.

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

#### ESTATE OF CHARLES M. UNDERWOOD

The bill (H. R. 2680) for the relief of the estate of Charles M. Underwood 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 redeem in favor of the estate of Charles M. Underwood, deceased, United States registered bonds Nos. 10101, 10102, 10103, and 10104, in the denomination of \$20 each, and bond No. 20080 in the denomination of \$100, inscribed "Susie E. Haswell," and bond No. 14095, in the denomination of \$500, inscribed "James H. Jenks, Jr.," all of the 3 per cent loan of 1908-1918, without presentation of the bonds, said bonds having been stolen after having been assigned in blank by the registered payees, and said registered payees having been reimbursed for the bonds by Charles M. Underwood, now deceased: *Provided*, That the said bonds shall not previously have been presented to the Treasury Department under such circumstances as would necessitate their redemption in favor of the person, firm, or bank presenting them: *Pro*

vided further, That the estate of Charles M. Underwood shall first file in the Treasury Department a bond in the penal sum of the principal of said bonds, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the bonds herein described.

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

#### GRAZING LANDS IN ALASKA

The bill (S. 3963) to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon was announced as next in order.

Mr. KING. Mr. President, I would like to ask the Senator from Oregon [Mr. STANFIELD] whether a bill of this importance, affecting all the public lands of Alaska, ought to be taken up under the five-minute rule.

Mr. STANFIELD. I think it should. The bill has the approval of the Secretary of the Interior and the Interior Department, and the Secretary of Agriculture. There is an acute situation existing in Alaska, one that affects the entire future of Alaska. There is no regulation of grazing there. The natives, being engaged largely in the reindeer business—unless the department is given power to direct their operations—overlap in the conservation of their winter forage and summer forage, and the reindeer eat the winter forage during the summer time. There is apt to be a great loss occur to the herds of reindeer. It is a measure that will afford stability to the grazing of livestock there, including reindeer and domestic animals such as cattle, sheep, and so forth, in Alaska Territory.

Mr. KING. The Senator has been conducting during the past year an extensive investigation into the Forest Service and grazing regulations. He has criticized, and I think justly, many of the oppressive regulations that have been imposed by the Forest Service. Does the Senator think that the bill which he is now recommending will not be subject to the same abuses as the existing law and that the people of Alaska will be freer from oppression than are the people of Oregon and the other public-land States?

Mr. STANFIELD. It is not comparable with the situation in the States so far as regulation of grazing in the Forest Service is concerned. I would like to advise the Senator from Utah that, as a result of the investigation carried on by the Public Lands Committee during the past summer, it has been possible for the grazing interests of the country to get together and work out a satisfactory situation.

Mr. KING. I have no objection if the committee is unanimously in favor of the bill.

Mr. FEISS. Is not this the grazing bill which has been under discussion in the committee lately?

Mr. STANFIELD. This is not the grazing bill. I would like to inform the Senator from Ohio at the same time that the opposition to the grazing bill probably grew out of opposition in the Forest Service. That opposition has been withdrawn to the grazing bill to which he refers; and whereas the Forest Service formerly opposed the grazing bill, they are now recommending passage of the bill, and the Secretary of Agriculture has also recommended it.

Mr. WILLIS. Mr. President, I hope the Senator will permit the bill to go over without prejudice. The Senator will recall that I spoke to him about it on another occasion. I really think the bill should have gone to the Committee on Territories and Insular Possessions. At any rate, some of us are very greatly interested in the matter, and it relates entirely to Alaska, as I understand it.

Mr. LA FOLLETTE. Mr. President, I demand the regular order.

The PRESIDING OFFICER. The regular order is demanded. The bill will go over under objection.

#### BENJAMIN A. J. FUNNEMARK

The bill (H. R. 3025) granting a patent to certain lands to Benjamin A. J. Funnemark was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and directed to issue a patent to Benjamin A. J. Funnemark for 400 acres of land of a character available for entry under the stock raising homestead law, the said grant being in lieu of an equal area of land of like character upon which the said claimant was erroneously permitted to enter; the land erroneously entered being within the Walla Walla, Wash., now Spokane, land district, and more particularly described as follows: Lots 3 and 4, section 18, lots 1, 2, 3, and 4, section 19, township 11 north, range 45 east, Willamette meridian, and east half southeast quarter, northwest quarter, southeast quarter, section 18, east half northeast quarter,

northeast quarter, southeast quarter, southwest quarter, northeast quarter, section 24, township 11 north, range 44 east, Willamette meridian.

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

#### BOYLE COMMISSION CO., IDAHO

The bill (H. R. 4681) providing for the issuance of patent to the Boyle Commission Co. for block No. 223, town site of Heyburn, Idaho, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and directed to issue a patent under the act of April 16, 1906 (34 Stat. p. 116), and the act of June 27, 1906 (34 Stat. p. 519), to the Boyle Commission Co. for block No. 223, town site of Heyburn, Idaho, without requiring any further payments on account of the purchase price fixed for said land: *Provided*, That, except for the reduction thus made in the purchase price, the issuance of patent shall be subject to all the conditions and limitations of the aforesaid acts of April 16, 1906, and June 27, 1906.

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

#### GEORGE K. HUGHES

The bill (H. R. 5673) authorizing the Secretary of the Interior to issue letters patent to George K. Hughes was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That upon the payment therefor at the rate of \$1.25 per acre, the Secretary of the Interior be, and he is hereby, authorized and directed to issue letters patent to George K. Hughes, of Monticello, White County, Ind., for the following-described lands, to wit: Lot 1, section 28, township 28 north, range 3 west, second principal meridian, Indiana, 3.43 acres.

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

#### FORT HALL INDIAN RESERVATION

The bill (H. R. 5710) extending the provisions of section 2455 of the United States Revised Statutes to ceded lands of the Fort Hall Indian Reservation was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the provisions of section 2455, United States Revised Statutes, as amended by the act of June 27, 1906 (34 Stat. L. p. 517), and by the act of March 28, 1912 (37 Stat. L. p. 77), are made applicable to the ceded lands on the former Fort Hall Indian Reservation: *Provided*, That no land shall be sold at less than the price fixed by the law opening the lands to homestead entry.

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

#### ADMINISTRATION OF OATHS BY LAND-OFFICE REGISTERS

The bill (H. R. 6239) to authorize acting registers of United States land offices to administer oaths at any time in public-land matters was considered as in Committee of the Whole and was read as follows:

*Be it enacted, etc.*, That a qualified employee of the Department of the Interior who has been designated to act as register of any United States land office pursuant to the provisions of the act of October 28, 1921, "An act for the consolidation of the offices of register and receiver in certain cases, and for other purposes" (42 Stat. L. p. 208), may at all times administer any oath required by law or the instructions of the General Land Office in connection with the entry or purchase of any tract of public land, but he shall not charge or receive, directly or indirectly, any compensation for administering such oath.

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

#### WILLIAM SMITH

The bill (S. 586) for the relief of William Smith was announced as next in order.

Mr. McNARY. Mr. President, there has been an adverse report on the bill. The chairman of the Committee on Military Affairs [Mr. WADSWORTH] spoke to me a moment ago before he retired from the Chamber and asked me to move that the bill be indefinitely postponed, and I make that motion.

The motion was agreed to.

#### RICHARD R. BAKER, JR.

The bill (S. 3350) authorizing the President to appoint Richard R. Baker, Jr., to the position and rank of first lieutenant in the United States Army and immediately retire him with the rank and pay held by him at the time of his discharge was announced as next in order.

Mr. BRUCE. There is an adverse report in the case, and I move that the bill be indefinitely postponed.

The motion was agreed to.

## MAKING THE UNITED STATES A PARTY DEFENDANT

The bill (S. 3630) to permit the United States to be made a party defendant in certain cases was considered as in Committee of the Whole and was read as follows:

*Be it enacted, etc.*, That whenever, under any law of the United States, a lien shall be created and made a matter of record in pursuance of the provisions of section 3186 of the Revised Statutes of the United States, or otherwise, upon or against any property, real or personal, against which any prior lien or incumbrance shall exist in favor of any person, firm, or corporation, and the person, firm, or corporation holding such prior lien or incumbrance shall desire to foreclose the same, the United States may be made a party defendant to any suit or proceeding which may be instituted by the holder of such prior lien or incumbrance: *Provided, however*, That the United States shall not be made a party to any suit or proceeding in any court of any State, but exclusive jurisdiction of all suits and proceedings which shall be instituted under this act is hereby vested in the district courts of the United States; and such suits or proceedings shall be instituted in the United States district court for the district in which the property subject to such lien shall be situated.

SEC. 2. That in all suits or proceedings which may be instituted under this act the process of the court shall be served upon the United States district attorney for the district in which the same shall be pending.

SEC. 3. That no judgment for costs shall be rendered against the United States in any suit or proceeding which may be instituted under the provisions of this act, nor shall the United States be or become liable for the payment of the costs of any such suit or proceeding or any part thereof.

SEC. 4. That whenever in any such suit or proceeding an order or decree of sale shall be entered, if it be found by the court that a lien exists in favor of the United States and that such lien of the United States is subordinate to any lien existing in favor of any person, firm, or corporation, such order or decree shall provide that no sale of the property subject to such lien shall take place until after the expiration of at least 90 days from the date of the entry of such order: *Provided, however*, That if Congress shall not be and continue in session for the period of 90 days after the entry of such order or decree, the judge of said court shall have power, on motion of the United States district attorney, to enter a supplemental order in such suit or proceeding, either in term time or vacation, staying such sale until after the expiration of 90 days from the date when Congress shall assemble at its next session.

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

## FEES OF DISTRICT COURT CLERKS

The bill (S. 3444) to amend the act of February 11, 1925, entitled "An act to provide fees to be charged by clerks of the district courts of the United States" was announced as next in order.

Mr. BRATTON. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

## PORTER BROS. &amp; BIFFLE AND OTHERS

The bill (S. 4030) for the relief of Porter Bros. & Biffle and others was announced as next in order.

Mr. KING. Over.

Mr. HARRELD. Mr. President, will the Senator from Utah withhold his objection for a moment?

Mr. KING. Yes.

Mr. HARRELD. The bill (S. 4030) for the relief of Porter Bros. & Biffle and others proposes to authorize certain persons to go into the United States Court of Claims and to enter a suit for damages growing out of the result of dipping a lot of cattle. There have been one or two other such cases already provided for.

Mr. KING. If the Senator will pardon me, I think he is inaccurate in stating that this bill proposes to authorize the maintenance of a suit in the Court of Claims. It proposes to authorize the bringing of a suit in the District Court of Oklahoma.

Mr. HARRELD. That is correct.

Mr. KING. And I shall object. I shall, of course, be glad to get the Senator's explanation; but that question is being considered, and I hope will be considered fully, as to whether we shall adopt the policy of permitting the United States to be sued in all parts of the United States for torts, breaches of contract, and so forth. Until the committee now considering the matter shall report, I have felt constrained to object to measures transferring such cases to the district courts.

Mr. HARRELD. The Senator's objection, then, goes to the direction of bringing suits in the district court?

Mr. KING. Yes. If the Senator desires to amend the bill and have the case go to the Court of Claims, I shall not object, but I shall object and do object to the bill in its present form.

Mr. HARRELD. The next two bills on the calendar cover the same kind of claims; they involve the same kind of suits and they are the same kind of bills.

Mr. KING. I shall object to the others as I have objected to this.

The PRESIDENT pro tempore. The bill will go over.

Mr. MAYFIELD. I ask the Senator from Utah to withhold his objection for just a moment. The three bills to which the Senator from Oklahoma refers are the next pending bills. We had a bill this morning just exactly along the same lines as these bills. It was a precisely similar bill.

Mr. KING. I hope that the Senator—

The PRESIDENT pro tempore. The Chair understands the Senator from Utah to maintain his objection and the bill will go over. The clerk will report the next bill on the calendar.

Mr. KING. I persist in my objection. This morning I was seduced from the path of duty by the importunity of another Senator, because he said that a similar bill had passed several times, and out of consideration for that representation I yielded.

Mr. MAYFIELD. If the Senator from Utah will just allow himself to be seduced this time, we shall not ask him to be seduced any more?

Mr. KING. No; I will not.

The PRESIDENT pro tempore. The regular order will be proceeded with. The clerk will state the next bill on the calendar.

## BILLS PASSED OVER

The bill (S. 4052) authorizing James L. Borroum and Francis P. Bishop to bring suits in the United States District Court for the State of Kansas for the amount due or claimed to be due to said claimants from the United States by reason of the alleged inefficient and wrongful dipping of tick-infested cattle, and giving said United States District Court for the State of Kansas jurisdiction of said suit or suits, was announced as next in order.

Mr. KING. I object to the consideration of the bill.

The PRESIDENT pro tempore. Being objected to, the bill will go over.

The bill (S. 4017) for the relief of Russell & Tucker and certain other citizens of the State of Texas was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

## JUDICIAL DISTRICT OF NEW JERSEY

The bill (H. R. 3745) to amend section 96, chapter 5, of the act of Congress of March 3, 1911, entitled "The Judicial Code," was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That section 96, chapter 5, of the act of Congress approved March 3, 1911, and therein designated "The Judicial Code," be amended so that the same shall read as follows:

"SEC. 96. The State of New Jersey shall constitute one judicial district, to be known as the district of New Jersey. Terms of the district court shall be held at Newark on the first Tuesday in April and the first Tuesday in November, at Trenton on the third Tuesday in January and the second Tuesday in September, of each year, and at Camden on the first Tuesday in December. The clerk of the court for the district of New Jersey shall maintain an office in charge of himself or a deputy, at Newark and at Trenton, each of which offices shall be kept open at all times for the transaction of the business of the court, and shall maintain an office at Camden, in charge of himself or a deputy, which office shall be kept open for the transaction of the business of the court for such times as the court may, by rule, direct, and the marshal shall also maintain an office, in charge of himself or a deputy, at Newark and at Trenton, each of which offices shall be kept open at all times for the transaction of the business of the court, and shall also maintain an office, in charge of himself or a deputy, at Camden, for such times as the court may, by rule, direct."

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

## GEORGIA COTTON CO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 579) for the relief of the Georgia Cotton Co., which was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Georgia Cotton Co., a corporation having its offices and principal place of business at Albany,

Ga., the sum of \$30,000, in full compensation of all claims of the company for money paid by it to the Alien Property Custodian, and for losses sustained by consequences flowing from acts of the Government of the United States during the World War.

Mr. KING. Mr. President, I desire an explanation of the bill before I consent to its passage.

Mr. GEORGE. Mr. President, I shall be glad to offer an explanation of the bill. The Georgia Cotton Co., a Georgia corporation, on June 12, 1916, entered into a contract by which it obligated itself to sell to one Blijdenstein, a subject of Holland, 2,000 bales of cotton at a stipulated price. Senators will observe that that was before we went into the World War. After we went into the war the price of cotton began to mount, and the ordinary machinery for handling cotton went to pieces; that is, the exchanges of various countries. The Georgia Cotton Co. sought to cancel its contract with Blijdenstein; it did, in fact, cancel its contract by paying Blijdenstein the sum of \$49,500 in order to be relieved from the contract, which meant bankruptcy for it. The contract of cancellation was made on January 14, 1918. Two months thereafter, on March 15—

Mr. KING. Had the cotton been delivered?

Mr. GEORGE. Oh, no; the cotton was for future delivery. Thereafter, on March 15, 1918, the War Trade Board placed Blijdenstein on the enemy trading list. Following that event the Alien Property Custodian demanded of the Georgia Cotton Co. every right, privilege, and benefit which was conferred upon Blijdenstein by the terms of the contract which was made before we went into the World War and which was canceled upon valid consideration, more than two months before Blijdenstein was placed on the enemy trading list.

Of course, the Georgia company demurred. They were threatened with criminal prosecution; they were threatened with civil suit; and finally, under protest, they paid \$30,000 to the Alien Property Custodian. For more than a year they tried to recover their money, and then were forced to abandon all effort to recover the money from the Alien Property Custodian and to come to Congress with a bill for relief.

In 1921 the receiver of Blijdenstein brought suit against the Alien Property Custodian and the Treasurer of the United States, in which suit he alleged that Blijdenstein was never an enemy nor had he ever violated any of the laws relating to alien enemies. He established his petition in the Supreme Court of the District of Columbia, and obtained a decree with which the Secretary of the Treasury and the Alien Property Custodian complied and paid over to Blijdenstein, together with certain other property, the \$30,000 which the Georgia Cotton Co. had been compelled to pay into the hands of the Alien Property Custodian.

The Alien Property Custodian gave the Georgia Cotton Co. no notice; they had no notice; they were not parties to the suit. Then the Alien Property Custodian became liable, of course, to the Georgia Cotton Co. for money which he in the first instance had wrongfully extorted—and I use the word "extorted," of course, in its legal sense—out of the Georgia Cotton Co.

Thomas W. Miller, Alien Property Custodian, himself in his report on this bill makes this statement:

It is undoubtedly true that the decision of the court that Blijdenstein was never an enemy made the seizure of this \$30,000 by the Alien Property Custodian illegal, as the Alien Property Custodian in fact seized the property of a nonenemy, which, of course, he could not do, as no power was vested in him to do so under the provisions of the trading with the enemy act.

There is no provision, Mr. President, in this bill, although it might well have been asked, for interest upon this sum of money which was taken from the Georgia Cotton Co. in 1919.

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

Mr. WALSH. Mr. President, if I may be permitted, I should like to refer to the bill for just a moment. Apparently Blijdenstein recovered the property from the United States, and now the United States pays the Georgia Cotton Co. \$30,000, so the United States loses the property seized and in addition is mulcted \$30,000.

Mr. GEORGE. Mr. President, I fear I did not make it clear. Let me state the facts briefly. The Georgia Cotton Co. made a contract with Blijdenstein before we entered the war, and after we entered the war of course this contract for an enormous amount of cotton would have bankrupted it. So it procured the cancellation of its contract and paid Blijdenstein \$49,500.

Mr. WALSH. Actually paid him?

Mr. GEORGE. Actually paid him to relieve it of the contract. Two months thereafter the War Trade Board placed Blijdenstein on the enemy trading list and came back to the

Georgia Cotton Co. and said, "You should not have paid this money to Blijdenstein because he is an alien enemy." Of course, that was denied, but, threatened with prosecution and in the heat of the war time, this small corporation could not resist either a civil suit by the Government or prosecution of its officials, with the result that, in order to avoid prosecution, it finally was compelled to pay into the Alien Property Custodian's hands \$30,000.

Mr. WALSH. If Blijdenstein settled with the Georgia Cotton Co. for the money which was coming to him, at least, he got \$30,000 of the \$49,500.

Mr. GEORGE. No; he got \$49,500 from the Georgia Cotton Co.

Mr. WALSH. Then, how did he have any claim against the Government of the United States?

Mr. GEORGE. He had no claim for the \$30,000, but the Government had seized other property of Blijdenstein under the original seizure.

Mr. WALSH. Oh, yes.

Mr. GEORGE. And in place of the Alien Property Custodian protecting the Georgia Cotton Co., he wrongfully obtained from him \$30,000.

Mr. WALSH. Then the judgment which Blijdenstein got against the United States was for property other than this property?

Mr. GEORGE. Yes; but the Government turned over all of this property to him and did not notify the Georgia Cotton Co.? They had no knowledge of the suit and no information about the suit?

Mr. WALSH. Then, the Government of the United States is not paying twice? What it paid Blijdenstein was for something other than this particular claim?

Mr. GEORGE. Yes. The Government seized quite a considerable amount of other property belonging to him.

Mr. WALSH. What did he recover in his suit?

Mr. GEORGE. When did he recover?

Mr. WALSH. How much did Blijdenstein recover in his suit against the Alien Property Custodian?

Mr. GEORGE. He recovered specific property and a considerable sum of money. I am unable to tell the Senator just how much he did recover.

Mr. WALSH. In that suit this claim was not involved at all, but the issue was the same?

Mr. GEORGE. The issue was the same.

Mr. WALSH. But the property was not?

Mr. GEORGE. The issue was the same, but this was property which had passed into the common fund which the Alien Property Custodian had, so he turned over to Blijdenstein all of the property which he claimed, including the \$30,000 which he had taken from the Georgia Cotton Co.

Mr. WALSH. The Senator does not make that clear. Did Blijdenstein recover anything from the Alien Property Custodian on account of this particular transaction?

Mr. GEORGE. No; he did not; he claimed nothing on account of this particular transaction, but he sued for the property held by the custodian, which included the money collected from the cotton company.

Mr. WALSH. So that actually the Government of the United States of this act is simply turning back to the Georgia Cotton Co.—

Mr. GEORGE. The money it paid.

Mr. WALSH. The \$30,000 which it wrongfully got from the Georgia Cotton Co.

Mr. GEORGE. That is exactly the case.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

ROSA E. PLUMMER

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 255) for the relief of Rosa E. Plummer. It directs the United States Employees' Compensation Commission to extend to Rosa E. Plummer, a former employee in the Bureau of Engraving and Printing, the provision 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 bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LUTHER H. PHIPPS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1540) for the relief of Luther H. Phipps. It directs the Secretary of the Treasury to redeem, in favor of

Luther H. Phipps, of Seattle, Wash., United States coupon bonds Nos. 17938 and 53420 in the denomination of \$1,000 each of the 4 per cent funded loan of 1907, with interest thereon at the rate of 4 per cent per annum from October 1, 1905, to July 2, 1907, the date of the maturity of the bonds, without presentation of said bonds or the coupons representing interest thereon from October 1, 1905, to July 2, 1907, which are alleged to have been lost or stolen, and provides that the said bonds shall not have been previously presented for payment, and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid; and that the said Luther H. Phipps shall first file in the Treasury Department a bond in the penal sum of double the amount of the bonds and the interest which had accrued thereon when the principal became due and payable, in such form and with such sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the alleged lost or stolen bonds hereinbefore described or the coupons belonging thereto.

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

NEFFS' BANK, OF M'BRIDE, MICH.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1669) for the relief of Neffs' Bank, of McBride, Mich. It directs the Secretary of the Treasury to redeem in favor of Neffs' Bank, of McBride, Mich., United States Treasury certificates of indebtedness payable to bearer, Nos. 51828 and 51829, in the denomination of \$1,000 each, Series IV-D, dated August 6, 1918, called for redemption November 21, 1918, and matured December 5, 1918, with interest from August 6, 1918, to November 21, 1918, at the rate of 4½ per cent per annum, without presentation of the said certificates of indebtedness, which have been lost, stolen, or destroyed; and provides that the said certificates of indebtedness shall not have been previously presented for payment; and that the said Neffs' Bank, of McBride, Mich., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said certificates of indebtedness and the interest which had accrued when the certificates were called for redemption, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed certificates of indebtedness hereinbefore described.

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

ALFRED F. LAND

The bill (S. 2090) for the relief of Alfred F. Land was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Alfred F. Land, of Los Angeles, Calif., \$4,512 in full satisfaction of all claims against the United States on account of personal injuries sustained on January 17, 1924, in a collision with an official United States Army automobile from Fort McArthur, Calif.

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

JANE COATES

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5726) for the relief of Jane Coates, widow of Leonard R. Coates. It directs the Secretary of the Treasury to pay to Jane Coates, widow of Leonard R. Coates, \$4,750 in compensation for 75 cows, killed as a result of the negligence of the Department of Agriculture in the enforcement of an act of Congress entitled "An act to regulate the sale of milk in the District of Columbia, and for other purposes," approved March 2, 1895.

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

HARRISBURG REAL ESTATE CO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3715) for the relief of the Harrisburg Real Estate Co., of Harrisburg, Pa., which was read, as follows:

*Be it enacted, etc.*, That in order to pay the Harrisburg Real Estate Co., of Harrisburg, Pa., reasonable compensation for the use and occupation by the United States from December 6, 1920, to April 10, 1923, of a tract of 397.22 acres of land in lower Swatara Township, Dauphin County, Pa., used by the War Department during said period, there is authorized to be appropriated from the Treasury, out of any money not otherwise appropriated, the sum of \$32,270.90.

Mr. KING. Mr. President, I should like an explanation of that bill.

Mr. REED of Pennsylvania. Mr. President, I can explain the bill, if the Senator from Utah desires to have an explanation.

Mr. KING. I shall be very glad if the Senator will do so.

Mr. REED of Pennsylvania. Mr. President, the Government bought from the Harrisburg Real Estate Co. a tract of 31 acres at Middletown, near Harrisburg. That acreage was a small part of a large tract occupied as an aviation depot during the war time. For the remaining portion of that tract, amounting to 397 acres, as I recall, the Government agreed with the owners on the price, but hesitated to buy because of some indecision about the policy of Congress at that time. Finally, in 1918, it was agreed that the price to be paid should be two hundred and twenty-nine thousand and some odd hundred dollars. It took about three years to get the consent of Congress for the purchase of the land. I might say that there were over a million dollars worth of warehouses built on the land. The War Department and the owners agreed that, pending the action of Congress, the rental to be paid by the Government should be 6 per cent of the agreed price.

It was bought to be delivered in 1923, but the rental was never paid, because a written lease embodying those terms had not been made. In the meantime the real-estate company had gone on paying interest at the same rate, I think, on its bond issue; and the amount carried by the bill is 6 per cent interest on the land which the Government has bought for the two years and a half that it was occupied by the Government without the payment of any rental whatever. The bill has the approval of the Secretary of War and the unanimous approval of the Committee on Claims.

Mr. KING. Mr. President, I should like to ask the Senator from New York a question. My understanding was that several years ago we passed a bill conferring upon the Secretary of War authority to close up a lot of these claims for lands upon which munition buildings and other war buildings had been placed. Was not this among the number?

Mr. WADSWORTH. I do not think it would fall under that classification. The bill to which the Senator refers undoubtedly is the bill which authorized the Secretary of War to settle the contracts which were terminated at the time of the armistice.

Mr. KING. I think, if the Senator will pardon me, that we passed another bill going farther than that, and authorizing the Secretary of War to acquire the title to a number of tracts upon which munition buildings and other very valuable property were situated.

Mr. WADSWORTH. I recollect no such legislation.

Mr. KING. I am quite sure that my memory does not fail me on that point, but if this was not among that class of cases, of course there could be no objection to this bill. Is the Senator familiar with this bill?

Mr. WADSWORTH. No; I am not.

Mr. KING. Well, Mr. President, I am not in a position to object.

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

G. C. ALLEN

The bill (S. 2188) for the relief of G. C. Allen was considered as in Committee of the Whole.

The bill 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"; and on the same page, line 6, after the words "sum of," to strike out "\$10,000" and insert "\$3,000," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and be is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to G. C. Allen, of Hot Springs, Ark., the sum of \$3,000 for injuries received by a piece of the doorway of the Federal post-office building at Hot Springs, Ark., falling upon him through no fault or negligence of his own.

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.

H. R. BUTCHER

The bill (H. R. 2933) for the relief of H. R. Butcher was considered as in Committee of the Whole.

Mr. KING. Mr. President, I should like an explanation of that bill.

Mr. MEANS. Mr. President, inasmuch as the Senator from Florida [Mr. TRAMMELL] is not present, I will attempt to make the explanation.

Butcher was one of the paymasters in the subsistence department, and made payments which, during the early stages of the disbursement, did not have the proper receipts. The Government has made a careful examination into the question of the payments, and finds no fraud, finds no negligence of which the Government could complain, and the Secretary of War recommends the passage of the bill. The Comptroller General also recommends the passage of the bill. It is for a small amount, \$299.78; and from the records as I recall them now there was no particular fault on the part of this disbursing officer.

The money was paid out for the Government, and the Government received the benefit of it; but it was in the early stages, and he did not protect himself with the vouchers, as required by regulation. The Secretary of War and the General Accounting Office both recommend the passage of the bill.

Mr. KING. There is no case of embezzlement upon his part or any of his subordinates?

Mr. MEANS. No; none at all.

Mr. KING. Or any improper dissipation of the funds?

Mr. MEANS. Not at all; not the slightest.

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

#### HORACE A. CHOUARD

The bill (S. 2385) to reimburse Horace A. Chouard, chaplain in the Twenty-third Infantry, for loss of certain personal property was announced as next in order.

Mr. KING. Let that go over.

Mr. MCKELLAR. Mr. President, may I say to the Senator that that bill has passed the Senate heretofore, and, if the Senator will recall, it refers to a case where an Army chaplain lost this property in a flood, and the department felt that the claim ought to be paid. I hope the Senator will withdraw his objection. The bill has already passed the Senate.

Mr. KING. Mr. President, may I say to the Senator that of course it is a very unpleasant task to object to some of these measures; but the Senate upon a number of occasions this year has taken the position that for acts of God the Government ought not to be responsible. A number of officers in Japan lost some of their property, and the position taken by Congress—and I think it is the correct one—is that where acts of God occur the Government ought not to be responsible. If that were true, and if it were responsible for the loss of all the property that officers and employees and agents of the Government have, they may carry with them enormous sums of money upon their persons, they may take with them expensive jewelry, they may take with them—as was done by a person who went overseas—\$21,000 worth of household effects, and because of the loss of the property upon the high seas the Government may be asked to pay for it, as it was in that case. If we are responsible for the loss of all personal property of all employees of the Government, wherever they are, through the negligence of other persons, railroad companies, or ships, where they do not take insurance, or acts of God, then there will be no limit to the liability of the Government.

I submit to the Senator if he thinks that we ought to establish that precedent. I do not think we ought to.

Mr. MCKELLAR. All I can say to the Senator is that we argued the matter before, and the Senator came to the conclusion that this was a bill that was proper, and it passed before with the Senator's approval.

Mr. KING. I hope the Senator will not say that the Senator from Utah approved it.

Mr. MCKELLAR. The Senator withdrew his opposition to it, because the Senator made the same fight he is now making on it here, and I hope he will withdraw it this time. This Army chaplain who lost his property is entitled to have compensation for it, and I hope the Senator will withdraw his objection.

Mr. KING. Of course, these appeals are really compelling. I dislike to be put in that situation. I ask the Senator to put himself in the place of the Government. What would he do?

Mr. MCKELLAR. I honestly and conscientiously think it is an entirely proper claim for the Government to pay. If I did not think so I would not have introduced the bill. This man is not from my State. I do not know what State he is from.

I know that the facts are very compelling, just as the Senator admits that they are compelling. The Secretary of War says that the claim seems to be just, and that, while he does not make any recommendation in regard to it, it is a proper matter for Congress to legislate upon.

Mr. KING. Mr. President, I will say to the Senator that I shall do this: I shall let the bill go through, if some other Senator does not object, but I shall immediately take up the matter to-morrow with the War Department and with the proper officials of the Government; and if their policy has been adverse to this—as I think it has—I shall move to reconsider the bill.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Horace A. Chouard, chaplain in Twenty-third Infantry, or his duly authorized representative, the sum of \$1,500, the same being in full for and the receipt of the same to be taken and accepted as a full and final release and discharge of the claim of the said Horace A. Chouard for reimbursement for certain personal property lost in the flood and storm at Texas City, Tex., on the 16th and 17th days of August, 1915, without fault or neglect on his part and while in the military service of the United States.

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. 3975) for the relief of the owners of the barge *McIlvaine No. 1* was announced as next in order.

Mr. KING. Mr. President, unless that matter has gone to the Court of Claims and a judgment has been rendered, I shall object.

The PRESIDENT pro tempore. The bill will be passed over.

#### CUSTER ELECTRIC LIGHT, HEAT & POWER CO.

The bill (H. R. 3659) for the relief of the Custer Electric Light, Heat & Power Co., of Custer, S. Dak., was considered as in Committee of the Whole.

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

#### C. P. DRYDEN

The bill (S. 2094) for the relief of C. P. Dryden 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 hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. P. Dryden, \$2,329.25, as full compensation to C. P. Dryden, Mrs. C. P. Dryden, and Mrs. D. F. Dryden for personal damages and private property damages which occurred, without negligence on his part, as a result of the operation of military aircraft on June 28, 1923, at Kiwanis Aviation Field, Van Nuys, Calif.

Mr. KING. Mr. President, I desire to ask the Senator from Nevada if this is the case to which the Senator from Delaware [Mr. BAYARD] objected the other day?

Mr. ODDIE. No; the bill to which the Senator from Utah refers is the McKinley case.

Mr. KING. I know nothing about this case.

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

#### UNION SHIPPING & TRADING CO. (LTD.)

The bill (S. 100) for the relief of the Union Shipping & Trading Co. (Ltd.) was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDENT pro tempore. There is an adverse report on this bill. Does the Senator wish to dispose of it?

Mr. KING. I move that it be indefinitely postponed.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Utah.

The motion to postpone indefinitely was agreed to.

#### W. B. DEYAMPERT

The bill (S. 2189) for the relief of W. B. deYampert 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 W. B. deYampert, of Wilmot, Ark., the sum of \$5,000, out of any money in the Treasury not otherwise appropriated, on account of fine imposed in case of the United States against Hiram C. Shaw, Jr.

Mr. KING. Mr. President, will the Senator from Arkansas give us an explanation of that bill?

Mr. CARAWAY. Mr. President, this bill is to return to W. B. deYampert a sum that he was compelled to pay under rule 35 of the Circuit Court of Appeals of the Eighth Circuit. There was a provision that one who became surety for another on an appeal should perform the judgment by paying the fine and costs. A man by the name of Shaw was convicted and sentenced to the penitentiary and to pay \$5,000. He appealed, and deYampert had to pay the bonding company the \$5,000. Immediately thereafter the court, recognizing the injustice of the rule, changed it, and there is not any objection on the part of the department to returning this man his money.

Mr. KING. It just went into the Treasury?

Mr. CARAWAY. Oh, yes.

Mr. LENROOT. Mr. President, I should like to ask whether there will not be a large number of cases of similar claims?

Mr. CARAWAY. As far as I know, there were only two. I know of no others.

Mr. LENROOT. Did not other circuits have this rule?

Mr. CARAWAY. No, sir. This was the eighth circuit, and as soon as ever attention was called to the injustice of it the rule was changed. There may have been more than two, but I never heard of but two—one of \$500, and one of \$5,000.

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

#### PRINTING OF MADISON DEBATES OF FEDERAL CONVENTION

The concurrent resolution (H. Con. Res. 23) authorizing the printing of the Madison Debates of the Federal Convention and relevant documents in commemoration of the one hundred and fiftieth anniversary of the Declaration of Independence was considered by the Senate and agreed to.

#### BILLS PASSED OVER

The bill (H. R. 3858) 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, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4059) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil and Mexican Wars, and to certain widows of said soldiers, sailors, and marines, and to widows of the War of 1812, and Army nurses, and for other purposes, was announced as next in order.

Mr. KING. Let that go over. We can not take it up to-night.

The PRESIDENT pro tempore. The bill will be passed over.

#### WATER SYSTEM FOR INDIANS OF DRESSLERVILLE INDIAN COLONY, NEV.

The bill (S. 3039) to provide a water system for the Indians living at the Dresslerville Indian colony, near Gardnerville, Nev., was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed \$5,500, to enable the Secretary of the Interior to provide a water system for the Indians of the Dresslerville Indian colony, near Gardnerville, Nev.

Mr. KING. Mr. President, I should like to ask why that water system was not included in the general Indian appropriation bill, which carried a good many millions of dollars?

Mr. ODDIE. Mr. President—

Mr. HARRELD. Mr. President, the original bill asked for a considerable sum of money, and it was amended because the department said the amount asked for here would be sufficient. I do not know why it was not included in the regular appropriation bill, but it is shown to be necessary for these Indians. They can hardly do without it in the town where they live. It is necessary almost to their existence.

Mr. KING. Mr. President, I think it is unfair to follow this course, if I may say so; and I say it with all kindness and courtesy. When we have an appropriation bill that goes into these questions fully, there comes before the Appropriations Committee the Indian Bureau, with the plenitude of knowledge which it possesses.

It submits data and facts as to all these matters. We know that the appropriation bill this year was most generous—I thought in many respects too generous. Then, these bills come along afterwards. I do not think it is quite fair to the Senate. We do not have an opportunity to investigate them.

Mr. HARRELD. On the contrary, this bill has passed the House, and the matter has had extended hearings in both the

House and the Senate. I desire to move to substitute the House bill, which is on the President's table, for the Senate bill. The matter has really been considered by both Houses, and the bill has already passed the House, and is here now on the President's table.

Mr. KING. That does not meet the objection I suggested.

Mr. HARRELD. It does meet the objection that it has not been properly considered.

Mr. KING. It does not meet the objection that we have an appropriation bill which takes over the functions of the Committee on Indian Affairs, as those functions were exercised in the past, to go into the affairs of the Indians and recommend such appropriations as are needed.

Mr. HARRELD. On the contrary, this matter has had more consideration than an item in an appropriation bill ever has.

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

Mr. KING. I yield the floor.

Mr. LENROOT. The Senator will notice that this bill does not make an appropriation. It simply authorizes an appropriation. Evidently the thought was that the Committee on Appropriations did not have jurisdiction, without previous authorization, to make an appropriation of this particular character.

Mr. HARRELD. It just authorizes it.

Mr. LENROOT. It is to provide a water supply for certain Indians. Is this a reservation?

Mr. HARRELD. Yes; it is a colony that exists, and the Indians need this water for their gardens and everything of that sort. The bill only authorizes it.

Mr. KING. Will this amount come from the tribal funds, or is it a direct appropriation from the Treasury?

Mr. HARRELD. I think it authorizes a direct appropriation. It will have to be made by the Appropriations Committee after this bill is passed. As I say, the bill simply authorizes an appropriation.

Mr. KING. Is there a tribe to which this appropriation will go; and if so, why is it not to be made out of the tribal funds?

Mr. LENROOT. They have not any.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 9730) to provide for an adequate water-supply system at the Dresslerville Indian colony was read twice by its title.

The PRESIDENT pro tempore. The Senator from Oklahoma asks that the Senate proceed to the consideration of House bill 9730.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

The PRESIDENT pro tempore. Without objection, Senate bill 3039 will be indefinitely postponed.

#### SAC AND FOX INDIAN LANDS

The 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 was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment, on page 1, line 9, to insert the words "and all improvements," so as to make the bill read:

*Be it enacted, etc.*, That the title to the southwest quarter and the south half of the northwest quarter of section 15; the east half of the southeast quarter of section 16; and the northwest quarter and north half of the northeast quarter and the north half of the southwest quarter of section 22, all in township 14 north, range 6 east, Lincoln County, Okla., with the buildings and all improvements thereon, be, and the same is hereby, confirmed to the Sac and Fox Nation or Tribe of Indians unconditionally.

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.

#### LIGHTHOUSE SERVICE RESERVATIONS

The bill (H. R. 10860) to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and to increase the efficiency of the Lighthouse Service, and for other purposes.

The bill had been reported from the Committee on Commerce with an amendment, on page 9, after line 4, to insert a new section as follows:

(14) To release or quitclaim, by quitclaim deed, unto Dr. Meford Runyon the right of way of the United States of America at Edgartown, in the county of Dukes and the Commonwealth of Massachusetts, commencing on the southerly side of North Water Street at

the westerly side of lands, formerly of Therese M. Raymond, now of Dr. Melford Runyon, thence running southerly along the westerly side of said lands about 100 feet, thence southeasterly across said lands, also other lands of Dr. Melford Runyon, purchased by him from Mary J. Francis, about 130 feet to lands now or formerly of Albert H. Storer and there terminating. Said right of way being from 15 to 20 feet in width, and being so much of the right of way as was granted to the United States of America by Seth Vincent and others, by deed dated July 30, 1828, and recorded in book 23 of deeds of Dukes County, Mass., on page 223, as lies within the boundaries of the two tracts above mentioned conveyed to Dr. Melford Runyon; the first by deed from Mary J. Francis, bearing date November 7, 1896, and recorded in book 98 of deeds for Dukes County, aforesaid, on page 8; and the second by deed from Therese M. Raymond and husband, dated June 8, 1916, and recorded in book 141 of deeds for Dukes County, aforesaid, on page 190, etc.; also being the right of way extending from North Water Street to the lands of Albert H. Storer as shown on two certain maps of United States lighthouse property at Edgartown, Mass., on file in the office of the Second Lighthouse District at Boston, Mass., the first bearing date June 29, 1911, and the second bearing date November, 1912.

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 and passed.

#### OREGON TRAIL 50-CENT PIECES

The bill (H. R. 8306) to authorize the coinage of 50-cent pieces in commemoration of the heroism of the fathers and mothers who traversed the Oregon Trail to the far West with great hardship, daring, and loss of life, which not only resulted in adding new States to the Union but earned a well-deserved and imperishable fame for the pioneers; to honor the 20,000 dead that lie buried in unknown graves along 2,000 miles of that great highway of history; to rescue the various important points along the old trail from oblivion; and to commemorate by suitable monuments, memorial or otherwise, the tragic events associated with that emigration—erecting them either along the trail itself or elsewhere, in localities appropriate for the purpose, including the city of Washington, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That in commemoration of the Oregon Trail and in memory of the pioneers of the far West there shall be coined at the mints of the United States silver 50-cent pieces to the number of not more than 6,000,000; such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That the coins herein authorized shall be issued only upon the request of the executive committee of the Oregon Trail Memorial Association (Inc.), a corporation organized under the laws of the State of New York; and upon payment by such executive committee, for and on behalf of the Oregon Trail Memorial Association (Inc.), of the par value of such coins, it shall be permissible for the said Oregon Trail Memorial Association (Inc.) to obtain such coins upon said payment, all at one time or at separate times and in separate amounts, as it may determine.

SEC. 3. That all laws now in force relating to the subsidiary silver coins of the United States and the coinage or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

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

#### ARMY OFFICERS ON THE RETIRED LIST

The bill (S. 3878) to give war-time rank to certain officers on the retired list of the Army was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments.

The first amendment was, on page 1, line 6, to strike out the words "not above the grade of brigadier general."

The amendment was agreed to.

The next amendment was, on page 1, line 10, after the word "to," to strike out the words "to an advanced grade," and insert the words "a rank."

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I would like to ask whether this bill was referred to the War Department for recommendation.

Mr. WADSWORTH. It was.

Mr. LA FOLLETTE. I do not find any reference to that in the report.

Mr. WADSWORTH. The measure which is now before the Senate is a result of four years of cogitation by the members of the Committee on Military Affairs and two Secretaries of War. The committee has communicated with the Secretary upon several occasions, and in connection with this particular bill the committee is in receipt of a very well thought out discussion of this problem of giving some kind of recognition, without cost to the Government, to men who really held high rank in the Army in France during the war, and who had to revert to their regular rank and then to be retired on account of age, and who are now on the retired list. Although they may have commanded from twenty to fifty thousand men in action, no reward has ever been accorded them. This is merely to permit them to use as a title for the rest of their lives the highest rank which they held during the war.

Mr. KING. Assume that pensions should be given in the future to the class covered by the bill, would they not be pensioned according to the terms of this bill, rather than according to the military titles which they had when they were retired?

Mr. WADSWORTH. Officers of the Regular Army are never pensioned.

Mr. KING. This applies only to regular officers?

Mr. WADSWORTH. Only to regular officers.

Mr. KING. Not to Reserve officers?

Mr. WADSWORTH. Oh, no.

Mr. LENROOT. I would like to ask the Senator, if these retired officers were called back into the active service, would they be called into the service with the rank they had and have pay accordingly while in the active service?

Mr. MEANS. I was just about to state that that is the fallacy of the bill, if Senators will permit me. If the officers are called back, they will be called back with their increased rank.

I can not understand that the bill itself has any merit except that we want to give to those who happened to have the increased emergency rank during the war the right to use the titles, and I believe they have that right anyway, under the law, where they have had a temporary grade. They are entitled to the rank as a matter of distinction, and it is not taken away from them because they are put upon the retired list. It is a small matter and I do not care to interfere except to state that if they are ever called back, they will be called back with their increased rank, and not with the proper rank they should hold in the Regular Army.

Mr. WADSWORTH. That contingency is remotely possible. I call the attention of the Senator from Colorado to the fact that there can be no increase of pay or allowances, no matter what their honorary rank may be. The bill provides "no increase of pay and allowances shall result from the provisions of this act." That would prevent them from getting increased pay and allowances, in any case.

Mr. MEANS. Let me inquire of the chairman of the committee, if the Secretary of War has the power to place a retired army officer back upon duty, whether he would receive the pay and emoluments while on active duty of his increased rank, and not of the rank in which he really had been retired.

Mr. WADSWORTH. If this saving clause were not in there.

Mr. MEANS. That saving clause has nothing to do with active service. It has to do solely with the amount he would receive as a retired Army officer. When a retired Army officer is called into service, he is then placed upon active duty as such.

Mr. WADSWORTH. This saving clause does not relate merely to retired pay. It says, "no increase of pay and allowances shall result from the provisions of this act." Under no circumstances, active or retired, do these men get any more pay.

Mr. MEANS. I want to object to it. I did not know the bill was on the calendar and I want to examine it.

The PRESIDENT pro tempore. The bill will go over.

#### SAC AND FOX INDIAN LANDS

Mr. HARRELD. I ask that we return to Order of Business 722, Senate bill 3981, which was passed, and I ask unanimous consent that the vote by which that bill was passed be reconsidered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the vote is reconsidered.

Mr. HARRELD. I now ask that the Chair lay before the Senate House bill 10610.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 10610) to confirm the title to certain lands in the State of Oklahoma to the Sac and Fox Nation or Tribe of Indians was read twice by its title.

Mr. HARRELD. I ask that the Senate proceed to the consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

The PRESIDENT pro tempore. Senate bill 3981 will be indefinitely postponed.

WILLIAM S. BROCKSCHMIDT

The bill (S. 1050) for the relief of William F. Brockschmidt was announced as next in order.

Mr. KING. I will ask the Senator from Montana to briefly explain this measure.

Mr. WALSH. Briefly, the facts are these: William S. Brockschmidt had on deposit a sum of money in bank, and being indebted to the Government for water charges upon his land, gave to the official agent on the project his check on the bank for the amount.

There was a Treasury rule applicable, to the effect that whatever checks of that character were received should be transmitted to the Federal reserve bank for that district. I do not know the reason of the rule. The check was sent to the branch Federal reserve bank at Helena, Mont., and by that bank transmitted to the bank upon which it was drawn. That bank issued a draft, and the next day closed its doors, and the draft was protested.

So the beneficiary of the bill by reason of this rule requiring its transmission to the Federal reserve bank, lost the amount, which, as the Senator knows, remains a lien against the land until he is actually discharged. The loss ensued by reason of this rule, the reason for which I do not understand at all, requiring the fiscal agent, instead of taking the check to the bank and getting the cash, to transmit it to the Federal reserve bank.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, line 1, to strike out the words "Reclamation Service" and insert the words "Bureau of Reclamation"; on line 3 to strike out the words "Reclamation Service" and insert the words "Bureau of Reclamation"; on page 6, to strike out the words "Reclamation Service" and insert the words "Bureau of Reclamation," on line 9, to strike out the words "was held by officials of said Reclamation Service and"; on line 19, to strike out the words "Reclamation Service," and insert the words "Bureau of Reclamation"; on line 21, to strike out the words "Reclamation Service" and insert the words "Bureau of Reclamation," so as to make the bill read:

*Be it enacted, etc.*, That there is hereby appropriated to and for the benefit of William F. Brockschmidt, of Ballantine, Mont., out of any moneys in the Treasury of the United States otherwise unappropriated, the sum of \$916.38, to reimburse said William F. Brockschmidt for loss sustained by him on account of a check for said amount of money, issued by him November 25, 1922, on the Ballantine State Bank, of Ballantine, Mont., in which he then had on deposit to his credit money to that amount, to the special fiscal agent of the United States Bureau of Reclamation, in payment of water charges, water renewal, and construction charges of said Bureau of Reclamation, to that amount, assessed to and a lien in that amount on land within the Huntley reclamation project of the United States Bureau of Reclamation, entered and owned or held then and now in part by said William F. Brockschmidt and in part by his wife, which said check had not been cashed when said bank closed its doors and suspended payments and discontinued business December 4, 1922; and the Treasurer of the United States is hereby authorized and directed to issue to said William F. Brockschmidt or his heirs a voucher or warrant on the Treasury of the United States for said sum of money, hereby appropriated, worded in such manner that such voucher or warrant must be countersigned or indorsed by the special fiscal agent of the United States Bureau of Reclamation and must be used to pay the aforesaid indebtedness of said William F. Brockschmidt and his wife to said Bureau of Reclamation, now unpaid and existing: *Provided*, That whatever may be realized or paid (not to exceed the aforesaid amount) on account of said check of said William F. Brockschmidt on said bank, in the settlement of the affairs and indebtedness of said bank, or on account of the deposit therein of money of said William

F. Brockschmidt, shall accrue to and shall be paid to the Treasurer of the United States and shall be turned into the Treasury of the United States, and shall be the money of the United States.

Sec. 2. This act shall be in full force and effect from and after its passage and approval.

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.

ALLOTMENTS TO CHILDREN ON THE CROW RESERVATION, MONT.

The bill (H. R. 8313) to allot living children on the Crow Reservation, Mont., was considered as in Committee of the Whole.

Mr. COPELAND. Mr. President, is there involved in this act any interference with the functions of the medical profession?

The PRESIDENT pro tempore. Is that a parliamentary inquiry?

Mr. COPELAND. It is a parliamentary inquiry.

The PRESIDENT pro tempore. The Chair submits the inquiry to the Senate, to be decided without debate.

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

Mr. REED of Pennsylvania. Surely the Senate does not want to have a bill become a law with a title like that. There is a very plain omission there. It must mean to allot lands to living children. I move to amend the title by inserting the words "lands to" after the word "allot."

Mr. WALSH. To that I have not the slightest objection, but the expression is very common. A man is asked if he has been "allotted." "Have you been allotted?" means, "Have lands been allotted to you?" It is an idiomatic expression.

Mr. REED of Pennsylvania. I can see that. It is like the case where the man says to the street-car conductor, "I want off," but it is not very good English, and I am sure the Senator will not object to the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Pennsylvania for the amendment of the title of the bill.

The motion was agreed to, and the title was amended so as to read, "An act to allot lands to living children on the Crow Reservation, Mont."

CENTRAL NATIONAL BANK, ELLSWORTH, KANS.

Mr. CURTIS. As only a few minutes remain before 11, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 248, for the relief of the Central National Bank, Ellsworth, Kans. This is a bill to give to the bank of Ellsworth a certain certificate of deposit of funds which were lost. They are required to give a bond.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, in favor of the Central National Bank, Ellsworth, Kans., United States Treasury certificates of indebtedness Nos. 27108 and 27109 in the denomination of \$1,000 each and No. 11720 in the denomination of \$500, series TS-2-1922, dated November 1, 1921, matured September 15, 1922, with interest at the rate of 4½ per cent per annum from November 1, 1921, to September 15, 1922, without presentation of said certificates of indebtedness or the coupons representing interest thereon from November 1, 1921, to September 15, 1922, the certificates of indebtedness having been lost: *Provided*, That the said certificates shall not have been previously presented for payment and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *Provided further*, That the said Central National Bank, Ellsworth, Kans., shall first file in the Treasury Department a bond in the penal sum of double the amount of the certificates and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost certificates of indebtedness herein described or the coupons belonging thereto.

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

DEPOSIT AND EXPENDITURE OF INDIAN MONEYS

Mr. HARRELD. Mr. President, I ask unanimous consent that the vote by which Senate bill 3929 was passed be reconsidered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the vote is reconsidered.

Mr. HARRELD. I ask that a bill similar to Senate bill 3929, which has been sent over from the House, be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 11171) to authorize the deposit and expenditure of various revenues of the Indian service as Indian moneys, proceeds of labor, was read twice by its title.

Mr. HARRELD. I ask that the Senate proceed to the consideration of the bill just laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

Mr. HARRELD. I move that Senate bill 3929 be indefinitely postponed.

The motion was agreed to.

#### MAKAH INDIAN RESERVATION

Mr. JONES of Washington. The next bill on the Calendar, Senate bill 3958, is short and I ask that it be put on its passage.

The bill (S. 3958) to provide for the permanent withdrawal of certain lands adjoining the Makah Indian Reservation in Washington for the use and occupancy of the Makah and Quileute Indians, was considered as in the Committee of the Whole and was read.

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

#### RECESS

The PRESIDENT pro tempore. The hour of 11 o'clock having arrived, the unanimous-consent agreement under which the Senate has been operating has expired, and under the unanimous-consent agreement previously entered into, the Senate will now stand in recess until 12 o'clock to-morrow.

Thereupon the Senate (at 11 o'clock p. m.) under the order previously entered, took a recess until to-morrow, Tuesday, May 11, 1926, at 12 o'clock meridian.

### HOUSE OF REPRESENTATIVES

MONDAY, May 10, 1926

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, the King eternal, Thou who art unseen to mortal eye, may we see Thee with the eye of unfaltering faith. In all things may we be undisturbed seeing Thee who art invisible. In the performance of duty may we be partakers of those joys and satisfactions which are promised to them who love God. Have compassion upon our unworthiness and give us the blessings of forgiveness and wisdom. Teach us the high value of pure love and the happiness of dedicated firesides. The Lord forbid that we should be hasty in our judgments lest we condemn ourselves. Go before our vagrant steps and cheer us with the light of hope. Oh, do Thou subdue the passions of men and among all nations and make clear the ways of national peace, stability, and prosperity. Quiet the turbulent waters of unrest and threatening upheaval and lead men of all stations to the altars of our Lord. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of Saturday was read and approved.

#### LEAVE OF ABSENCE

Mr. CLEARY, by unanimous consent, was granted leave of absence, indefinitely, on account of illness.

#### ARCTIC FLIGHT OF COMMANDER RICHARD EVELYN BYRD, JR.

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRISON. Mr. Speaker, I take great pride in announcing to the House the magnificent achievement of an American in a world enterprise. On yesterday, Lieut. Commander Richard Evelyn Byrd, Jr., of Winchester, Va., accompanied by his pilot, Floyd Bennett, left his base at Kings Bay, Spitzbergen, at 12:50 a. m., in the giant three-motored airplane, christened *Josephine Ford*, flew 1,600 miles over Arctic regions heretofore believed unfit to be traversed by airplanes, reached the North Pole and returned to his base in 15 hours and 30 minutes. This achievement is without parallel in the history

of aeronautics. His daring achievements entitle him to be listed high on the roll of the great and heroic spirits of the world. [Applause.]

I represent the home people of Commander Byrd, who have followed his career with affectionate interest. Clean in every prompting of his nature, clear-visioned of mind, intrepid in action, he is entitled to the congratulations of this House. Many of the Members of this House have been associated with Commander Byrd and have learned to admire his splendid qualities of mind and heart. If consistent with the rules of this House, I desire to submit a motion that the Speaker be requested on the part of the House to wire to Commander Byrd and his associate the congratulations of the House. [Applause.]

#### ENROLLED BILL 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. 6418. An act to correct the military record of Lester A. Rockwell; and

S. 2818. An act for the relief of Ivy L. Merrill.

#### ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, at the request of those in charge of the several agricultural bills I ask unanimous consent that not later than 5:30 o'clock this afternoon the Committee of the Whole House considering the bills may take a recess until 8 o'clock and that the House shall adjourn not later than 11 o'clock this evening.

Mr. HASTINGS. And that will conclude general debate?

Mr. TILSON. By previous order general debate will close with to-day.

Mr. MORTON D. HULL. Mr. Speaker, reserving the right to object, the proceedings this afternoon will include nothing but a discussion of the agricultural bill?

Mr. TILSON. There will be no business transacted except general debate.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that at or before 5:30 o'clock this afternoon the Committee of the Whole House on the state of the Union may recess until 8 o'clock and remain in session not later than 11 o'clock and that no business shall be transacted except general debate on the agricultural bill. Is there objection?

Mr. BLANTON. Mr. Speaker, I shall not object, but I want to call the gentleman's attention to the fact that the District subcommittee, which has no authority to sit during the sessions of the House, has a hearing called for to-night at 7:30 o'clock, with witnesses summoned. The chairman is not here, but it will be necessary for us to get permission of the House in order to sit to-night.

Mr. TILSON. Does the gentleman wish to take the responsibility of asking for such permission?

Mr. BLANTON. I will after the gentleman's request has been granted.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

#### DISTRICT OF COLUMBIA COMMITTEE

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the Gibson subcommittee of the Committee on the District of Columbia may sit to-night during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### FARM RELIEF

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11603) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11603, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. TINCHER. Mr. Chairman, I desire to yield 30 minutes to the gentleman from New Jersey [Mr. FORT].

Mr. FORT. Mr. Chairman and gentlemen of the committee, this is the third occasion on which I have had the privilege of discussing in this House the general question of the farm problem and of farm relief legislation. On the previous oc-

casions I gave generous opportunity for question and interruption, with the result that it seemed almost impossible for me to get time to discuss the constructive sides of the legislation at all. The bulk of the time was spent in other things. I therefore hope the Members of the House this morning will permit me to proceed at least until I finish my main statement without interruption.

This issue, during the course of the debate since last Tuesday, has been distinctly clouded by politics and sectionalism. Now, I believe there is a real farm problem. That problem is economic, not political, and national, not sectional. My own view of the matter has been from the beginning that the House should devote itself in the consideration of this measure to it as economic and as national.

Notwithstanding that view, there has been injected into the discussion, and both off and on the floor and in the press, an attack upon the position of those of us who do not favor the Haugen bill as sectionalists, and as though we were the ones who had injected into this controversy a political question. On the floor and in the press I have personally been attacked as having advocated the formation of an industrial bloc, as having raised the banner of the consumer as against the producer. And yet I have been told that unless the Haugen bill passes—this I have been told within 48 hours by one of the chief representatives of the farm lobby—that unless the Haugen bill passes this House the East must understand that the States of the West will pass legislation designed to keep eastern business out of those States, and that a condition may arise like the British strike of to-day.

This language, gentlemen, it seems to me, and this sort of talk is not conducive to a fair consideration of the merits of the legislation we are considering, nor does such language speak truly the mind of the American farmer.

I want—simply to clear my own record and that of the district which I represent—to read to the House a brief citation from the platform on which I was elected a Member of this House:

As I see it, a Congressman is sent to Washington from his district as its Representative, to study governmental problems, to debate and listen to debate upon them and then to vote in the way that seems best for the interests of the United States as a whole. I believe that our manufacturing industries can prosper and give full-time employment at good wages only if the farmers who constitute 45 per cent of our entire purchasing population are prosperous. I favor, as a means both of assisting the American farmer and reducing the cost of living, an improvement in the marketing facilities for farm products with the elimination wherever possible of unnecessary handling, waste, or profits.

Upon this platform I came to the House and still stand, and the views I have expressed on this floor are, I believe, the views of my constituents that this is a national problem to be handled from a national viewpoint.

In the last 24 hours I am informed that implications have been circulated that the views I have expressed have not been my own alone but have been those of others; and that direct attacks have been made on my good personal friend, Secretary Hoover, as having inspired my opposition to the Haugen bill.

I want again to deny on the floor of the House that the views I have expressed originated with anyone but myself, and to say that Secretary Hoover has insistently and persistently, despite our personal friendship, refused to discuss agricultural problems, because he felt that it was the function of the Secretary of Agriculture and of him alone in the Cabinet. So much for that.

#### A BUSINESS PROBLEM

It is a business and a marketing problem with which we have to deal. Being a business and a marketing problem rather than a producing one, it is one in which it would seem the East ought to help and is willing to help. The effort to drive the East out of the discussion—to confine this discussion simply to what the farmers are alleged by their spokesmen to want—could, if successful, only deprive us of the benefit of many of the best business brains in the country. These brains may have originated in Nebraska, Kansas, or Texas, but as they have become leaders of American business they have in many cases migrated to Chicago or New York.

Mr. FULMER. Will the gentleman yield?

Mr. FORT. I can not. We of the East want to help. As it seems to us, since this is a business and marketing problem, we have felt that the first thing we should do was to examine what was the present structure of American marketing.

#### COOPERATIVE MARKETING

The first thing we find in that structure is the cooperative marketing association. Now, the cooperative association is what? It is an organization of the producers of commodities banded together, not for profit but for service. Banded

together, if they be organized under the Capper-Volstead Act, with limitations on their maximum profits, with limitations on the amount of products they can handle for the account of others than their own members, in order to facilitate the marketing of the products of their members and secure a better profit.

These organizations operate through advances to their members of so much of the value of their product as the organization with its limited resources can make. That in turn is usually limited by the amount of money the organization can borrow against the commodity from the commercial banks. They pay their expenses by charging back to their members a reasonable fee for the services given and the costs of their operation.

Some of these cooperative associations have been notably successful, particularly in the perishable commodities. Their success has come, in many cases, out of their ability to process and thereby preserve; in other cases, through advertising and thus increasing the scope of their markets; in the majority it has come through the improved credit which the association has gained over and above the credit which individuals constituting the association could ever have had; and finally some have succeeded because their size and strength has enabled them to employ the best business brains in their industry.

And may I say right there that three of the most notable successes of the cooperative movement are the milk producers whose guiding genius is a reformed lawyer; the cranberry growers who have a commission man, never a producer; and the raisin growers of California, managed by a former real estate operator.

Now, some of these organizations have not been successful. This is notably true on staple crops. They have failed or had a serious struggle for several reasons. One has been their size. They are mostly local, not even regional, and none of them are national. The second reason has been the lack of facilities for handling or storing their crops. The third reason has been their lack of credit facilities, due to the fact that they were handling crops where the fluctuation in price continually changed their equity and consequently their possible loan on the commodity which they handled. Finally, due to their absence of cash resources, due in turn to their small borrowing capacity, the cooperative association has been unable to advance to the producer anything comparable with the amount which the cash buyer would pay. The cash buyer offers 100 cents on the dollar of the current market price.

The cooperative association is limited to 60 or 65 per cent, or whatever its borrowing capacity may be, of the value of the commodity. Consequently the farmer, even where he realizes the value of the organization, is unable to get enough cash from the cooperatives to take care of his urgent needs, and sells to the cash buyer, even though the price be far less than the price he could secure eventually through the association.

#### CAN COOPERATIVES HELP SOLVE PROBLEM?

Through all this discussion every group has agreed that if we can form proper farm organizations we can solve the farm problem. Can the cooperatives give us what we want? I believe they can with proper help from the Government.

To give them this help the Tincher bill has been devised. What are its fundamental principles? First, the establishment of a council and commission chosen in the way concerning which I have already expressed my personal views to this House. If selected in accordance with the Constitution, and with the genius of our institutions, these bodies can be of great service. The bill vests them with statistical and advisory services of great value.

The importance of these services is perhaps best shown by the fact that every bill that has come to this House from any source has contained a similar provision. The language of the bill possibly does not in sufficiently clear language emphasize what is one of its main purposes, and that is the same as the purpose of the bill of the gentleman from Louisiana [Mr. ASWELL]—to foster the growth of cooperatives throughout the Nation. Perhaps this should be clarified by amendment. It confers upon the commission and the council, however, the duty of conferring with and giving advisory service on production and surpluses to the farmers of America. I believe that once established with its organizations strengthened through a period of service, with its knowledge enhanced through experience, the farmers of America will lend a willing ear to the advice of such an agency on the question of what acreage they should plant and what crops they should produce to meet the market needs.

But the chief factor of promise in the Tincher bill, and the one upon which I would put by far the greatest personal em-

phasis, is the provision found in subparagraph 3, on page 8, which reads as follows:

(3) Upon its own initiative or upon petition of any cooperative marketing association, to call into conference cooperative marketing associations engaged in the handling of the same commodity or commodities with a view to assisting in the organization by such cooperative associations of a national or regional duly incorporated cooperative marketing association, to act as the common marketing agent of such cooperative associations, in the interest of the producers of such commodity or commodities.

#### NATIONAL MARKETING AGENCIES.

What does that language provide as a new process in marketing? It directs that this commission first shall determine what commodity or commodities logically belong as marketing problems in the same group; and, second, having reached that determination, the commission shall send for the marketing representatives of those producers; shall call them into conference; and shall say to them, "Gentlemen, you all belong in the same marketing group, you all ought to be working together in handling your commodity; if you are willing to work together, we will cooperate with you in the formation of the type of organization which will best function for the marketing of your crops."

You can not handle the great staple crops of America, of course, through a thousand little local cooperative associations, but if you put the united strength of 1,000 wheat cooperatives into a single organization adequately financed, then you put into the hands of the American farmer himself and into his own organizations the power to stabilize the wheat market of the United States so far as the laws of supply and demand will permit any agency to stabilize that market. Therefore, as it seems to me, this provision is the vital clause in the bill and it, or something like it, is the vital provision that must go into any legislation on the farm question, if we are trying to produce business and not political results.

The Oregon grower of wheat has less in common with the Oregon grower of apples than he has with the North Dakota grower of wheat. Therefore, organization along purely State or regional lines, as proposed in the Aswell bill, will never reach this problem, but organization along the lines of the commodity in which there is a common interest offers hope if anything can offer it. The trouble with the American farmer—which can not be too often emphasized—is that he is over 6,000,000 individuals, dealing with the great organizations of industry and of trade.

What this bill seeks to do is to bring all of the wheat farmers of America into one national marketing association, to bring all of the cotton farmers of America into one national cotton-marketing association for the purpose, not of price fixing, not of direct arbitrary efforts to enhance the price without regard to economic laws, but for the purpose of enabling the producer to stabilize through orderly handling the market for his own commodity.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. FORT. I can not yield now. Further—and this is not an insignificant matter—if this bill be adopted in this form, the farmer and his organization will be freed from the restraints of such laws as the Sherman law, which, of course, applies to other types of business organizations.

#### LOANS TO COOPERATIVES

To help his organization to succeed, what do we propose to do in the Tincher bill? I have said to you that the two great weaknesses of the modern cooperative association are its lack of size, which we plan to correct in part through a national association and in part through attracting new members, and its financial weakness and consequent inability to advance to its members even approximately as much money as the cash buyer can give them.

So we propose here that the Government, believing in cooperative marketing, shall offer to the wheat cooperative or the cotton cooperative or whatever cooperative you please, properly organized so that it may become a real factor in the trade, the money with which to provide the necessary margins over and above a strictly commercial loan. If, for example, the banks will loan the cooperatives, as they will, 70 per cent on the wheat, but if the ordinary farmer must have 90 per cent of the value in order to carry his cash necessities, then under the proposals of this bill the Government is prepared to let the cooperative associations have, on second mortgage on the wheat, 15 or 20 per cent additional. With speculative fluctuations diminished through the resulting stabilization, such loans would not be unsafe or unwise.

We propose to provide for them the facilities—the storage and handling facilities—they need by loaning them money on

second mortgage. Now, some Members say that it is all wrong for the Government to loan money on second mortgages. We loaned the railroads on fifth and sixth mortgages; and why did we do it? Because transportation is an absolute national necessity, because without transportation the entire economic structure of this Nation would fall down, and because in the economic dislocation resulting from the war the Government felt that it and it alone could provide the resources to put back the railroads on their feet.

Mr. CANNON. Will the gentleman yield at that point?

Mr. FORT. I can not.

The CHAIRMAN. The gentleman from New Jersey declines to yield.

Mr. FORT. Now, my friends, is transportation any more of an economic necessity than agriculture? Agriculture like transportation is to-day suffering from the economic dislocations of war. Agriculture, just as were the railroads, is entitled to the financial backing of the United States Government to pull it out of these dislocations. Just as we loaned on fourth, fifth, and sixth mortgages to the railroads, just as we may lose some of those loans, personally I can see no reason why this Government should hesitate to advance to the basic industry of all industries, the margins needed to enable the farmer to handle his own business.

Let us take, for example, the cotton situation as it is to-day. We might as well talk frankly. The cotton cooperatives of America to-day are carrying the bag for all producers. They are carrying practically a million bales of cotton out of an abnormal crop, and their backs are breaking because they have not the margins over and above what the banks will loan them to continue to carry the crops.

If they drop a million bales of cotton on the market, the cotton farmers in America suffer, and not the cooperatives alone. Why should not this Government, the only agency which can handle it, help carry that burden. Now, on this question of these loans, my friends, all crops never go bad the same year unless there be a war situation. Take last year, where cotton had trouble and corn had trouble. Pork has been satisfactory and wheat has been satisfactory through the year as a whole. Each year we have these changes from crop to crop, and each year, until the cooperative association has gained, through its own strength, the power to handle these matters, I would have the Government of the United States say to the farmers that "To you of all industries we are prepared to loan the margins that are needed on the crops you produce. We will not loan 100 per cent. No; but we will loan you enough so that the American farmer can wait to market his crops and not be compelled to dump his product without regard to his own will or on what any intelligent marketing agent knows to be a low, unsound market."

Now, the loans we make on the facilities are for 33 years. That is what we did for the railroads. The loans on commodities, we assume, will soon be repaid when the commodities are sold, but there is nothing in the bill that makes that mandatory. We are giving to the board the fullest discretion on rates of interest and on terms of repayment. Why? Because what we are after is to build up cooperative marketing in America, and we are setting up this board charged with the duty and obligation of accomplishing that purpose and giving it wide discretion as to the ways and means in which it will proceed.

#### SUPERVISION OF COOPERATIVES

Then, we provide for audits and supervision of cooperatives to which we make loans. I think one of the weaknesses in the cooperative movement to-day is that there is not enough of audit and supervision to make the ordinary farmer feel free from suspicion of some of the organizations and promoters. Here the promotion is going to be by the United States Government, and here is a Federal board which is going to set up the organizations and urge men to join. That fear and that suspicion will disappear when the American farmer knows the American Government is backing the whole proposition.

To those of my friends who feel that such loans and such Government intervention in agriculture is unwise, is socialistic, I want to say that what was called socialism yesterday is sometimes the sanity of to-day.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. TINCHESTER. How much more time does the gentleman desire to complete his remarks?

Mr. FORT. I could use five minutes.

Mr. TINCHESTER. I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from New Jersey is recognized for five minutes more.

MR. FORT. What we called socialism even so recently as before the war, we accept as a matter of course in many directions to-day.

Here is a great basic industry in trouble, not through its own fault. Are we going to sit here and say to the farmers of America, "To help you, to loan you money, is socialistic," when we have said to industry of various sorts and to transportation, "We will help you and loan you money"?

My friends, economic clothes can be outgrown just as fast as a growing boy outgrows his physical clothes. Economic ideas must change with the change of time and habits, and we have reached a point in this Nation where anything that so vitally affects 35 per cent of all our people is a matter of real State concern. So long as the changes that we make are considered changes, so long as we do not go chasing the chimeras of new forms of organization, of makeshifts, of price fixing, so long as we stand straight on business lines for the building up of business organizations, this Government can well, and should, aid the industry of the Nation.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield?

Mr. FORT. No; I can not.

The CHAIRMAN. The gentleman declines to yield.

WILL HELP ALL AGRICULTURE

Mr. FORT. Now, my friends, one other thing: We plan in this bill to help all agriculture. It is not limited to the six basic commodities, and you know the six basic commodities involve only half of the gross product of agriculture. We plan to help the farmer in every section, in every crop, in every interest that he has; to give to him the backing of the Government, moral and financial, in his organization of himself for his own profit.

Everyone agrees that organization will do it. Which form of organization are you going to choose? The organization that is the real development of the best thought of America, the cooperative organization, or an untried form of organization superimposed by the Government, with new ideas and new thought, that wipes out the independence of the American farmer, that puts him under the supervision and absolute control of a Government body? Let us stick, my friends, to a form of organization that he himself has built up, the form of organization to which he is accustomed and with which he is acquainted; the form of organization that he knows how to operate and that has, where it has had a fair show, worked to his ultimate benefit.

That, as it seems to me, is the issue before this House. And my friends, again, in closing, I hope that we all, in considering this question, can rise superior to the sectional considerations that have marred this debate. The American farmer is American to the core. Indeed, he might be called the core of America. He does not want the intervention of a new and un-American instrumentality. He does not want a subsidy from his Government. He does want our sympathetic interest in his problems. He does want us to give him what we can all sincerely recommend as tried, as workable, as safe, and as thoroughly American. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. SWANK. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER of Oklahoma. Mr. Chairman, after the illuminating discussion for the past few days on this farm situation I think any fair-minded person will concede not only that we have a farm problem but that that problem has reached the most acute stage and that the basic industry of our Nation, agriculture, is perhaps to-day facing a crisis equally as serious as any industry has faced during the history of our Nation.

We are told by the Bureau of Agricultural Economics that the price level of agricultural commodities has fallen so far below the price of all other commodities that the farmer has experienced a loss during the past five years in that respect alone of thirteen and one-half billion dollars; that the value of farm land and equipment throughout the entire country has been reduced during the same period from \$79,000,000,000 to \$59,000,000,000, a falling off of \$20,000,000,000, or a reduction of more than 25 per cent in the value of the agricultural assets of our country.

Many of the former prosperous farmers and stockmen of my State have been forced into bankruptcy, while many others, having mortgaged their all for a little place on which to live and subsist, have been foreclosed and driven from their little homes. Still others, not fortunate enough to own a home, while perhaps not yet actually confronted with hunger can hear in the very near future the howling of the wolf menacing them and their loved ones.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. The gentleman must have heard me say I would not yield until I had used eight minutes. I shall be very glad to yield when I have finished this short statement.

Mr. HUDSPETH. But I yielded every time the gentleman asked me to.

Mr. CARTER of Oklahoma. I know; but the gentleman had more than 30 minutes and I only have 10. I must refuse to yield at this time.

This agricultural depression is now in its sixth year. At every session of Congress during that period those of us representing agricultural districts in the West have undertaken time and again to arouse the interest of Congress to the peril confronting agriculture. There are many important things that could have been done, but none of them have been done. The first actual opportunity to render any real assistance comes to us in the presentation of these triplets by our Agricultural Committee, but some of our friends on whom we have always in the past been accustomed to confide and rely tell us that this legislation is radical. My friends, this is the same criticism that was brought against the Declaration of Independence. More than that, it is the same charge that was brought against the people when about 700 years ago they met at Runnymede and wrested the Magna Charta from King John. Going back still farther into the mystic records of history, we might find this same objection brought to the decalogue when that ancient Hebrew lawgiver, Moses, presented on stone tablets the immortal Ten Commandments.

I have never been considered radical, nor in the light of the deplorable conditions existing to-day do I believe I am now more radical than the occasion demands in supporting the agricultural relief legislation presented to Congress to-day. What do these bills propose to do? All three of them propose aid to cooperative farm organizations, but there the similarity ends.

The prime purpose of the Haugen bill is to provide the farmer with the means of carrying over his surplus production from the fat years to the lean years, and I do not believe that any person will deny that to be one of the most baneful shortcomings with reference to our present agricultural situation.

Another, the Aswell bill, proposes machinery to take up the spread between producer and consumer of agricultural products. That is to say, to eliminate some of the wide difference between the price received by the farmer for his products and the price paid by the consumer for such products. Outside of the \$375,000,000 authorized by the Haugen bill, these I take it are the two features which are pointed out as radical. They do constitute a very material and serious change in our present machinery of distribution and sale of agricultural commodities.

Every man who has studied the situation must agree that both these bills strike at two vital evils which have brought about this crisis and are now menacing the farmers of our country. What are we going to do about it? The only question is whether or not either of these plans will work out the successful end we hope to accomplish. Maybe they will, and maybe they will not. For my part I am going to resolve the doubt in favor of the farmer and cast my vote to give one of these plans a chance.

"Oh!" I hear some one say, "are you, a Democrat, believing that every tub should stand on its own bottom, going to support such legislation as this?" As a Democrat I do believe that in so far as possible every industry should stand on its own responsibility. As a Democrat I do not believe in taxing one class of people to enrich another. But this does not mean that we should fail to recognize the condition of any industry becoming so distressed as to merit legitimate Government aid. Moreover, I remind my friends that the Democratic Party is not at this time in command of either of the three coordinate branches of the Government. When the people of this Nation return to sanity, when they are again made to see the importance of "equal rights to all and special privileges to none," and return the Democrats to power, then I will join you as I would to-day, if it were possible, in wiping out the iniquitous high schedules of the tariff and every other subsidy that is provided for the special interests by the present administration.

But what are we going to do until that time comes? This is the year of our Lord, 1926. At the very best we can not hope to gain control of the administration of this Government until March 4, 1929. That means that three crops will be planted, harvested, and sold before the Democratic Party can hope to get in control of the Government. What are our distressed and bankrupt farmers and stockmen going to do until that time rolls around? We are confronted now with a 2,000,000 bale carry-over in the cotton industry, and no one can tell what this season may bring. Suppose we have a bumper crop this year,

what is going to happen to the price of cotton next fall? Why, it is apparent to any man that the price of cotton will fall below the cost of production. What are my friends from cotton-producing sections going to say?

Mr. HUDSPETH. I will tell you.

Mr. CARTER of Oklahoma. Wait just a moment, please. The gentleman does not know yet what I am going to ask him.

Mr. HUDSPETH. I yielded to the gentleman every time.

Mr. CARTER of Oklahoma. Yes; but the gentleman from Texas had 35 minutes, and up to date the best I have been able to secure is 10 minutes.

Mr. HUDSPETH. I have been courteous and yielded to the gentleman every time.

Mr. CARTER of Oklahoma. Yes; but I did not interrupt the gentleman until I had obtained his permission. I must decline to yield now until I have completed my question. What is my good friend from Texas going to do when he gets back to his good old farmers down on the Rio Grande who are raising cotton at a cost of 20 to 25 cents a pound and will, perhaps, be forced to sell it this fall from 12 to 15 cents a pound? How is he going to explain to them that, after having voted for tariffs and subsidies that build up the price of products in the cities and of all the eastern country, that when an opportunity came to give them the same character of relief he found that it was economically unsound to do it? Now I will yield to the gentleman to answer the question.

Mr. HUDSPETH. But I do not desire to ask the gentleman a question.

Mr. CARTER of Oklahoma. But I am ready to yield now.

Mr. HUDSPETH. Very well; I will tell you what I am going to say.

Mr. CARTER of Oklahoma. Do not take up too much of my time.

Mr. HUDSPETH. But you have asked a question.

Mr. CARTER of Oklahoma. No; I said I yielded.

Mr. HUDSPETH. I am going to say to them, "Borrow your money from your banks and carry over your surplus."

Mr. CARTER of Oklahoma. Now, just let me answer that.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. SWANK. Mr. Chairman, I yield the gentleman five minutes more.

Mr. CARTER of Oklahoma. The gentleman from Texas says he will tell the farmers: "Borrow the money from the banks and carry over your surplus." I imagine that will remind the already debt-ridden farmer of the young man who was seeking the hand of the girl in marriage, and when he popped the question to her she replied, "You must go to father." The disconsolate young man reeled off the following rhyme:

She knew that I knew that her father was dead;  
She knew that I knew what a life he had led;  
She knew that I knew what she meant when she said,  
"Go to father."

[Laughter.]

Mr. HAUGEN. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes; if the gentleman who has control will give me a little more time.

Mr. HAUGEN. The gentleman from Texas has announced that he was in favor of the farmers of his district having the benefit of the tariff; and having voted for the tariff bill, if the price goes down on cattle, as it has, he would give the cattlemen the benefit of the \$2 a hundred on cattle weighing more than 1,050 pounds and the transportation rate.

That is about \$2.50 a hundred. The gentleman opposed the cattlemen getting the benefit of the tariff of \$2.50. He voted for the McNary-Haugen bill; and if we had that bill in operation now, the cattlemen would get more than \$3 a hundred. [Applause.]

Mr. CARTER of Oklahoma. Since the gentleman has consumed considerable of my time, I hope he will be able to yield me a little more, because it is going to push me to finish the few suggestions I have to make.

There has been much talk about the equalization fee. They have tried to throw a scare into us; they have tried to intimidate some Congressmen representing cotton growers on account of this equalization fee. That is the easiest thing in the world to explain. This equalization fee does not come in force for two years after the date of the passage of the bill. The bill will probably not be passed until some time in June, so it will be 1928 before the equalization fee will come on cotton. If this provision with reference to cotton works out satisfactorily and the farmer gets a price for his cotton that gives a profit over and above the cost of production, do you think the cotton farmer is such a fool he will object to paying for that service? That

is what the equalization fee proposes to do. We have two years to find out whether or not it will work.

Mr. ASWELL. Will the gentleman yield?

Mr. CARTER of Oklahoma. The gentleman from Louisiana has control of a part of the time. I will be glad to yield to him if he will give me a little more time. But suppose that at the end of two years this does not work out satisfactorily. Suppose it does not keep the price of cotton above the cost of production. What is going to happen then? Why, everybody knows that this part of the bill will be repealed. You could not get 10 votes in this entire House against repealing it. Why, you could not even get those on the Republican side to object to that. These Yankees do not want to injure our farmers just for the purpose of punishing them. They are good business men. They just want to get our farmers' products as cheaply as possible and sell the products of their own country to our farmers at the highest possible price. The deferring of this equalization fee for two years is one of the best provisions in the bill, because it gives us a chance to see if the application of the bill will work to the advantage of the price of the farmers' products. If it does not, it can be repealed before the equalization fee is applied. If any change is made in that provision, if the bill is amended so as the equalization fee will apply before we find out whether it is workable or not, then, in my opinion, this bill is going to lose a good many votes from agricultural sections. I simply make this statement as a warning to the friends of the bill.

Mr. BLACK of New York. Will the gentleman yield?

Mr. CARTER of Oklahoma. If the gentleman will make it short.

Mr. BLACK of New York. Can the gentleman figure how many votes there will be to defer the equalization fee for another two years?

Mr. CARTER of Oklahoma. No; we will cross that bridge when we get to it. I repeat what I have just said. If this plan works out to the benefit of the cotton farmer, then the cotton farmer will be willing to pay for that service; but if it is found to be not workable to the extent of giving the cotton farmer a reasonable compensation for his production, then there will be no use to keep that part of the bill on the statute books and any reasonable man will vote to repeal it. That ought to satisfy even the gentleman from New York.

Mr. BLACK of New York. We are hard to satisfy.

Mr. CARTER of Oklahoma. Yes; I admit that some of these gentlemen representing the East whose constituents have been getting the advantage of the tariff and other subsidies are somewhat hard to satisfy when we ask a distribution of any part of those benefits out West. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. I would like to have two minutes.

Mr. HAUGEN. Mr. Chairman, I have only 92 minutes to run a debate of 8 hours.

Mr. CARTER of Oklahoma. Can not the gentleman yield me two minutes? He used up that much of my time.

Mr. HAUGEN. I can give the gentleman one minute.

Mr. CARTER of Oklahoma. The gentleman took up two minutes of my time when I yielded to him.

Mr. HAUGEN. We had a gentleman's agreement—

Mr. CARTER of Oklahoma. The gentleman did not have any agreement about the two minutes he took away from my time when I yielded to him.

Mr. HAUGEN. I yield two minutes to the gentleman. [Applause.]

Mr. CARTER of Oklahoma. Mr. Chairman, I want a few more words with my colleagues on the Democratic side of the House. For almost 20 years I have represented the people of my section in Congress. During all of that time my voice has been raised with yours in protest against these exorbitant tariffs and subsidies which have enriched the people of the cities and of the East and impoverished the people of the South and West. We have protested, we have vociferated, we have thundered in the index, yet the party in power has gone right along continuing the practice of subsidies and tariffs for the benefit of their people. They have piled up tariffs, subsidies, artificial props and braces to every character of business in the country except agriculture, until our poor old farmer has his back bent and almost broken from the burden. And worse still, the American people have gone right along electing a majority in this House and at the other end of the Capitol of those who continue the practice of this policy. So at last we have an opportunity here for the consideration of legislation which proposes to give some of these artificial props and braces to the agricultural industry and whatever my convictions may be on governmental economics, I do not propose

that my vote shall stand in the way of the farmer of the South and West getting his share, so I am going to vote for the Haugen bill. I am going to vote for it because I consider it is the best proposal offered and that has any chance of being enacted into law. [Applause.]

Mr. RATHBONE. Mr. Speaker, it is most interesting to note what common-sense farmers themselves have to say about the problem of agriculture, which we are debating. In my own State of Illinois there is published the Whiteside County Farmer, in which an article recently appeared by Mr. Matt Grennan, which should be of much interest not only to the farmers of the Nation but to the public in general. The article is as follows:

What is the most serious problem before the American people to-day? I say lack of understanding of each other's problems.

This is the topic of every group in the rural districts and is fast spreading to the cities.

We have, in my opinion, just started into what the older countries have gone through.

The real trouble, as I see it, is that we have lost sight of our customers. They are in just as serious a condition as we. For instance, the man with a family of youngsters who has had his time cut to four days a week and his pay to 40 cents an hour. This leaves him \$16 with which to battle the high cost of living. I am citing this particular class because they are our real customers. They eat more of the good, substantial food than those who do less manual labor, and they are also the first to feel a depression.

Receiving but \$16 a week, he must limit his cost of living to that amount, as his borrowing power is unlike that of the producer, who must have a reserve capital to do his business with. The cause for his decrease in wages and working time can be laid to the decrease in buying power of the farmer.

What is the real reason for this condition? I would say too much speculation and too little regulation. Now, we are in a certain sense to blame for this. When food was cheaper people consumed more and perhaps wasted more, but with the advance in price they were forced to curtail their eating to conform with their pay envelopes. Costs of living have advanced radically in proportion to the average man's earning power.

I will quote a few comparisons: When we sold wheat for 75 cents per bushel the consumer bought flour for 85 cents a sack. Now we pay \$3, and get, or rather get at threshing time when most of our wheat was delivered, a dollar and a quarter. I am speaking for my own neighborhood.

What has caused this unreasonable advance in the cost of getting the raw product from hands of the producer to the hands of the consumer in its finished form? I say speculation, storage, distribution, and manner of handling.

In the days of 75-cent wheat speculation was practically unknown. Storage was limited to small mill warehouses and farm granaries. These small mills dealt directly with the producer and the consumer at a normal cost, thereby eliminating the cost of double freight and countless agencies that the produce now must pass through before it reaches the consumer.

Here is where the producer loses sight of his customer and both are paralyzed. For instance, we have sold 50 per cent of our corn this year for 50 cents a bushel, wheat for \$1.30, and oats at a cent a pound.

The consumer is paying 5 cents a pound for corn meal, or \$2.80 a bushel. He pays 7 cents a pound for oatmeal, or \$2.24 a bushel, and these two articles are the cheapest food a consumer can buy that are not sold directly from the producer to the consumer. We must find a more direct route for the raw material to be put into the hands of the consumer or customer in its finished state.

All great wrongs that affect people have a way of righting themselves. It took a civil war to eradicate slavery, and impossible conditions in Europe brought on the World War. We are just starting through what Europe has already experienced. We are allowing the most efficient producers to be driven from the farms to find more lucrative employment. These men are being replaced by others who, through lack of knowledge and experience, can produce less than 75 per cent of what they should. In the last 10 years we have eliminated 65 per cent of our horses. If we still had them, they would consume more than our present export to Europe. Any man with ordinary reasoning power can readily see that this country would be on war-time rations if we had not replaced the horse with motor power.

When Europe became industrialized to such an extent that she was forced to look elsewhere for food, she turned to us and got it; but whom shall we look to when our agriculture fails? How are we going to remedy this appalling situation?

We have always stood on our own feet in these United States, and we still can do so if we provide for the future. As I said before, we must find a more direct way of meeting our customers.

Let us build our own mills and refineries to convert the raw materials into the finished product. Place these in the center of each grain-growing State, and take advantage of the shortened railway hauls.

Deal directly with the consumer through small distributing centers, who in turn will take care of the retail grocers.

Now, to take care of surplus grain. In the first place, this will be partly eliminated through the fact that people will eat more of it on account of its lesser cost. Each farmer must have sufficient bin room to hold his grain. He can shell his corn the 1st of June, put it back in his bins, and haul one-twelfth of it each month. In this way large storehouses will be unnecessary, and still the mills will have a steady income of grain the year around. If at the eleventh month there is found to be a surplus, the grain is where it belongs, and production can be adjusted accordingly.

Under this method we can reduce the cost of living 40 per cent to our customers, thereby increasing their earning power. We will get away from what Europe has suffered, have a general sympathy for each other, build up business, and put everyone to work.

We should be able to pay the farmer approximately a dollar for corn, a dollar and a half for wheat, a dollar and a quarter for rye, 85 cents for barley, and 50 cents for oats.

In the meat line we could say \$14 per hundred for finished cattle, \$8 for choice feeders, and \$12 for top hogs. This, I think, is a relative price and will regulate meat and grain.

The stimulus to industry should be tremendous. It will take years of industrial activity to supply agriculture with equipment that they are so badly in need of, and which they will be only too glad to buy when their finances permit it.

There are a number of ways in which this plan can be financed. The farmers themselves can finance it on the basis of a 25 cents an acre tax over a period of years. Where tenants are involved the tax could be met by each paying half. With this plan each individual farmer would become a stockholder and would participate in any dividends which might occur. These dividends could be paid yearly or held as a surplus to meet increased demands for operating space and equipment.

There are a great many angles to the subject, and I might write a book on it if time and space permitted. I am deeply interested in anything which promises help for the producer and his ultimate customer.

Being a plain farmer and cattle feeder, working from early in the morning until chores are done at night, I think I understand and realize conditions better than many more highly educated men who are writing from their desks in the city.

The man or group of men who puts this plan into operation will have rendered a lasting service to his country and to the great class who earn their living by honest toil. He will be entitled to his place in the hall of fame with our reverend forefathers, Washington and Lincoln.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. ASWELL. I understood we had an agreement to the contrary. I understood that the gentleman from Iowa would yield 10 minutes to the gentleman from Texas [Mr. JONES], and the gentleman from Kansas [Mr. TINCHER] would yield 10 minutes to him, and I would yield him 10 minutes.

Mr. HAUGEN. That is right.

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. JONES], as the gentleman from Kansas and the gentleman from Iowa have done.

The CHAIRMAN. The gentleman from Texas is recognized for 30 minutes.

Mr. ASWELL. Mr. Chairman, will the gentleman withhold while I yield one minute to the gentleman from Tennessee [Mr. HULL]?

Mr. JONES. Yes.

Mr. HULL of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on these bills.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Chairman, there is to-day general agreement in this country upon two points relating to agriculture. One is that it is in serious distress and presents a most important problem as to suitable relief measures. The other point is universal acknowledgment of the fact that the Fordney high tariff, as an agency of any sort of general prosperity for agriculture as a whole, has been a hopeless and grotesque failure from the day of its enactment. On the contrary, even a blind person can now see that during the past five years our high tariffs have operated as a tremendous engine of oppression to agriculture. The present deplorable condition of our farmers did not develop overnight, and it can not be remedied overnight. Relief in many deserved and legitimate ways can and undoubtedly should be had at the earliest possible date. Such relief should come through sound economic policies, and not through temporary artificial expedients of extremely doubtful workability. Permanent relief, based on sound principles, is

what agriculture properly demands and what it is entitled to receive.

During the period of my service here I have at every stage contributed my best efforts in earnest cooperation with those seeking to promote the welfare of American agriculture. At this time two widely different policies for farm relief are available. One policy is embodied in the Haugen bill, which is bottomed on the existing high-tariff system.

The other policy embraces such timely, practicable, and legitimate measures as the following: Tariff reduction, thereby materially diminishing the farmer's cost of production, distribution, and his cost of living; liberalization of our international trade relations, thereby expanding and developing foreign market and trade conditions so that other countries might purchase increased quantities of our surplus foodstuffs and other commodities, at increased prices; aid and encouragement in the wider expansion and development of cooperative agencies for transportation and distribution, including the guarded relaxation of antitrust legislation in view of the peculiar and extra hazards and uncertainties which agricultural production involves; better short-term and other credit facilities where actually needed and justified by good business principles; reduction of railway rates; abolition by the States of State taxes on farm lands, leaving the same to counties and villages; readjustment downward by the States of land taxes in the meantime; suppression of monopolies in the distribution of farm products; abolition by international agreements of bounties, rebates, and other special aid given the exportation and sale of farm products in competition with ours, by other governments; the greater utilization of the Mississippi and other important water courses for the transportation of farm products. The cooperative agencies for the distribution and sale of farm products should have all reasonable financial cooperation by the Federal Government with suitable safeguards until they are sufficiently developed and made sufficiently workable.

The champions of the manufacturers' high tariffs naturally oppose the Haugen measure, because they do not propose to run the slightest risk of imposing any tariff burdens or impediments on tariff-protected manufacturers. It is comical to hear this delectable group oppose the Haugen bill by shouting "subsidy." Some of the antihigh tariff supporters of the Haugen measure suggest that it is not possible to secure the immediate adoption of the legitimate remedies I have outlined and that therefore the farm emergency can only be met by joining the forces of special privilege and enacting the Haugen bill. Under this theory sound relief could never be secured. The American farmers had a wonderful opportunity in the general elections of 1922 to take effective steps for the adoption of sound measures of relief, and they had a like opportunity in the elections of 1924. Why did not their spokesman offer the Haugen plan when the Fordney tariff bill was pending in 1922? Their leaders and representatives, unfortunately, were during these periods holding a great cross section of farmers in support of the very economic methods which have wrought havoc to American agriculture. Everyone now knows that there is a disparity between the prices of agriculture and of industry and that the Fordney high tariff is chiefly responsible therefor. It must be patent to all that the Haugen bill contemplates the perpetuation of the most aggravated form of special privilege in this country, which is the Fordney high tariff. Strange to say, this is proposed in the name of economic equality, although nothing is more impossible than to equalize the benefits of special privilege. Economic equality, if it means anything, means the destruction of special privilege. These two policies are directly and eternally inconsistent and repugnant to each other. High tariffs not only breed combines and monopolies, but they invariably leave a trail of colossal scandals and wholesale corruption. Our Government to-day is in the clutches of the high-tariff manufacturers; they are the Government. They have given express orders for Congress to keep entirely away from the tariff, no matter what happens to the farmer.

The real object of those now in control of the Federal Government is to maintain the existing Fordney high tariffs intact. Farm relief with them is purely incidental to this one controlling purpose. They are willing to give agriculture anything that will not militate against the existing high-tariff structure. The important fact should constantly be borne in mind that from early in 1921 farm-relief measures have been in charge and control of those who were opposed to any interference with existing high and unconscionable tariffs, but who favored their permanent retention. It has not been possible, therefore, either to consider farm-relief measures or to conduct farm-relief hearings with respect to the great and far-reaching tariff and trade angle of the agricultural situation. On the contrary, representatives of the majority in control of the Gov-

ernment have constantly fought to keep entirely away from tariff considerations and instead to offer to agriculture any and every kind of relief measures, no matter how artificial or arbitrary, just so their operation and effects would not conflict with or undermine or expose the class nature, the injustice, the inequities, and the outrages of the Fordney high-tariff rates. These objects and purposes, now clearly revealed, account for the many half-baked or inadequate or hodge-podge proposals for farm relief since early in 1921, as they also account for the distribution of tons of propaganda intended either to divert the farmer from a real consideration of tariff effects upon his industry or to placate him in his threatened wrath against the tariff and trade policies of the present administration.

During the years prior to 1921 American agriculture had thrived wonderfully. In 1921 we had vast surpluses of food-stuffs, while the balance of the world was hungry and anxious to buy. Our country only needed to cooperate in a moral and economic way to maintain the international financial exchange, credit and trade situation in order that countries needing our surplus foodstuffs might have available trade channels through which to purchase upon good security in cases where cash or barter were inadequate for payment. Then it was that those in charge of the Federal Government, dominated by the ultra-high-tariff manufacturers, decided to pursue a policy of narrow and selfish economic isolation and aloofness and to fence this country about with tariffs higher in many respects than any known to our fiscal history. They, as are all high-tariff systems, were surrounded by a network of retaliations, boycotts, reprisals, restraints, and restrictions with respect to international trade.

All sound economic authorities recognize that this ultra-high-tariff policy would crucify agriculture in America, as subsequent experience has demonstrated to a mathematical certainty. Those in control, however, recalled the fact that they had for 50 years been able to delude the farmer by the plea that high tariffs were an invariable guaranty of permanent prosperity to all industries, including agriculture. They therefore had no hesitation in attempting to continue the wide circulation of this deliberately false policy. The first step was to proclaim and enact the farmer's high tariff law of May, 1921, coupled with the solemn assurance that it would give agriculture sound and permanent prosperity. We must not forget the fact that those among the majority in control of the Government and their associates on the outside who assumed to speak for agriculture subscribed to and supported this fraudulent program of farm relief.

In 1922, when the Fordney general tariff measure was pending, these same farm spokesmen strongly ratified and approved the agricultural tariff provisions as constituting virtually an all-inclusive remedy and safeguard for American agriculture. The idea held out to the farmers was that they were thereby placed on an absolute economic equality with manufacturing and other industries. The real problem of promoting and expanding international trade and export markets was not seriously mentioned, much less considered.

Further, to illustrate the tortuous course of those in charge of the Government toward agriculture, it is interesting to recall that as early as 1920 candidate Warren G. Harding urged the farmers to produce more. On July 22, 1920, he said:

Our need is a maximum production. \* \* \* I want somehow to appeal to the sons and daughters of the Republic, to every producer, to join hand and brain in production, more production, honest production, patriotic production.

Vice presidential candidate Calvin Coolidge on July 27, 1920, said:

Production must be increased.

During the months following the enactment of the Fordney farmer's high tariff in May, 1921, disaster was overtaking agriculture so rapidly that President Harding, in his annual message to Congress on December 6, 1921, was driven to confess that—

something more than tariff protection is required by American agriculture.

The farm spokesmen at Washington, however, were later soothed and made content with the soporifics that were later inserted in the Fordney tariff law in 1922. I do not question their motives. Some minor, partial, and wholly inadequate domestic laws relating to agriculture were provided as a supplement to the pretended tariff remedies which were constantly held out as the controlling agency for agricultural prosperity.

It is due the American Farm Bureau Federation to call attention to the opposing views of some of their membership as early as 1923, although their contrary ideas became hopelessly

submerged by other farm spokesmen at Washington in league with the high-tariff policy. This farm organization sent a committee abroad during 1923 to study the European situation as it related to the American farmer. This committee reported at the annual convention on December 10, 1923, as follows:

But whether for barter or for money, there are serious obstacles to the full and necessary development of international trade that are of gratuitous American making. Our tariff laws are in many instances prohibitive rather than protective. They make it impossible for foreign countries to sell to us and therefore impossible for them to buy from us. International trade is literally a trade, an exchange. If there is nothing that we can take in exchange for what we offer, there is no trade. Nations can not buy without selling. We need tariff laws that are designed to equalize competition and not prevent it. Tariffs dictated by greed bear heavily on our farmers, for they increase their cost factors and impede the sale of their products. The American Farm Bureau Federation has defined its position on this subject and it should resolutely press for the adoption of the principle of nonpolitical tariffs adjusted so as to compensate for differences in labor costs here and abroad.

It is thus apparent that these farm leaders had discovered the extent to which our narrow high-tariff policies and accompanying trade restrictions were hopelessly handicapping and ham-stringing even the most legitimate and profitable reciprocal international trade. They seem to have discovered the true economic fact that no country could sell unless it was willing to buy, and that exports must be paid for by imports, and hence that a reduction of imports meant a corresponding reduction of exports. During these very years—1921 to 1924—there were hundreds of millions of grossly underfed people in Europe crying for our foodstuffs, while thousands of our American farmers were drifting into bankruptcy for lack of sales of their surpluses.

In the fall of 1920, while combating the general high-tariff program then already planned, I offered a resolution in the House of Representatives providing for the appointment of a select committee to conduct elaborate hearings and to report a measure or plan to reduce the cost of domestic distribution between the farmer and the consumer of farm products in this country. The farmer was not getting much more than one-third of the price which the consumer paid. This resolution related to all costs of distribution, including transportation, warehousing, and sales methods and agencies. The resolution was given no attention by the majority in control of Congress, their minds being engrossed solely with their tariff remedies. On December 22, 1920, in discussing on the floor of the House the so-called farmers' tariff bill then pending, among other things I said:

The proposed tariff bill, in my judgment, is not nearly so innocent as appears on its face, for whether so intended or not, this measure sharply raises the question of the most supreme importance to this Nation, one involving the whole future commercial policy of the Nation in the light of the new and changed economic conditions in which our country and the world find themselves as the result of the war. The American people are now face to face with the momentous question of whether they as a Nation will maintain our present supreme position in world finance, commerce, and industry, going forward with the development of our foreign trade, keeping alive and expanding our great merchant marine, making sound and permanent investments of surplus capital abroad, affording labor increased employment at home, negotiating wise reciprocal commercial treaties, cooperating with other nations in the elimination of unfair, hurtful, and dangerous trade practices so as to promote fair and friendly trade relations, prescribing a tariff for revenue only, and doing in other essential respects big things in a big way as sound, enlightened, and progressive policy would suggest.

The American Nation must either adopt this wise and philosophic policy for its future and continue to progress, or it must inevitably and as the only alternative adopt the narrow, shortsighted, suicidal policy of commercial isolation not unlike that pursued by China after she had become a world factor in finance and commerce and which has brought her to her present low and despised estate. This latter policy means that the United States shall return to a general and comprehensive system of high protective tariffs—tariffs on the commodities of all producers, from the raw material to the finished product, when selfishly demanded by them, whether really needed or not even from the standpoint of protection. It practically means going backward 40 years, although economic conditions have entirely changed. This policy would assure permanent artificial commercial conditions, a new army of trusts, monopolistic prices to consumers at home, inefficiency in production, stagnation, shutdowns, and an artificially high level of costs of production which would prevent successful American competition in world markets and would compel a return to the old practice under former high protective tariff systems of dumping our annual surpluses abroad at prices far below the domestic

prices charged the American consumer. This policy, so backward, antiquated, and utterly provincial for a full-grown country, would mean the death knell to our present \$13,000,000,000 of international commerce, and along with it our dominant position in the financial and commercial affairs of the world. It would then be entirely appropriate to remit our foreign debts and let the gift become a monument to our economic stupidity and our future national decadence. Bourbon protectionists can not realize that we are living in a new world and that the position of our Nation in the world economy is vastly different from that of the past. From this time the Nation will move forward or backward according to which of these great epochal policies it adopts.

In the language of President William McKinley, "the period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem." Notwithstanding every true sign and wise warning to the contrary, the fight for reaction, for exclusiveness, and for economic isolation is now on. The sudden appearance of this hastily constructed high tariff bill was the signal to all the forces of standpat protection and of greed and selfishness to rally in a grand effort again to get both their arms and feet into the Federal Treasury. The logrollers behind this and other like high tariff bills make the pork-barrel logrollers drop their heads in shame. No person or business can become a beneficiary of one of these general high protective tariff laws without joining with all other beneficiaries, no matter how undeserving or extortionate and upholding their demands. I am persuaded that the proponents of this measure, while recognizing its utter futility as a remedy for the present distress of the farmers, have rushed it before Congress for the purpose of exciting the favorable interest and whetting the appetite of certain wheat raisers and livestock growers, bean, peanut, onion, and other raisers of certain agricultural products to the extent that they will next spring demand that their Representatives here give their support not only to protective-tariff items affecting them at home, but to the entire high protective tariff measure the reactionary Republicans expect to lay before Congress next year.

Speaking further along, I also said:

The controlling purpose of the bill is to create the false impression in the minds of the farmers of the Nation that they can be materially benefited by high protective tariffs upon the theory that the tariff will prevent outside competition and thereby enable the farmers to secure higher prices than otherwise for his products in the domestic markets. A few general facts and conditions patent to every sane person utterly disprove this view.

At another point in the same speech, in reply to an interrogation as to the immediate remedies I would suggest, I said:

First, let the Government and the banking and other financial agencies of this country cooperate with the commercial, banking, and other agencies of other countries who want our surplus commodities in reviving and strengthening our international trade and exchange situation. That opens the door; that gives us a free flow of commerce back and forth between nations. This would afford temporary relief. America will have to make large, long-time investments abroad to give us a stable and sound and permanent export situation. In the second place, I would have the farmers of this country who still own a surplus of farm products and livestock given all the credit accommodations possible that will enable them to hold this surplus pending the revival of international trade functions. I do not mean by this to hold up the values of this surplus artificially, but rather up to a fair world-price level at this stage of readjustment. In the third place, Congress could do much to encourage and considerable to aid in bringing the farmer in more direct communication with the consumer. For many years we have heard constant talk about efficiency in production, but we have heard entirely too little about economic efficiency and directness in the distribution of that which the farmer produces between him and the consumer. Cooperative sales agencies, cooperative purchasing agencies, additional storage facilities properly supervised, better transportation, terminal facilities, all these are important steps which are now being pointed out to you by the farmer himself to bring the farmer more directly and in cheaper contact with the consumer, and which, if it enabled him to get even one-third to one-half the level of prices which the American consumers are now paying for his products, would put him in the most independent position economically at this minute. Now, these, in my judgment, are the practical methods by which the agricultural surplus, as well as the other surpluses, we produce in this country will finally be disposed of.

The friends of high-tariff protection from 1920 until the present time, by suggesting every other sort of expeditors and nostrums, have been able to divide the farmers and so to ward off an assault by agriculture upon existing high tariffs. They have in the meantime even brazenly argued that such tariffs had helped agriculture as a whole. They have also doped millions of farmers half to death with high-tariff propaganda. President Coolidge in his Chicago speech, December, 1925, still held out for the application of high tariffs as the best

panacea for agriculture. President Coolidge's agricultural conference in its report of January, 1925, inserted a strong high-tariff provision. Upon the other hand, the appearance of the McNary-Haugen bill in Congress in 1924 was a confession by high-tariff champions that some remedy more potent than the tariff was necessary for the salvation of agriculture. In order, however, to safeguard all the mountain-high rates of the Fordney law for the benefit of certain manufacturers they framed the McNary-Haugen measure upon the policy of perpetuating such high rates by leaving them intact. This bill failed in the House.

The general result of the course of those in charge of the Federal Government in relation to agriculture during the past five years has been to maintain all high tariff rates undisturbed and intact, which has resulted in turning out annually scores of millionaires in the manufacturing industries, while American agriculture as a whole has gone from bad to worse.

We find to-day a continuance of the same old policy which is designed to evade and avoid the slightest interference with the existing high and extortionate tariff rates and to salve and soothe the farmer with the absolutely artificial and arbitrary plan to raise the prices of his products, as is shown by the pending Haugen bill. Let us still keep in mind the notorious fact that high protectionists who have opposed the slightest reduction in the high tariff on manufactures are dominating existing farm relief proposals.

I have patiently, earnestly, and sympathetically studied every phase of the pending Haugen bill, notwithstanding the fact that it is proposed by a group of farm leaders thus far strongly wedded to the existing high tariffs which have wrought such havoc to agriculture. For my life I am unable to conclude that this wholly artificial plan would prove practicable or workable for any appreciable length of time to anywhere near the extent contemplated by its proponents and necessary for any substantial aid to agriculture. It is not based on any sound economic or trade policy, but, on the contrary, it conflicts with each. Existing tariffs have already created an artificial, lopsided, economic situation in this country. But instead of a movement to reduce these tariffs to a decent level, it is now proposed still further to aggravate, dislocate, and demoralize our industrial, trade, and general economic conditions by adopting and grafting on the present tariff structure an additional artificial policy.

This fatuous course baldly proposes to negative such wise policies as low production costs, living costs, transportation and distribution costs, and liberal international trade policies and methods which are calculated to expand our foreign markets and to increase our foreign prices. The policy of the Haugen bill also embraces a permanent system of dumping, which not only flies in the face of the policy of our own antidumping law but of similar laws expressly prohibiting dumping which we find in many or most other commercial nations. The Haugen bill proposes in theory a domestic price level equal to the world price level, plus our tariffs and transportation costs, while it proposes to dump our surpluses at a price less the amount of our tariffs. It would be difficult to imagine any trade practice that would invite and challenge reprisals, retaliations, boycotts, and even prompt governmental protests everywhere, to a greater extent than this proposed system of dumping.

I can not now go into the details of the operation of the Haugen bill, which in my judgment would prove tremendously disappointing and within a brief time more hurtful than helpful. Apart from the question of its workability, why is it sought to compel the farmer who is receiving no tariff benefits himself to pay the cost of the benefits he seeks in the form of an equalization fee? Why not assess this amount in the form of a special excise tax of 1 to 3 per cent on certain industries which are receiving and collecting from the American people in the form of higher prices the full amount of their tariffs? Nothing would be easier than to impose such tax on the finished products of the silk industry, which received average tariff benefits of more than 60 per cent; on the woolen industry, which receives tariff benefits on cloths of more than 70 per cent; on certain portions of the iron and steel industry, which receives average tariff benefits of 28 per cent, and on the aluminum and other industries which in the main are collecting every penny of their tariffs off the American people in the form of correspondingly higher prices?

I was reared in that school of thought which has taught equal rights to all and special privileges to none. The political party to which I belong has lived for more than 100 years, mainly because it has consistently clung to this ancient doctrine. The American farmers as a whole worked together and maintained this doctrine during most of the first 70 years of the Nation's existence. They are still able at any time they may desire to unify their forces, to proclaim and compel the

enactment of sound and suitable policies, giving economic equality to all classes of business, of industries, and to all sections of our common country. The alternative to this wise course is to acquiesce and by implication to ratify all existing policies in support of high tariffs, subsidies, bounties, and all other forms of special privilege, and at the same time seek a suitable share in the loot. We would then have a Government of privilege, by privilege, and for privilege.

Fundamental principles would be forgotten and ultimately would become almost a hiss and a byword among those enjoying special governmental favoritism. If special privilege is outrageously wrong, why should we embrace it even temporarily, instead of fighting to destroy it and restore honest and fair economic policies? The country was never in such urgent need of education on these questions if it is to be saved from the forces of privilege and plunder. If the opposition is not to become submerged by the predatory interests of this country, it must proceed to educate the people along right lines and to combat at every step these sinister forces. The fact that under Republican rule special privilege has reared its slimy head in this country affords no reason or pretext for the champions of sound economic policies even temporarily to surrender and go over to the camp of the enemy, unless they are to lead the public to believe that they have abandoned their principles. If John Smith commits a wrongful act, how can Bill Jones by citing it justify a wrongful act on his part? Where would this practice of adding special privilege to special privilege end, and when would sound principles, thus hopelessly submerged, ever get back to the surface? If we add agriculture to the lists of privilege, there yet remains tens and tens of millions of other citizens on the outside. It would then be in order for them to come in and demand their respective shares of plunder. And in addition there are many other industries to-day seriously laboring under the disadvantages of surpluses, such as the coal, the iron and steel, the textile, the leather, and numerous others. They would soon demand some artificial device calculated to raise their domestic prices still higher and to dump their surpluses. There would be no end.

The Nation can always afford to stand for sound political and economic doctrines and to combat those that are not. It can not, in my judgment, pursue the opposite or mixed course in this respect without inviting ultimate disaster to all. Why has it not been possible to induce the proponents of the Haugen bill to join in a fight for the numerous sound proposals for the relief of agriculture which I definitely set out at the beginning of this statement?

The probable answer is that they are too hopelessly enmeshed in the network of the high protective tariff system. These proposals, if enacted, would place agriculture in a wonderful position. We could and should in this connection offer temporary financial cooperation in the broader and more comprehensive development of farm cooperative organizations in this country. Some such measure as the Aswell bill, with some modifications, carrying, say, \$100,000,000, would meet the purpose of one of the proposals which I set out in the beginning.

The great need of agriculture in this country is concerted action on the part of our farmers in support of a definite program of sound economic and trade policies. There should be no divisions, as there have been for many years. Interested, as I am, in a number of farms, and therefore understanding and sympathizing to the fullest possible extent with deplorable farm conditions, I can not conceive of any public service that I would undertake more enthusiastically than that of aiding, as I have always striven to do, in the restoration of agriculture to its proper and rightful place. The question as to the workability of the Haugen bill has been extensively discussed both pro and con, and I desire somewhat in detail to consider the subject of ultra high tariffs, including their destructive effects upon export markets and export prices, and also their relation to agriculture.

How does the tariff hurt the farmer? This inquiry involves a number of considerations. Whom does it help, whom does it hurt, and in what degrees? What, therefore, is the true nature, scope, and application of the existing Fordney-McCumber tariff system? What place does agriculture occupy in our general economic situation, and what is its relation to these tariffs? In order to reach accurate conclusions on these points it is necessary at the outset to brush aside certain widespread delusions that have been carefully developed by misleading propaganda. One is that high tariffs are chiefly designed to benefit labor and agriculture, whereas the real beneficiary, the manufacturer, has financed and directed every movement for high tariffs, and his agents and lobbyists at Washington have written most of the rates, and written them high enough for every remote contingency.

These manufacturing champions of protection have rarely permitted the consideration of any other economic policies, however sound, but have generally kept the public beguiled and diverted by constantly reiterating the stock phrase, "protection and prosperity." Astonishing to say, a general sentiment in support of extreme high tariffs has been built up by this and similar wholly false slogans in the face of the historic fact that every important panic since the Civil War has occurred either under high-tariff administrations or their high-tariff legislation, such as 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 1921-1925 under the farmers' high tariff of May, 1921, and the Fordney high tariff of September, 1922. A third popular misapprehension is the extremely wide variance between tariffs as preached and tariffs as practiced. The difference is as wide as the two poles. In theory tariff benefits are held out to all; in practice tariff burdens are imposed upon 85 per cent of the American people.

A tariff under the Constitution is a tax imposed on articles imported from abroad. The tariff as a tax, according to the doctrines of disinterested economic authorities, is the most inequitable of all, because, being levied on consumption, its requires a poor person with a large family to pay a larger amount than a rich person with a small family. The avowed purpose of protective tariffs is, by reducing or preventing outside competition, to enable domestic manufacturers or producers to sell at higher prices than otherwise. There is no tariff protection unless an increase in prices. Any other tariff pretension is a fraud on its face. Tariffs are subsidies or gifts bestowed upon one class of persons at the expense of all other classes. In principle they are unjust and immoral. The chief tariff burdens are not taxes but excessive prices paid for domestic products. Tariff protection offers the greatest possible incentive to inefficiency, bad management, the use of antiquated machinery, and waste in manufacturing and production. It is based almost wholly on the theory of a productive capacity that will only equal domestic consumption.

Typical high tariffs are spread indiscriminately upon food-stuffs, raw materials, and finished manufactures. They increase all production costs, living costs, transportation costs, obstruct export trade, seriously burden international commerce, prevent nations from increasing their incomes, paying their debts, and buying from each other even where mutually profitable. High tariffs are based on the theory that nations can sell more if each tries to buy less, while they ignore the universal truth that the chief source of world income is interchange of goods. Such tariffs are also surrounded by a network of trade restrictions, restraints, embargoes, reprisals, and retaliations which invite or challenge similar high rates and retaliatory or boycott provisions by other countries.

Following the war America found herself in an impregnable position financially, industrially, and commercially. Our national wealth had jumped from \$186,000,000,000 in 1912 to \$320,000,000,000 in 1920. Everyone was prosperous. Unlimited gold and credit, boundless supplies of foodstuffs and raw materials, and a manufacturing and productive efficiency and capacity unequaled anywhere were ours. The other half of the world was hungry, overwhelmed with debt, without foodstuffs and raw materials, cursed with depreciated currencies and collapsed exchanges, and otherwise at our mercy financially and commercially. We had but to cooperate in a business and economic way to maintain the international exchange, credit, and trade situation so as to feed out to other countries in a most profitable manner during all the coming years our increasing surplus foodstuffs, raw materials, and manufactures. This is precisely what we did not do, but instead the suicidal course of economic aloofness and isolation was followed. The result was that from 1921 to 1924 hundreds of millions of persons in Europe were grossly underfed and undernourished, while vast surpluses of unsold foodstuffs were sending American farmers into bankruptcy by the tens of thousands.

The American manufacturers showed profits of sixteen and one-third billion dollars from 1916 to 1920, and though confronted with the opportunity virtually unchallenged to expand and spread over the entire world with their commerce they amazed every enlightened country by their prompt decision to remain at home surrounded by high-tariff walls. The so-called farmers' protective tariff act of May, 1921, was the first definite step in this short-sighted and selfish course. The Fordney Tariff Act of September, 1922, was the second and final step in our world leadership back to high tariffs, high living costs, and general obstruction of international trade.

The real nature of tariffs is determined by their effects on imports of those finished manufactures of general use and uni-

versal consumption. It is amazing to observe that the imports of dutiable finished manufactures for 1924 were no greater than those of 1914, when values are equalized, notwithstanding our great expansion in production and consumption. Here is the exposure of the prohibitive rates and colossal fraud in the Fordney law. I append hereto a copy of a tariff reduction resolution I offered in last February.

Following the war the American people were rolling in wealth, and so demanded many increases of consumption, including various luxuries. What has been happening and all that has been happening, therefore, is that we have been exchanging some of our surplus raw materials for increasing quantities of other raw materials, such as rubber, silk, wool, tin, and so forth, to meet our increasing domestic consumption. This process is not increasing national wealth but only redistributing it.

Our export figures which demonstrate this fact show that exports are less to-day than they would have been according to the annual average percentage of increase during the years prior to the war. Secretary Hoover's annual Yearbooks of Commerce confirm this statement. We should disillusion ourselves regarding the fallacy of swollen imports and exports, bearing in mind that a tremendous portion of the import values are due to increases of price rather than quantity. For example, the increase of silk, rubber, jute products, and tin import values were \$625,000,000 greater for 1925 than 1921.

As further evidence that our chief imports and Treasury revenue relate to raw materials and foodstuffs, rather than finished manufactures, manufactured silk import values were \$11,767,000 less for 1924 than 1921, and the Treasury revenues \$916,000 less, while imports of cotton manufactures were only \$1,568,000 more than those for 1921 and the Treasury revenue only \$2,840,000. The same showing exists as to finished woolen and iron and steel manufactures. It is not difficult, therefore, to understand the prompt increase in wholesale prices during the period in which the Fordney tariff was enacted. The level of wholesale prices went up 15 per cent. The cost of living bounded up from 166 to 175, compared with pre-war cost level of 100. Flushed with tariff success the manufacturers during 1923 operated their plants at near-full capacity. The public went on a strike against the high-tariff prices, with the result that we have seen stagnated and fluctuating prices in numerous lines since that time. The tariff had made production costs too high to sell satisfactorily at home or abroad. Hence production was curtailed during 1924, but somewhat expanded during 1925. Under moderate tariffs both production costs and prices would have been gradually reduced following the war, after the manner of the automobile industry, which constitutes one of the few exceptions to the tariff price rule.

Wages are higher and automobiles are better and about as cheap as before the war. Total tariff price increases to the American people above reasonable prices must aggregate three and one-half to four billion dollars annually. At the same time, as already indicated, we have been simply swapping raw materials with other countries. Our exports of finished manufactures since 1920, it is true, were \$7,827,000,000, but this is near the amount of our loans made abroad, and gold imported since 1920, aggregating \$7,418,000,000, which has chiefly paid for these exports.

What has been the course of tariff defenseless agriculture and tariff protected industry during recent years? Manufacturing concerns have reported more than \$10,000,000,000 for income taxes during the past three years; their capital has jumped from below \$25,000,000,000 to more than \$50,000,000,000 during recent years. In striking contrast farm-land values declined 27 per cent since 1920. The farmer is some \$25,000,000,000 to \$30,000,000,000 worse off now than he was then. His indebtedness aggregates more than \$12,000,000,000. He is worse off than before the war. Most countries have erected tariff barriers against the export of his surpluses. Farm failures during past years increased 1,000 per cent in contrast with commercial failures. Near \$8,000,000,000 of our ten and one-half billion dollars loans made abroad 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. Agriculture and labor have never gone to the heart of the tariff question, but agriculture must soon do so unless it is ready to enter upon a state of permanent decay. If the American farmer producing 75 per cent of the staple agricultural products such as corn, cotton, wheat, oats, rye, hay, meats, and lard can not now see that he is receiving tariff burdens rather than tariff benefits, it would be in vain to reason with him.

The existing tariffs hurt the American farmer by (1) increasing his production costs, (2) his cost of living, (3) his transportation rates both on land and sea, (4) decreasing his foreign markets and his exports, and (5) decreasing his prop-

erty values by surplus congestion. The two chief impediments to export trade are high production costs and foreign tariffs against our exports. The Fordney tariff hits the American farmer in such respect. It promotes the former and invites the latter. American manufacturers of machinery and vehicles, for example, are able by reason of low production costs to export their finished products in the amount of \$719,000,000 to Europe, South America, and all other countries, no matter what the state of their so-called ignorant and pauper labor. Cotton manufactures are likewise exported to all countries, including those with ignorant and pauper labor, in the amount of \$148,000,000. These illustrations of low production costs by efficiency, horsepower, and modern machinery, which make possible the sale of a large volume of exports, are in contrast with other commodities of high production cost and no exports or exports at a substantial loss.

The farmer pays artificial tariff prices on every piece of iron and steel—every bolt, nut, rivet, tack—all paints and varnishes, and, in short, all the tools, implements, and materials that enter into farm production, including the manufacture of farm implements of every description. The fact that the American manufacturer of agricultural implements dominates the world destroys the effects of tariffs on the finished product itself, but what is the same thing, he passes on to the farmer the tariff prices of all materials entering therein. The farmer pays artificial tariff prices on many of his seeds, sulphate of ammonia used in fertilizer, bricks, tiles, cement, plumber's material, pumps, padlocks, and most all other materials, except lumber, entering into the construction of tenant houses, outhouses, and farm houses.

The following are a few of these tariff items and rates thereon: Bar iron, 21 to 39 per cent; wire rods, 11 to 20 per cent; iron and steel sheets or plates, 21 per cent; structural iron and steel, 13 to 25 per cent; tubular products, 25 to 33 per cent; wire, 17 to 45 per cent; nails, 8½ to 24 per cent; horse-shoe nails, 9½ per cent; bolts, nuts, rivets, 5½ to 18½ per cent; razors, 137 to 355 per cent; pruning and sheep shears, 78 to 131 per cent; pocketknives, 96 to 235 per cent; axes, 40 per cent; hand and crosscut saws, 20 per cent; files and rasps, 14½ to 49 per cent; blacksmith's tools, 14½ per cent; nippers, pliers, and pincers, 60 per cent; mechanic's tools, 40 per cent; shovels, spades, scoops, and drainage tools, 30 per cent; scythes and corn knives, 30 per cent; horseshoes, 4½ per cent; hinges, 40 per cent; padlocks, 26 to 68 per cent; builder's hardware, 40 per cent; harness, 45 per cent; engines, 15 to 40 per cent; leather gloves, 50 to 70 per cent; jute bags, 20 to 27 per cent; brick, countervailing duty, 7½ to 12 per cent; salt, 19½ per cent; asphalt and bitumen, 30 per cent; machinery other than strictly agricultural, 35 per cent; paints, pigments, and varnishes, 30 per cent; sulphate of ammonia, 9.82 per cent; paint brushes, 45 per cent. It must be conceded that the tariff is a chief factor in the farmer's high production costs.

It is by this time obvious that existing tariffs greatly increase the farmer's cost of living. It would be virtually impossible to point out an article in the kitchen or dining room or parlor, including cutlery, queensware, earthenware, furniture, furnishings of all kinds, or any article of wearing apparel or of use by the individual that is not burdened with a tariff tax. Sewed straw hats, for example, bear a tariff of 84 per cent. Articles of wool as follows: Cheap woolens, 97 per cent; costly woolens, 73 per cent; socks, 57 per cent; gloves and mittens, 55 to 63 per cent; clothing not knit, 55 to 58 per cent; wearing apparel embroidered in any manner, 75 per cent; cheaper blankets, 77 per cent; suspenders, 132 per cent. Articles of cotton as follows: Gloves, 50 to 71 per cent; hosiery, 30 per cent and upward; corsets with imitation or other lace, 90 per cent; men's shirts, 35 per cent; laces, 90 per cent; plain blankets, 25 per cent; towels and sheets, 25 per cent; flax wearing apparel, in part of imitation or other lace, 90 per cent, or embroidered in any manner, 75 per cent; silk fabrics, 60 per cent; floor oilcloths, 20 per cent; linoleum, 35 per cent; rattan furniture, 60 per cent; table and kitchen articles of glassware, 55 per cent; scissors as high as 185 per cent; table, kitchen, and all household cutlery of iron or steel, 60 to 74 per cent; kitchen and household utensils of aluminum, 79 per cent; tinware, not specially provided for, 40 per cent; bathtubs, 56 per cent; automobiles, 25 per cent; automobile tires, 10 per cent; rubber goods, 25 to 38 per cent; cheap or imitation jewelry, 80 per cent; toys, 70 per cent; all laces or imitations, 90 per cent; cotton lace window curtains, 60 per cent; clocks with jewels, 60 to 104 per cent; pianos, 40 per cent; slate pencils, 25 per cent; shoeblacking, 25 per cent; toothbrushes, 25 per cent; undecorated china, 60 per cent; lawn mowers, 30 per cent; stoves, 40 per cent; broom handles, 33½ per cent; indigo, 60 to 91 per cent; kindling wood, 33½ per cent; textbooks, 25 per cent; sugar, 41 per cent.

The tariff increases the cost of the farmer's freights. The railroads consumed 22½ per cent, or 5,986,000 tons, of iron and steel products during 1925. The artificially inflated tariff prices paid for this huge amount together with other purchases must have aggregated \$200,000,000. The farmer shipped 154,564,000 tons of freight during 1924, in which was absorbed the farmer's share of iron and steel and other tariffs imposed on the railroads. Every American ship that carries the farmer's surplus abroad is built of thousands of materials almost without exception subject to excessive tariffs, omitting in particular the item of lumber. The farmer's share of these enhanced tariff prices are passed on to him in the form of higher ocean freight rates. The Fordney high tariff is simply a transfer of the property of the farmers to the manufacturers by making their prices higher than those of the farmer. No farmer, save as to certain minor specialties, ever grew rich through tariff protection, but it turns out an annual crop of wealthy manufacturers.

How is the farmer's export and trade situation injured by high tariffs? In the first place, the whole theory of tariff protection is that producers must be content with the home market; and if they are unlucky enough to have surpluses on hand, it is their misfortune. Tariffs then become helpless to aid. This is not all nor the worst. No American industry which produces a substantial surplus which must be shipped and sold abroad in competition with similar surpluses from other countries derives any advantage at home even from mountain-high tariffs; but, on the contrary, its domestic price levels are chiefly governed by the world prices received for its surplus. Protected industry welcomes these lower domestic prices for farm products and with some chauvinism warns the farmer that he is dependent on domestic industry for such prosperity as he enjoys. The true economic facts are that agriculture is still the basis of sound prosperity in this country. People, first of all, must eat. Of what advantage is any home or other market that pays the farmer less than living prices? There is not the slightest danger of any appreciable invasion with staple food products of our home market, tariffs or no tariffs.

International trade is simply a system of barter or exchange of goods and products between nations. Each nation must sell its surpluses to other nations needing or desiring them, while in turn it purchases from others such goods and commodities as it may specially desire, chiefly those it does not itself produce at all, or in sufficient quantities, or the production of which is not economically justifiable. Under the high-tariff leadership of America more than 50 countries have constructed every sort of tariff and trade barrier, which tremendously handicaps and reduces the volume of trade among nations. The result is that our own country is prevented from exchanging more of its surpluses for a vast number of articles we would gladly and profitably purchase without appreciable displacement of similar domestic articles. Such liberal trade policies would result in increasing foreign living standards and in developing many foreign markets for our foodstuffs, just as Henry Ford educated the American people into a higher standard of travel. Such policy would materially raise the level of world prices for foodstuffs and other commodities. World trade to-day, in 1913 values, excluding the United States, is below that of 1913. Our own exports for 1924 even have only increased in like values \$955,000,000 above 1913. The pre-war rate of gain would make them much higher. But our exports of finished manufactures went from \$1,292,000,000 in 1922 to \$1,842,000,000 in 1925, while exports of foodstuffs fell from \$1,047,000,000 in 1922 to \$891,000,000 in 1925.

The American farmer has undoubtedly contrasted the experience of agriculture and that of tariff-protected industry during the past five years; and if so, he can not fail to discover an irreconcilable conflict between agriculture and industry under the existing tariff and related economic policies. The experience of agriculture with respect to both home and foreign markets spells disaster unless fundamental changes in our tariff and trade policies are promptly made.

Protected industry will never agree for farm prices to be raised by artificial means, such as it itself enjoys, because of the fear of higher living costs in the industrial localities. The sound course would be to lower our tariffs to a moderate level so as to expand our foreign trade and extend and develop our foreign markets for our surpluses in all lines. Our exports to-day should be \$10,000,000,000 instead of less than \$5,000,000,000. No efficient domestic industry would be materially injured, but helped, by the adoption of this sound policy. Agriculture, on the other hand, would be greatly benefited. To-day land values are decreasing because of congested farm surpluses.

In this discussion minor agricultural specialties have not all the time been kept in view. This suggests the inquiry as to what benefits agriculture derives from existing tariffs. In January, 1923, the American Farm Bureau Federation after an investigation reached the conclusion that the tariff benefited certain farmers to the extent of \$125,000,000, while it injured farmers as a whole to the extent of \$426,000,000, and the entire American people to the extent of \$1,715,000,000. These were the minimum findings of the Farm Federation and were made before the full effects of the Fordney tariff had revealed themselves. In the light of subsequent facts and conditions it would be thoroughly safe to double the figures of losses of the Farm Bureau Federation, and decrease its figures showing tariff benefits.

The American farmer can not now fail to realize that he is in no danger from any appreciable competition in the sale of those farm products comprising near 75 per cent of our national agricultural output, such as cereals, cotton, tobacco, hay, and meat products. We import at present more foodstuffs than are exported, but they comprise tea, coffee, cane sugar, spices, cocoa, and tropical fruits, with minor exceptions, which we do not produce. The 12,000,000 pounds of fresh beef that filtered into this country during 1925 is pointed to by protectionists as an economic scarecrow, although the total amount would scarcely supply one meal to the American people. Our total annual meat production is 9,404,000,000 pounds.

American agriculture, comprising 32,000,000 people and shrunken capital of \$49,344,000,000 must not be submerged and denied its rightful place in the general economic situation. It must no longer be grossly discriminated against. No greater calamity could befall this great country than the collapse and decay of agriculture. The loss to the Nation of the sturdy citizenship bred and reared on the farm would be irreparable. The farmers of this country should insist that as the Nation becomes economically independent it should correspondingly throw off all artificial restrictions and restraints of industry and commerce. This policy would require the divorce of the tariff-protected manufacturers from the Federal Government which they now dominate.

#### EXHIBIT

IN THE HOUSE OF REPRESENTATIVES,  
February 1, 1926.

Mr. HULL of Tennessee submitted the following resolution which was referred to the Committee on Ways and Means and ordered to be printed:

#### House Resolution 116

*Resolved*, That it is the sense of the House of Representatives of the United States that immediate investigations and public hearings shall be had and a bill reported to the House of Representatives at the earliest practicable date repealing duties in schedule No. 3 of the tariff act of 1922, the iron and steel or metal schedule, which are useless both from the standpoint of revenue and appreciable competition, and reducing to a moderate or competitive basis for revenue such duties as are either excessive or prohibitive.

Such bill shall propose the repeal of such existing duties, among others, as pig and scrap iron; iron in bars, slabs, blooms, coils, loops, or rods, and muck bars; steel rails; structural shapes, not assembled; boiler and circular-saw plates; galvanized wire for fencing and baling hay; blacksmith's tools; horseshoes, horseshoe nails, and cut nails; tacks and brads of iron or steel; hand, mill, circular, and cross-cut saws; cream separators; dynamite and other explosives; scythes, sickles, corn knives; motor cycles; pruning and sheep shears, cash registers; sewing machines; steam and internal-combustion engines.

Such bill shall also propose and carry reductions to a moderate or competitive basis for revenue of other rates in the said iron and steel schedule No. 3, including such existing excessive or prohibitive rates as 20 to 35 per cent ad valorem on steel ingots; 21 to 29 per cent on sheets of iron or steel; 20 to 33 per cent on tubular products; 64 to 74 per cent on table, kitchen, and household knives; 87 per cent on razor blades; 34 per cent on safety razors; 137 per cent on costly razors other than safety, and 336 to 355 per cent on cheaper razors; 131 to 169 per cent on pruning and sheep shears; 101 to 185 per cent on scissors; 100 per cent on the costliest to 140 per cent on the cheaper nail and barber's clippers; 96 per cent on the costliest to 179 per cent on cheaper pocketknives; 58 per cent on the costliest to 177 per cent on cheaper rifles; 40 per cent on axes; 40 per cent on hinges; 42 to 68 per cent on padlocks; 40 per cent on tinware not specially provided for; 56 per cent on bathtubs; 79 per cent on table, kitchen, and household utensils of aluminum.

SEC. 2. That it is also the sense of the House of Representatives that following presentation to the House of a bill revising the iron and steel schedule as aforesaid, suitable investigations and open hearings on the other schedules of the tariff act of 1922 shall be had with a view to ascertaining and reporting moderate or competitive rates for revenue, and repealing obsolete rates, in the form of a bill or bills,

thereby providing suitable reductions of such excessive or prohibitive rates as the following, among others, in the various schedules of the tariff act of 1922: 35 per cent on textile machinery; 25 per cent on automobiles; 10 per cent on automobile tires; 25 to 38 per cent on rubber manufactures; 20 to 40 per cent on electrical machinery and apparatus; 98 per cent on lemons; 80 per cent on cheap or imitation jewelry; 70 per cent on toys; 90 per cent on corsets with imitation or other lace; 20 to 27 per cent on jute bags; 30 to 45 per cent on certain cotton cloths; 25 to 45 per cent on cotton blankets; 77 per cent on cheaper woolen blankets; 35 per cent on cotton suspenders; 132 per cent on woolen suspenders; 50 to 71 per cent on cotton gloves; 35 per cent on men's cotton shirts; 60 per cent on cotton-lace window curtains; 25 per cent on cotton towels and sheets; 71 per cent on knit fabrics and knit goods of rayon; 97 per cent on cheaper woolens, and 73 per cent on the costliest woolens; 57 per cent on wool socks; 55 to 58 per cent on wool clothing not knit; 62 per cent on knit woolen underwear; 70 per cent average on silk wearing apparel; 50 to 55 per cent on table and kitchen articles of glassware; 7½ to 12 per cent on brick; nearly 20 per cent on salt; 30 per cent on asphaltum and bitumen; 40 per cent on mechanic's tools not specially enumerated; 64 to 74 per cent on clocks with jewels, and 60 to 104 per cent on cheap clocks without jewels; nearly 10 per cent on sulphate of ammonia; 30 per cent average on paints, pigments, and varnishes; 40 per cent on pianos; 25 per cent on slate pencils; 45 per cent on fishhooks; 45 per cent on cheap collar and cuff buttons; 60 per cent on tobacco pouches; 45 per cent on tooth and paint brushes; 25 per cent on shoeblacking; 50 per cent on fans; 128 per cent on thermos bottles; 282 per cent maximum on certain cheaper and coarser raw wools; undecorated china, 60 per cent; glass table and kitchen utensils, pressed and unpolished, 50 per cent; limestone, 77 per cent; certain cement, 16½ to 20 per cent; magnesite, 46 per cent; saddlery and harness hardware, 35 to 50 per cent; fountain pens, 100 per cent; pliers, pincers, and nippers, 60 per cent; lawn mowers, 30 per cent; stoves, 40 per cent; broom handles, 33½ per cent; indigo, 60 to 91 per cent; wood fence posts, 10 per cent; hoop or band iron for baling cotton, 9.34 per cent; kindling wood, 33½ per cent; bookbinders' calf leather, 20 per cent; twine for binding wool, 35 per cent; textbooks, 25 per cent; coal, 8 per cent (countervailing duty). Repeal section 315 of the tariff act of 1922 (the flexible provision).

Mr. JONES. Mr. Chairman and gentlemen of the committee, a long time ago Abraham Lincoln said:

A nation can not remain half slave and half free, and a house or nation divided against itself can not stand.

He might well have added that a nation can not permanently prosper half subsidized and half unsubsidized.

I do not believe that any man can justify an outright subsidy, but the fact remains that for many years the manufacturers have enjoyed a subsidy in the form of a high protective tariff. Strange to say, some of those who are arguing strongest against a subsidy for the farmer are the most ardent advocates of the tariff subsidy. Of course, they do not admit that the tariff is a subsidy, but while it operates indirectly it is a subsidy none the less.

If I were to hold a pistol to the head of the gentleman from Oklahoma [Mr. GARBER] here, and make him give me some money, that would be robbery, would it not?

Mr. GARBER. You would not get any. [Laughter.]

Mr. JONES. If I held a pistol to his head and compelled him to pay some money to CHARLIE CARTER, who needs it, not so much, perhaps, as I, but he needs it just the same—that would also be robbery, notwithstanding I did not personally get the money.

The tariff is a tax. A tax can only be justified as it is necessary to raise sufficient money to pay the legitimate expenses of the Government, economically administered. A tariff the primary purpose of which is to raise essential revenue may be justified, but when it goes beyond this it can not be justified. When Uncle Sam takes the tariff pistol and cocks the rates so high as to compel the farmer and other consumers to pay higher prices fixed behind the tariff wall on the necessities of life than they would be under a revenue tariff, he compels the farmer and other consumers to pay the manufacturers a subsidy.

This subsidy is what has gotten us into all this trouble. The relative value of the farmer's dollar has thus been reduced from 100 cents to from 60 to 80 cents.

My choice of remedies is first to reduce the tariff to a revenue basis and then by reducing freight rates on farm products to a reasonable basis let this country be placed on the solid foundation of fairness to all and build our prosperity on that basis.

That would do away with all subsidies, and give everyone an even chance. But since the powers that control the machinery of this Government will not permit this to be done, my next choice, if anything at all is to be done, is to take a

portion of the customs receipts and pay an export bounty to farmers and cooperatives on the basic agricultural commodities.

You will recall that in the magnificent speech made by the gentleman from New York [Mr. JACOBSTEIN] it was shown that farm prices were below normal. With the same figures in mind some 15 or 18 months ago I introduced a bill to pay such a percentage bounty out of the general customs receipts. Recently I introduced a measure to pay a specific bounty on the various agricultural commodities. If anything at all is to be done, this is the simplest and most practical method. It does away with all the costly machinery and the high-priced board, and gives the farmer the direct benefit of all the moneys used.

Since the enactment of the Fordney-McCumber tariff law the value of the farmer's dollar has been much less than it was under the old régime. I have a list here showing the value of the farmer's dollar at one time, and whereas before the tariff régime it was 100 cents, it now ranges from 60 cents to eighty-odd cents.

That presents the real problem. If the tariff system is to be utilized at all, the natural and logical way is to take a portion of the customs receipts and pay to the farmers or farm organizations an export bounty. Fifteen or eighteen months ago I introduced a bill framed somewhat on the percentage basis of figures presented by the gentleman from New York [Mr. JACOBSTEIN] to pay that bounty. I have made the bounty no more than enough to bring the price of the farm commodities to the level of industrial prices.

Mr. YATES. What is the number of that bill?

Mr. JONES. I have not the number of the original bill, but it was introduced in February, 1925, and may be had at the document room. Recently I revised the measure and provided for the taking of \$200,000,000 of the customs receipts to pay to the farmers in cooperative organizations of farmers a specific bounty; to pay them only out of the customs receipts. The number of the latter bill is H. R. 11449.

Gentlemen, if money is to be taken out of the Treasury of the United States, why do it through an expensive board and expensive machinery? It would take no additional machinery or expensive board by the method which I have proposed; it would merely take some of the funds produced from the customs tariff and give farmers, on the exportation of farm products, the advantage of that.

I am afraid not one of the bills now pending before the House will materially encourage cooperative marketing organizations unless it be the bill of the gentleman from Louisiana [Mr. ASWELL]. Neither of the other two bills will, because under both of the other bills the outsider will have the same advantages as the man who is within the organization. So why will a man come into an organization by virtue of such an enactment? That has been the trouble with all of such organizations. Under the present scheme the cooperative organization must carry the load of the outsider. The outsider gets the benefit of any increase in price provided by the orderly marketing, which is the plan of the cooperatives. Therefore, it is difficult to get them in. The same will be true under the pending measures; a man on the outside can get most of the advantage which he can get on the inside. Naturally he asks why should he join them? At least, the chief difficulty cooperative organizations have experienced in inducing new membership has been along this line.

If you will take the same amount of money or provide a less amount of money, as my bill does, and say that on the exportation of the basic farm commodities there shall be paid out of the customs receipts a bounty to farmers and to cooperative organizations of farmers, then the man who is a member of the cooperative will get from 10 to 20 per cent more than if he stays on the outside, because, as a rule, he is not in a position to export his own commodities. They will want to come in, because it will be to their interest to do so.

I will state that in my revised bill I use some of the schedules provided in the bill introduced by the gentleman from Illinois [Mr. ADKINS]. And I want to say to my friend, Mr. RATHBONE, of Illinois, who said that his legislature had indorsed the Haugen bill, that the Legislature of Illinois unanimously indorsed the Adkins bill, which is a bill along similar lines. Not only that, but the great nation of Germany has recently put this plan into operation. It is not simply an experiment any more; it is a plan which will really reach the thing for which you are striving so far as giving the people who are engaged in farming something tangible from the tariff system.

I make it a measure covering five years, during which it could be tried out. According to my beliefs, if you are not going to reduce the tariff system this is the other alternative, and my only reason for introducing this measure at this time

is this: That ultimately we are going to have to take one of the two horns of the dilemma; we will either reduce the tariff or try the bounty system for agriculture, because no nation can permanently prosper with an unbalanced agriculture. In all the history of the world there has never been a great pastoral country that did not remain great so long as its agriculture was prosperous.

The danger to any nation is that it has a tendency to become over industrialized. That has been the history of the great nations of the world and that is what is facing a great many of the nations of the earth at the present time. The reason they have become overindustrialized is because the industrial groups, being organized, have secured legislation which favors them while the great farming classes, being unorganized, have been the victims of that legislation and without any of the resulting benefits.

I submit that you are driven inexorably to the conclusion that the fair thing is to either reduce the tariff and do away with special-privilege legislation or adopt a plan which will in reality bring the benefits of that legislation to the other great basic groups in this country.

Mr. McLAUGHLIN of Nebraska. Will the gentleman yield?

Mr. JONES. Yes.

Mr. McLAUGHLIN of Nebraska. Will the gentleman please explain wherein his bounty plan would not be a subsidy, if he is opposed to a subsidy?

Mr. JONES. I will say that I do not favor subsidies, but I say that if you have a subsidy, and your party has placed a subsidy on the statute books in the form of the tariff, that it is but right and fair to distribute this subsidy ratably, as far as may be, among all the people of the country. I would prefer not to have any of them, but having them, I would take a portion of that which has been legally fixed upon the people of the United States and see that those who engage in producing commodities—which are more essential, or, at least, everybody admits just as essential—get their fair share of the present system and get a proper distribution of the advantages of it. Besides, since the plan which I have proposed would only equalize farm prices with other prices, it would not in reality be a bounty, but only a process of equalization.

Mr. BURTNES. Will the gentleman yield?

Mr. JONES. Yes.

Mr. BURTNES. I am very much interested in the export-bounty proposition and I want to ask this question: Assuming that the Haugen bill is passed, then I ask you whether the board, if it so desired, could not accomplish just what is intended by the Haugen bill, in the case of many of the commodities, by simply declaring that it will pay an export bounty either out of the equalization fee or otherwise, provided certain proof is submitted to them?

Mr. JONES. I do not think that under the terms of the bill as it is drawn the board would have the authority to pay a bounty. And I may add that if the plan which I have proposed were adopted you would need no board. The customs officials could certify as to the exports and they could go down to "Andy" and get the money. The farmer would get the benefit of it and there would be no doubt of his getting it. He would get it and there is no question about that.

Mr. BURTNES. Just this other question: Would the gentleman have any objection to establishing the equalization fee in connection with the export bounty?

Mr. JONES. I am glad the gentleman asked that question because I was going to say that if you are married to the equalization fee principle you can do it in connection with this bill. Your own bill provides that the equalization fee shall be deferred for two years, so that the equalization fee is an experiment. You can use the same plan here, and if you want to tie on the equalization fee and have it pay a portion or all of the expenses it can apply just as logically and with the same consequent check on production to this measure and you would do away with considerable machinery and do away with additional bureaus. One of the curses of this Nation at the present time is the number of bureaus and the number of different employees of the Federal Government, and this would enable us to get rid of some of those troubles.

If you really want to do something for the farmer and if you really want to give him an equal chance with those in the industrial scheme of this country, this will come nearer doing it than anything else which has been presented. This is the simplest plan that has been brought forward.

Mr. GARBER. Will the gentleman yield?

Mr. JONES. Yes.

Mr. GARBER. I assume the gentleman would limit the operation of the bounty system to the crops of which we have a surplus, would he not?

Mr. JONES. Yes. I have included in this bill the basic agricultural commodities and have them listed here. If anyone is interested I will be glad to have him secure copies of the bill. I have figured it out on the various commodities. I give a bounty of 30 cents per bushel on wheat; 1½ cents per pound on cattle weighing not more than 1,050 pounds, and 2 cents about that; 3 cents per pound on fresh beef; and on corn, 15 cents a bushel; and on cotton, 3 cents a pound, and so forth.

I have taken the import and export figures from the statistical bureau of the Government, and it would take something like \$200,000,000 per year to pay this bounty, and it is to be payable out of the custom receipts of the Government. This would take only about one-third the customs receipts, which is probably about what the farmer pays on the things he must buy. Under the present tariff system industry, by virtue of the tariff tax, gets a subsidy of some billions of dollars out of the consumers, and that is a subsidy just as much as if Uncle Sam levied it direct.

My friends, I have presented this bill, as I say, because I think ultimately we will come to it. However, inasmuch as the Haugen bill is the one that is before the House for consideration at the present time, I want to suggest some amendments which I think should be made to the Haugen bill before it is adopted.

Mr. BURTNES. Will the gentleman yield for just one question before he leaves the question of an export bounty?

Mr. JONES. Yes.

Mr. BURTNES. An objection which has been raised by some to an export-bounty proposition is that in establishing an export bounty there is a question in the minds of many whether the increase proposed by the bounty would actually be reflected back to the producer himself.

Mr. JONES. That is the distinction between my bill and some of the other bills here. The Adkins bill gives an export bounty to all exporters. I limit the export bounty on basic agricultural commodities to farmers and cooperative organizations of farmers qualifying under the Capper-Volstead Act, and they would get the bounty, and they would come into the cooperative organization in order to get it.

Mr. BURTNES. Does not the gentleman think the farmer who refuses to join a cooperative ought also to be entitled to the additional price?

Mr. JONES. I give it to the farmers themselves, but there are very few farmers who do the exporting. It is usually done through some exporting concern.

I regret I can not yield any further, because my time is limited, and I want now to discuss two or three things that are in the Haugen bill.

The Haugen bill is the one in which the House is vitally concerned at the present time because it is the one that has the right of way. I think there should be some amendment of that bill.

In the first place, I think cattle should be stricken from the bill. I have an amendment drafted to do that, and I was glad to hear my friend the gentleman from Texas [Mr. HUDESPETH] say this morning that he has an amendment along the same line. I will support his amendment if he offers it, and I am sure he will support mine if I offer it. As a matter of fact, I do not think it can work on cattle. For instance, here is some one who has 1,000 fat cattle who wants to sell.

If the board is in operation, who is going to buy those cattle and what is he going to do with them when he does buy them; or here is a man who has 1,000 lean cattle and he wants to sell them. Are you going to rent pasture and hire some cowboys to take charge of them? Of course, you can not handle either one of those propositions. The only way to handle the cattle proposition is to handle it through the meats at the slaughtering places. Of course, if you charge the fee on the first slaughter by the butcher or by the packer, the stockman pays it. Now, what are you going to do with your meats? If the board buys the meats or the cooperative organizations through contracts with the board buy the meats, what are they going to do with the meats? Is it going to hire cold-storage plants to store the meat or is it going to contract for its exportation? If it goes into exportation, the packers have the finest system of distribution in all the world. You can not compete with them in the distribution of meat. You would have to use their facilities. The only practical way to handle meats would be to contract with the packers to do so, of course. If you contract with the packer, you contract with the packer on his own terms. Since I was large enough to step over a sand bar, the people of my section have sold their cattle to the packer and every time they have sent their cattle to the market they have sold them on the packer's own terms. Whatever he was willing to offer them, whatever the

market would bring, that is what he was paid. Do you think you will change it under the present system?

Mr. TINCHER. Will the gentleman from Texas yield right there?

Mr. JONES. Yes.

Mr. TINCHER. The gentleman has made a very able argument with respect to cattle, and does not the gentleman admit that every word he has said will apply to hogs?

Mr. JONES. I think so, but I am not so much interested in hogs. I am not as familiar with hogs as I am with cattle. I have the greatest cattle-market district in the United States—I know the greatest in Texas—notwithstanding other claims that are sometimes made.

Mr. TINCHER. If we help the gentleman to get his cattle out of this monstrosity, will not the gentleman help us to get our hogs out?

Mr. JONES. I do not think hogs should be in the bill. That is my own personal opinion, but I am willing to leave that question to the hog people to determine. I am interested in cattle.

Here is another amendment, gentlemen, that should be adopted. There is a provision here that whenever the price of any of these commodities gets below the world price plus the tariff plus normal freight charges, the board shall declare its findings and commence operation in respect thereof. I will submit that this change ought to be made: "And the board may, in its discretion, commence operation." I will tell you why this change should be made. There come times in the marketing of any commodity when the prices are very satisfactory. There come times when there is a world shortage of a commodity and there may be a very satisfactory price. Then why force the board, simply because the domestic price may not be that much above the world price, to tinker with the situation? Why compel the board? For instance, there was a time last year, I think it was, when wheat was over \$2 a bushel, yet the world price was nearly the same. There was a shortage of wheat the world over. Why should the board take charge of a situation like that? I am sure the board would not want to and the farmers would not want it to do so. But under the bill as written it would be compelled to do so.

It should be left to their discretion as it was originally. I want to say that these cooperative associations drafted the first provision so that if a substantial number wanted the board to commence operations it would then be authorized to begin. For some reason it got changed so that automatically they would, under the terms of the bill, be compelled to go in regardless of how satisfied the producers might be.

Mr. FULMER. And that is the way it is with cotton.

Mr. JONES. It was left the way it was on cotton. When a substantial number engaged in the cooperative wants the board to take charge, then it takes charge. I think that is the way it ought to apply to all commodities. If you are going to have this provision it should not be mandatory, it should be left to the discretion of the board.

Mr. GARBER. Will the gentleman yield?

Mr. JONES. I will.

Mr. GARBER. I am very much interested in the gentleman's discussion, but what objection would there be to investing the power of the board to operate on a request of a majority of the farmers producing the crop; that is, permitting the producers to say whether they want the board to operate?

Mr. JONES. That is the identical provision that is in the original bill, and I think it should be restored. I have an amendment to restore it, and I think the one the gentleman suggests should be adopted.

Mr. ASWELL. Will the gentleman yield?

Mr. JONES. I will.

Mr. ASWELL. Would the gentleman from Texas vote for the Haugen bill if the equalization fee is made operative at once?

Mr. JONES. No; I would not. I want to say, however, in connection with that, there is no such proposition submitted to the House, no such bill is before the House. In another place there is a provision that the equalization tax shall be paid at the gin. I think it ought to be transferred to the mill or some other point, for the farmer frequently has not the money to pay the ginner and the ginner has to wait, and therefore I think it ought to be payable at some other point.

Another amendment is to strike out section 18, which is the embargo provision. There is no reason for an embargo provision. An embargo is like what my old law professor used to say about sequestration and garnishment proceedings. He said, "Young gentlemen, the sequestration law is a sharp and dangerous two-edged instrument; and if you are going to use it,

use it with great care, as you are liable to do injury to yourself."

If the country adopts an embargo proposition, it will not only invite retaliatory action on the part of other nations but, even if they did not retaliate, it would tend to destroy our world trade. It would tend to destroy our markets, and we would run into a worse condition than we are trying to avoid. An embargo on cotton would not do any good, for we ship two-thirds of the cotton abroad. An embargo is not necessary on other commodities, because you have tariff provisions that will offset any reasonable increase in price. So the embargo proposition is not proper from any angle, and it ought to go out of this bill. To my mind, there is no question about that.

Regardless of whether I may support this measure or any other measure, whatever measure Congress does pass I want it in the most practicable and workable form that can be had.

During the last few years legislation has been passed primarily benefiting nearly every industry except agriculture, but for many years every time anyone advocated farm relief there have been many who have smiled cynically and in side remarks have whispered "demagogue."

But I want to tell you that all your boasted industry, all your much-heralded prosperity, all your skyscrapers which kiss the morning sun are alike dependent on the success of agriculture. Without it your smokestacks would rust in idleness, the song of your spindles would be silent, and bats would inhabit your factory buildings.

There is at present grave danger of this country becoming overindustrialized. England is recognizing her danger in this regard. In all past history of the world there has never been a great nation organized on a sound agricultural footing that did not remain great so long as her agriculture was prosperous. One horn of the dilemma must be chosen. Our special-privilege legislation must be repealed or our agriculture must be stabilized. Otherwise the flower of our prosperity must begin to wither. No other choice is open to us. [Applause.]

#### MESSAGE FROM THE SENATE

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment the bill of the following title:

H. R. 10202. An act granting an extension of patent to the United Daughters of the Confederacy.

The message also announced that the Senate had passed the following resolution:

Senate Resolution 219  
IN THE SENATE OF THE UNITED STATES,  
May 9, 1926.

*Resolved*, That the Senate has heard with profound sorrow of the death of Hon. EDWIN FREMONT LADD, late a Senator from the State of North Dakota.

*Resolved*, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay tribute to his high character and distinguished public service.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Attest:

EDWIN P. THAYER, *Secretary.*

#### FARMERS' RELIEF BILL

The committee resumed its session.

Mr. FULMER. Mr. Chairman, I yield 25 minutes to the gentlemen from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. Mr. Chairman, I can not be interrupted, and I hope the Chair will protect me for the 25 minutes that have been allotted to me.

The CHAIRMAN. The gentleman desires not to be interrupted during his remarks.

Mr. QUIN. Mr. Chairman, for several days every viewpoint possible has been expressed upon farm legislation. You have three bills before you. I lay down the proposition, stereotyped as it may seem, that agriculture is the basic industry of this Republic; that it never has since the Civil War had a square deal; that certain industrial enterprises of the United States have not only been safeguarded, but have been highly protected by the votes of the American Congress. I lay down the proposition that now is the time to give an equality in legislation to the farming class of people and raise them up to somewhere near the level of the protected industrial enterprises of America. I take for my text, "By their fruits ye shall know them." [Applause.]

The people of the United States through the American Congress delegated to a number of gentlemen the power to legislate in their behalf. This Agricultural Committee went out before the whole world, these doctors that have failed to diagnose the case of the sick farmer of the United States. You have heard their speeches. Here is the famous Doctor FORT, from New Jersey. I listened to his fine, analytical address, and I wondered, "Whom does he represent?" [Laughter and applause.] His whole speech was that of a critical attitude toward the farmers of the United States. I looked at the map to see where he came from. I find that he comes out of the rocks of New Jersey, with smokestacks everywhere, factories and spinning wheels, and that on the reservations are rich and wealthy people, God bless them, from New York City. Of course, he looks at the matter from the standpoint of the consumer. My good friend, Doctor FORT, wants to get the food on the table and the cotton and the wool on the backs of his constituents as cheaply as he can possibly get them. I thought that he would give the farmer everything the hen has laid except the egg, and this morning he came back before this House and agreed to give the farmer the eggshell. [Laughter.]

The next gentleman who attracted my attention was my distinguished friend and neighbor from the State of Louisiana [Doctor ASWELL]. He said that this Haugen bill is unsound and uneconomic. I happen to be a neighbor of that splendid gentleman, and, God bless the State of Louisiana, my sainted mother was reared there. I know it is a great State. But let us see about this unsound and uneconomic business. The gentleman from Louisiana forgets that he and his crowd have been before this Congress yelling and whooping for protection on sugar. [Laughter and applause.]

Mr. ASWELL. Oh, the gentleman ought not to state that, because that is not true.

Mr. QUIN. The gentleman did not vote for it?

Mr. ASWELL. No.

Mr. QUIN. Well, the gentleman at least confesses he has been voting against the sugar farmers of his State.

The CHAIRMAN. The gentleman from Mississippi notified the Chair that he would not be interrupted, and the gentleman from Louisiana, the Chair thinks, should not interrupt the gentleman.

Mr. ASWELL. But I ask the gentleman to state the facts. I never voted for a tariff on sugar.

Mr. QUIN. Did not the gentleman vote for that tariff in the caucus?

Mr. ASWELL. No; I did not.

Mr. QUIN. Well, the gentleman's State did worse than that. Back yonder in 1890, when the iniquitous McKinley tariff was put across this Congress, they gave every pound of sugar 2 cents out of the Federal Treasury. Every farmer who grew a pound of sugar in Louisiana had old sugar cane awhooping her up, and they got millions on top of millions of dollars out of the United States Treasury, and made prosperity blossom all over the State of Louisiana, and yet my distinguished friend in his eloquent style told you that this Haugen bill is a subsidy and would destroy our institutions, and that there is coming down from certain quarters in the United States a great radicalism which is going to destroy the stability of the Government!

It did not hurt the morale of my good friend from Louisiana when they dug out of the Treasury 2 cents a pound for every pound of sugar they grew in Louisiana. They got that bill through for 15 years, but it happened that after about three and a half years the people of this Government repealed that thing—the sugar bounty—which my friend and fellow citizens enjoyed out of the United States Treasury. Doctor ASWELL says if you give the farmers a nickel out of the Treasury now it would destroy the Government and ruin the country. But down in the very State that my friend comes from those sugar farmers have patches on their breeches as big as the head of a whisky barrel. [Laughter.] They are stoop shouldered from toting mortgages on their plantations and equipment, and they can not draw a thing on earth out of a bank except their breath. Yet the gentleman from Louisiana is here talking against the farmer. He knows that all he proposes to give them is a little soothing sirup. This Haugen bill has the vitalizing force in it. This Haugen bill has the stuff that will get the grapes, and every man on this floor knows it. [Laughter and applause.] Subsidy! Why, who ever heard of my friend from Louisiana being afraid of a subsidy before? Two or three falls ago there came a drought in his district, and he heralded the fact in the newspapers that he was going to take out of the Treasury of the United States \$500,000 to give those folks feed and seed and clothing, and he even asked the delegation from Mississippi to help him, but, as much as I love the farmer, his

resolution was too rank for me. [Laughter.] The gentleman actually introduced a resolution in Congress on another occasion to take out of the Treasury of the United States \$500,000 to buy the seed to be placed in the flooded area. Yet this bill that is going to stabilize the price of five basic products, so far as the farmers are concerned, is a subsidy, and he can not vote for it; he can not do anything except kill it. "By their fruits ye shall know them."

We had another distinguished doctor who came from that grand old State of Kentucky. He said this bill is unsound and uneconomic and that he would not vote for any bill that carries any subsidy.

I heard my friend speak on this floor. I heard a speech he made once before on the farmer. Doctor ASWELL was going to give them a little soothing sirup. The gentleman from Kentucky got out his hammer and hit everything. He hit wheat, he hit cotton, he hit everything, and finally wound up by taking the poor old sugar farmer of Louisiana and knocking him in the head and chucking him in the river. And while they are wearing patched breeches, he said he is going to plow up his old tobacco patch and his old mint julep bed if the Haugen farm bill passes and sow it in cotton and raise 26,000,000 bales, flood the markets of the world, and scare the life out of every farmer in the cotton-growing States. Now, 26,000,000 bales! I can see the gentleman from Kentucky along in the hot days of August plowing down a row and a woodpecker flying up and knocking on a dead limb about 20 yards away, so that the sound would be heard 300 yards away, and by the time he gets to the end of the row a cottontail rabbit runs under the beam of his plow, and there is a jaybird sitting in a sapling crying, "Too slick, slick, dave, dave"; and about the time frost comes in that cold climate, the latter part of August or the 1st of September, and kills the cotton, then Doctor KINCHELOE will say, "This cotton business will not do for me." And yet he is going to raise 26,000,000 bales of cotton and flood the world with cotton and fix it so that the cotton farmer can not even exist. My friend KINCHELOE introduced a little bill here in Congress in 1922. Do you know he vehemently and viciously assaulted this Haugen bill, asserting it is "uneconomical." He actually introduced a bill to take out of the Treasury of the United States \$50,000,000 while our Government was helpless, recovering from the World War. And what was he going to do about it? He was going to have the Government of the United States pay these tobacco growers down in his district \$50,000,000 for a shirt-tail full of stingy green tobacco. [Laughter and applause.]

How was he going to use it? Then the Government was to sell it on credit, without profit, to these poor, pauperized bankrupt nations, Italy and France, and a few poorer paupers of Europe, who have not paid what they borrowed from us, and take chips and whetstones as pay, and everybody knows they have never been able to pay even chips and whetstones for the billions of cash they borrowed from Uncle Sam during the war. Yet this bill now intended to help the farmers of the United States is "unsound" and "uneconomical," but Doctor KINCHELOE thinks it was sound and economical and fundamental business economies to go down into the Treasury and to put the tobacco growers' hands in there and take out \$50,000,000.

Mr. KINCHELOE. Will the gentleman yield?

Mr. QUIN. It looks to me like, my friend, if I had done a thing like that I would expect this House to rise up en masse and unanimously proclaim me king of demagogues, and put on my head a crown and say, "We challenge the world." [Laughter.] "By their fruits ye shall know them!"

There is another great statesman who has come on the floor. He comes from the cyclone State of Kansas, our good, genial friend, Doctor TINCHER, this famous doctor who saw proper to come out and lambast all the agents and representatives of the suffering farmers from the Northwest who appeared before the committee. He almost refers to them as criminals because they had the audacity to come before a committee of the Congress and ask that justice be given to the farmer. You know in the West and Southwest banks have been failing—in the State of Iowa, in the State of Montana, in the State of Minnesota, and in other Western States. There great banking institutions were tumbling down.

The farmers in that territory were unable to meet their obligations and they were crying aloud for help. They gave forth the Macedonian cry. But the gentleman who has changed his position from a former occasion, Doctor TINCHER, and judging from his appearance on this floor, and from the thunders of his voice—I think he must eat for breakfast in the morning strokes of lightning, the moon and stars. It looks to me as if he ate for dinner the sun, comets, constellations, and continents, and that he eats for supper thunderbolts, cyclones, and tornadoes—Rough House TINCHER, from Kansas. [Ap-

plause.] This is the man who, when the Haugen bill was up before, stated that this bill was a great and splendid thing for the farmer. This time it is "unsound and uneconomical." What else did he do? He introduced a miserable bill here—I have got it right on this table—where he proposed in 1923 to dig down into the taxpayers' money and take out of the Treasury of the United States more than \$2,000,000,000, to hand over to the wheat farmers of the West, to pay what he said was the loss on the price of wheat to the producers, because the Government fixed a guaranteed price during the World War, yet he voices in ponderous tones that the Haugen bill is a subsidy—unsound and uneconomic now. Was he a statesman at that time, when he was running for Congress, or is he a statesman now when he tells us he is going voluntarily to retire? [Laughter and applause.]

I just want that gentleman's attitude on the two occasions to be made clear to the citizenship of this country. Ah, these gentlemen who can see so far ahead of them, who were so strong for the farmer in previous sessions, including this rough-house orator from Kansas, know that this measure now before the House known as the Haugen bill is not nearly so much of a subsidy as that which the gentleman from Kansas advocated in his wheat bill. I will put it in the RECORD. I will also put in the RECORD a bill which was introduced by that other wonderful economist, the gentleman from Kentucky (Mr. KINCHELOE). I will not put into the RECORD anything unkind against the gentleman from Louisiana, because he is my neighbor. [Laughter.]

The gentleman from Kentucky even had the nerve to say that, with some others, he went before the Committee on Ways and Means and made a speech before that body for the purpose of digging this \$50,000,000 out of the Treasury and handing it over to his tobacco farmers. Do not you know that there is not a Congressman on the floor of this House except him who had the gall to go upon a demagogic mission like that? I have before me the speech that my good friend from Kentucky made on this floor in which he stated that he had been before the Committee on Ways and Means. It is in the CONGRESSIONAL RECORD. "By their fruits ye shall know them." In that speech the gentleman from Kentucky said:

I have introduced a bill to amend the War Finance Corporation act.

He says further—

I, with several others of my colleagues, went before the subcommittee of the Ways and Means Committee and made a statement to them and appealed for the passage of this bill.

After the hearings these Republican members of the Ways and Means Committee turned down my bill. Did he mean to say that there was a Democratic member on that committee who was so demagogic as to help to report that bill out? This same statesman from Kentucky says this Haugen bill is "unsound and uneconomic."

There are certain Members on this side who voted for the thieving Fordney-McCumber tariff bill, yet they can not come up and vote for this farmers' bill, but get a hammer and knock it on the head. They talk about subsidy. In all the history of this Republic some portions of the United States have been living off this Government. My friends, I know that a majority of seven or eight million people in the last election voted for that thievery of high tariff to go on. I did not believe in it, and I do not believe in it yet. A majority of our people by a majority vote govern the fortunes of this country. The people in the East, who have got the money and influence sufficiently to fool the folk in the West—and, Lord knows they are getting to fool some of them in the South—voted to continue that subsidy to protect industry. The protective tariff is just as much and even more of a subsidy than what you have in the Haugen bill to-day. Through the protective tariff you take out of the pockets of all the combined consumers of this Republic more than \$2,000,000,000 per year. It does not come out of the Treasury, but it comes from the sweat and blood of the toiling masses of this Republic.

Not only do you make multimillionaires through all the North and East, particularly in New England, but you actually put in that form of subsidy a guaranteed wage to the employees engaged in those lines of industry. Not only is that a subsidy, but you put through this Congress—and some Democrats helped you to do it—all this appropriation for the railroads after the Government took them over and before we turned them back, amounting to practically \$2,000,000,000.

I want the gentleman from New Jersey (Doctor FORT) to hear me. He said this Government ought not to guarantee a profit to the farmer. Yet he knows that under the tariff law this Government guarantees a profit to every manufacturer in New England. He knows that this Government, under the

nasty Esch-Cummins railroad bill, guarantees a big profit to the railroads of the United States. He knows in addition to that that it gives a guaranteed fair wage to every employee on those railroads.

Upon another occasion here we had up what is known as the ship subsidy bill. Well, where were some of these gentlemen who are now denouncing as a subsidy to farmers the Haugen bill? [Laughter.] That bill proposed to turn over \$3,000,000,000 worth of ships and give them away for \$250,000,000. You did worse than that after you gave in that bill the \$3,000,000,000 worth of ships to the Ship Trust, you voted to give out of the United States Treasury \$75,000,000 a year for a period of 10 years, making in all a subsidy of \$750,000,000 to the Ship Trust to operate the ships which you gave the trust. Yet you did not call that a subsidy. You voted for it with a good taste in your mouth. I want to say, however, that I do not believe the gentleman from Kansas [Mr. TINCHER] participated in that proposed steal. I want to do him justice.

Not only that, but we voted to hand out about \$3,000,000,000 inside of 20 years to the World War veterans of this Republic, which I think is right. You give \$192,000,000 a year to the soldiers who whipped my father and those associated with him under the Confederate flag in the war from 1861 to 1865. You say that is not a subsidy.

What is a subsidy? When the farmer is prostrate down on the ground, his products so cheap till he is in danger of losing his home—and he is the very foundation stone of all this country—laboring not union hours but 15 hours a day for an existence, for a birthright that all of us under this flag hold, when his friends ask Congress to put up a little money to make certain a fair price for his toil, you call it a subsidy and refuse to support it. Who, I ask, is for anything unsound or uneconomic? Some of them say it will not help the farmer. But Doctor KINCHELOR, who is one of the doctors who knows, said it will help the price of cotton. I wonder if Doctor FORT understands what cotton means?

I do not believe he ever was in a cotton patch in his life. He spoke of the cottonseed. Why, my friends, cotton is the greatest of all agricultural products. I am proud that gentlemen have seen proper to treat cotton fairly in this bill. The reason I am for this bill is because you deal with cotton and all the basic crops in it. This bill is going to do good and I know it. You can not fool me on what will help the farmer. I can scent it just as a good coon dog can smell a coon. [Laughter.] I know this is going to help the farmer. Cottonseed! Why, three-fourths of the olive oil and butter you have in this country comes out of cottonseed oil. Do you know you get from the cottonseed alone a cake that the niggers eat just like they eat bread? It is good to feed to cattle and it is a fine fertilizer. [Laughter.]

The oil itself represents one of the great commodities of this Republic. You take the cotton itself—why, cotton brings to this country the balance of trade. It is what causes gold to flow from Asia, Japan, and China, and from all the countries of Europe and keeps the balance of trade of the world with this Republic. Cotton, that fleecy staple. You can manufacture it into the form of rope and make a cable strong enough to hold the mighty ships which float on the seven seas. In time of peace and in time of war it is the most valuable product of the world. It is absolutely necessary for every cannon that fires a bullet. Cotton makes three-fourths of the silk. Why, the silk you see these ladies wear at these fine entertainments comes out of the Mississippi long-staple cotton. They ship it over to Japan and China and they are smart enough to make it into silk. Cotton clothes the Chinese coolie; it puts raiment on the backs of poor children in the huts and the hovels and it puts raiment on the backs of the people in the palaces of Europe and in the mansions of the entire civilized world.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. ASWELL. Mr. Chairman, I yield myself five minutes.

Mr. QUIN. The gentleman from Louisiana will have to yield himself more than five minutes before he can ever justify his position against the farm legislation, known as the Haugen bill. "By their fruits ye shall know them." Cotton, that one product I spoke of, growing in a few of the States of this Republic, is safeguarded and protected in this legislation. One hundred million dollars in this bill is to guarantee a just and fair price for cotton.

Cotton not only clothes the poor and rich alike but even the flag of our country, which floats over the dome of our Nation's Capitol, comes out of the cotton fields of the South. So gentlemen ought to be here proclaiming the virtues of this

Haugen bill and endeavoring to put agriculture on somewhat of an equal footing with the protected industries of the United States instead of slandering this measure and endeavoring to kill it. They ought to be here at work doing their best to put this into legislation and to give the farmers their just deserts. Some of them seem to have the spirit of wanting to put the heel of the oppressor down on the neck of the farmer, the one man in this Republic who has never yet received not only a subsidy but has not even received partial justice.

All of us know we can not do anything in the way of a tariff to help agricultural products. You can help sugar and butter and you can help dairy products, but you can not help wheat and corn. Everybody knows you can not do anything for cotton in the way of a tariff, it matters not if you put \$1,000,000 a bale on it, because 75 per cent of the cotton produced in the United States is exported to foreign countries; it is there manufactured into cloth and brought back here and sold at an enormous profit. The only way you can help the farmer is by direct legislation like you have in this Haugen bill. All of you men who have pretended to be sweating blood for the poor farmer had just as well realize that the farmer has sense enough to know that when we put \$350,000,000 in a bill to subsidize the basic farm products and keep them so he will get a just price for them that is legislation in his behalf.

If you are going to propose to loan him a few dollars, he, already owing \$13,250,000,000 and unable to pay the interest on it, with patches on his breeches, will have a bad taste in his mouth because he realizes that the American lawmakers have seen proper by subsidy legislation, like the tariff, railroads, and national banks, to make multimillionaires out of a certain portion of the population of the United States. Whenever the United States Congress has before it a bill to give not only a fair deal, but justice to the farmer, some folks talk about its being "unsound economically, unsound and unfundamental." These people who talk can fool themselves, but they are not going to fool the farmer that follows the plow. The man behind the plow is coming into his own. You may kill this bill, but I want to tell you they are going to sharpen some blades and fasten onto old mowing machines. Then they are going to start on the bank of the Pacific Ocean and come clean across the country to the great Mississippi River and mow down these anti-Haugen bill Congressmen just like they mow down wheat. That is what is going to happen to them, and it should happen. Then they will cross over the Mississippi River and mow their way to the Atlantic Ocean, cutting hip and thigh every enemy the farmer has in Congress. God speed the day.

I want men put in the United States Congress—I do not care what party they are in—who will stand up for and give agriculture its just dues; to give the man who stands behind the plow his justice and his rights. I want the votes of the American Congress to be just—not only just in itself, but just in reality.

If Congressmen vote a subsidy for ships, if Congressmen vote a subsidy for protected industries, if men can vote a subsidy for the great and rich railroads, if Congressmen vote a subsidy to the banking system, if men can vote a subsidy to the man who went out to fight for his country, why can they not vote for a subsidy which will give the farmer a fair and honest price for his toil? [Applause.] He is the man who deserves it. "By their fruits ye shall know them." [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. QUIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record and to include certain bills, documents, reports, and so forth.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks in the Record in the manner indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

NATIONAL COUNCIL OF  
FARMERS' COOPERATIVE MARKETING ASSOCIATIONS,  
Washington, D. C., May 7, 1926.

Hon. PERCY EDWARDS QUIN,

House Office Building, Washington, D. C.

DEAR MR. QUIN: We have been listening with keen interest to the debate on the farm relief bills. Having a similar interest with you in the welfare of the farmer in your district, and he expecting us to work together intelligently and sympathetically in his interest, and in order to bring to your attention our reactions of the debate, I trust that you will receive in the right spirit our view of points that are made for or against the bills by the friends or opponents of what we regard as the measure which will best serve our people. The progress of the de-

bate clearly indicates that there is a grave farmer problem and that cotton during the past four or five years has been one of the least adversely affected of our basic agricultural commodities during this period.

The address of Congressman JACOBSTEIN, of New York, clearly indicates the reason why the business representatives of the cotton growers of the South were not interested in relief legislation until this session of Congress, and the facts brought out by the gentleman, which are well known to the cotton cooperatives, clearly indicate that of all the agricultural crops which look particularly discouraging, so far as future prices are concerned, cotton looks the worst. Of course we will not admit that even though the price of cotton as compared to the all-commodity price has been higher during the past three or four years than it was at the inception of the war; that the price of cotton in comparison with the all-commodity price at that time was fair to cotton, and therefore we do not look with satisfaction upon prospective prices for cotton in the future that will put us below the pre-war exchange ratio. We do not believe that there is any power which can be exerted by the individual farmer himself or by the combined business interest in the South, including the business organizations of the cotton growers, that can prevent a most disastrous collapse of the cotton market during the current year. Indeed, it is entirely possible that this collapse may come before the forthcoming crop comes to harvest. With the economic equilibrium of our best foreign customer for cotton greatly disturbed, if not completely demoralized, through the existing strike in England, with a possibility of sympathetic strikes occurring in other European countries, and with the price of cotton now made by the combined influence of the foreign buyers and not by the seller, the business welfare of the cotton growers of our entire section is in the balance, and nothing save the strong hand of our Federal Government is in a position to safeguard the interest of our people.

Fortunately for the cotton growers at this time the balance of power in the passage of this particular measure lies with the Representatives in the cotton States. For many years our Representatives in Congress have not been in a position to exert their influence in an effective way toward protecting and enhancing the best interest of their constituents, but now, as if by act of Providence, the Republican Party is divided between the interests of the producer and consumer, this legislation will be determined one way or another according to the attitude of Representatives in Congress from the cotton-producing South. It is needless to remind you since the time of the war between the States the Southern States have not had an equality of economic opportunity with the Northern and Eastern States, and for many years our producers have been suffering from the economic injustice and inequality of which the midwestern farmers are now complaining. Not since the war of 1861 has the midwest recognized its common interest with the agricultural South, and perhaps never before has the South had the opportunity of cementing that bond of common interest as it now has. Therefore the hundreds of thousands of intelligent farmers and business men from Arizona to North Carolina are watching with unprecedented interest the fight which their Representatives are making in Congress for equality of agriculture with other industries. We have always felt, and still believe, that the statesmanship and courage of our Representatives in Congress is such as will assure to the workers in their chief industry, stability, permanence, and prosperity, and the men are depending upon their Representatives to bring about this desirable end.

Upon you men rest a great responsibility and upon your acts rest the hopes and the happiness of millions of southern people who have trusted you and who have confidence in you to look after their interests in national legislation.

We trust that you will not permit this issue to become confused in your mind. The issue is clearly one of equality for agriculture with other industries. The bill simply provides machinery for bringing that about. Effort has been made to confuse Congressmen in the belief that this is unsound legislation, but among the best economists in the land are those who have indorsed the bill as sound economically and financially. Argument that this bill provides a subsidy different from that established by many precedents regarded as sound governmental policy is without foundation.

We analyzed in a recent statement issued to all the Members of Congress this phase of the bill. In this statement we showed that it is an established policy of the Federal Government to make investment and assume the risk in developing and pioneering large enterprises for the national welfare which are beyond the ability of its individual citizens, or until the Federal Government has proven its practicability. This measure should be looked upon and regarded by the friends of agriculture as a test or demonstration in the stabilizing of values of our principal staple commodities, looking to the ways and means of solving that great problem; it has ample precedents for doing so in industry without being characterized as a subsidy. We assert that no sound thinker desires a permanent subsidy for any American industry. On the other hand, the farmer has the right to expect that his industry shall be brought within the protective system in whatever way the peculiarities of his business may require, the same as in the case with the other major industries of our country. The best agricultural minds of this day and age and the farmers' own leaders of the North,

South, and West are united in the support of the Haugen bill, which they believe will bring about this relief, and, further, agriculture has the right to expect its friends in Congress to support their interest in this matter. The burden should be on those who are opposed to this legislation to work out a better solution. No one believes that the Haugen bill is a perfect bill that will not need change as experience in the operation of the law may develop, but we all believe that it contains the basic machinery of a plan that will eventually do what is necessary to put agriculture on a basis of equality with other industries.

Space will not permit going into detail as to how this law will help cotton; but it should be sufficient to say that if we could control the movement of the American crop, we can control the price of the crop within the limitations of the operations of the law of supply and demand over a period of years and can get for the crop the highest price which the world is able to pay for that commodity, the same as other highly organized industries which control the supply in this country are now able to do. We have no doubt as to the practicability and desirability of this legislation for cotton. We respectfully ask that you use your influence and your vote in giving this much-needed assurance of protection to the cotton industry, bearing in mind that, first, the existing surplus of cotton; second, the prospective large crop which is now being planted; third, the known inability of many farmers to take advantage of a system of orderly marketing due to the crop-lien evil and the generally poor financial condition of the cotton grower; and, fourth, the impending possible price decline due to political and economic disturbances in the countries which are large consumers of our staple.

Finally, in view of the fact of the possibility of an agricultural alliance with the Middle West, which section, incidentally, does not produce any crops which southern farmers are not capable of producing advantageously, and the further fact that the southern Representatives are in a strategic position by having the balance of power in the enactment of this legislation—with these important facts before us, we ask you to stand by your people in this great hour of opportunity.

Respectfully submitted.

AMERICAN COTTON GROWERS' EXCHANGE,  
C. O. MOSER, General Manager.

HOUSE OF REPRESENTATIVES,

December 5, 1923.

Mr. TINCHER introduced the following bill; which was referred to the Committee on Agriculture and ordered to be printed:

A bill (H. R. 172) to provide relief to persons who owned wheat of the crop of 1917 before the announcement of the Food Administration price-fixing policy with respect thereto, and who sold such wheat after August 11, 1917.

*Be it enacted, etc.*, That the Secretary of Agriculture be, and he is hereby, authorized and directed to investigate, determine, and pay the amount of the actual loss sustained by any person, firm, association, or corporation that owned actual wheat of the 1917 crop, in the ordinary course of his or its business, before the announcement on August 12, 1917, by the Food Administration of the price-fixing policy with respect to said crop, and did not dispose of such wheat by contract or otherwise until after the said announcement. The measure of such actual loss shall be 60 cents per bushel. Each claimant shall pay such expenses as may be necessary for him to incur to secure the presentation to and filing with the Secretary of Agriculture of his claim in proper form for allowance under this act. No claim shall be allowed or paid by the Secretary of Agriculture unless it shall appear to his satisfaction that the loss was not the result of purchases for the purpose of investment or speculation or of realizing a profit on such wheat greater than that realized customarily on wheat in the ordinary course of the grain business at the time of the purchase of the wheat. No award of payment shall be made on account of any claim not presented to and filed with the Secretary of Agriculture before the expiration of three years after the effective date of this act. The decision of the said Secretary of Agriculture shall be conclusive and final, except that no settlement of any claim submitted hereunder shall bar the right of recovery of any money paid by the Government to any party under the provisions of this act because of fraud with respect to such claim, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns of any such party or parties. For the purpose of this act the Secretary of Agriculture or any representative specifically authorized in writing by him for the purpose shall have the power to require, by subpoena, the attendance and testimony of witnesses and the production of all books, papers, and letters or other documents relating to any claim under investigation. And in case of disobedience to a subpoena, the Secretary of Agriculture, or his duly authorized representative, or any party to a proceeding before the said Secretary, may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and letters or other documents under the provisions of this act, and any failure

to obey the order of the court pursuant thereto may be punished by such court as a contempt thereof; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

SEC. 2. That all payments made and expenses incurred under this act by the Secretary of Agriculture shall be paid from the funds remaining available for the purposes of the act of Congress approved March 4, 1919, entitled "An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder," and so much of said funds as may be necessary is hereby appropriated and made available to the Secretary of Agriculture for said purpose until such time as he shall have fully exercised the authority herein granted and performed and completed the duties herein provided and imposed.

SEC. 3. That the Secretary of Agriculture shall file with the Secretary of the Senate and the Clerk of the House of Representatives of the Congress, at the beginning of its next regular session following the session during which this act shall become effective, a detailed statement showing the name and address of each claimant hereunder, the amount of his claim, the quantity of wheat covered thereby, and the amount, if any, awarded such claimant.

IN THE HOUSE OF REPRESENTATIVES,

April 12, 1920.

Mr. KINCHELOE introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill to amend the War Finance Corporation act

*Be it enacted, etc.*, That the War Finance Corporation act, approved April 5, 1918, is hereby amended by adding to Title I thereof a new section, to read as follows:

"SEC. 22. That the corporation shall be empowered and authorized to pay to any person, firm, corporation, or association engaged in business in the United States the contract price of supplies of tobacco hereafter purchased, or agreed to be purchased, by the Italian or French Governments, or any other European government buying any of said tobacco which has and maintains a government monopoly thereon, from any such person, firm, corporation, or association, and to accept in full payment of the moneys so advanced the bonds, obligations, or other evidence of indebtedness to be issued by either of said governments for the payment of moneys so advanced, to bear interest at the rate of 6 per cent per annum from the date of such advance: *Provided*, That the total advances to be made by the corporation shall not exceed \$50,000,000: *Provided further*, That the War Finance Corporation is hereby authorized and directed to retain a first-mortgage lien in the bonds, obligations, or other evidence of indebtedness to be issued to it by either of said Governments upon all the tobacco so purchased by either of them and upon all the warehouse receipts issued by either of them, upon all of the said tobacco so purchased, to better secure the payment of the indebtedness so incurred.

"There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$50,000,000, or so much thereof as may be necessary, for the purpose of making payments by the said corporation as and when required under the provisions of this section."

Mr. ASWELL. Mr. Chairman, I yield myself five minutes. Mr. Chairman and gentlemen of the committee, my neighbor and friend the gentleman from Mississippi [Mr. QUIN] has made a reputation as being a friend of the farmers. I regret exceedingly, and it pains me personally, to see him in this hour of his opportunity yielding to an insidious lobby of big corporations and going back on the farmers who have made him what he is. He proposes, as he states, to vote and work for a direct Federal tax, an equalization fee on each cotton farmer at the gin of at least \$10 a bale, as witnesses testified. The State of Mississippi produced last year 2,000,000 bales of cotton. Yet the gentleman who has pretended so long to be the friend of the farmer proposes to vote in this body to place a Federal tax on the farmers of Mississippi amounting to \$20,000,000 a year.

The State of Mississippi last year shipped into its borders 7,000,000 bushels of wheat, and without reflecting the increased price back to the producer of wheat, as it will not do, the gentleman from Mississippi proposes to tax his own people further on their bread alone the sum of \$3,500,000. In his proposal here to-day he is camouflaging when he talks about a subsidy. He is trying to get your attention away from the vital question of the equalization fee or Federal tax on each farmer at the gin. He proposes to tax the farmers who have made him what he is \$20,000,000 a year on their cotton and \$3,500,000 a year on their bread, which means \$23,000,000 a year additional Federal tax. In that position he is not representing the great people of Mississippi. He has gone back on the farmers

who have made him. They are my neighbors and friends, and I will stand by them and for them. I can show you, gentlemen of the committee, that he does not speak for the people of Mississippi.

I propose to read a telegram I received this morning from Mississippi. I will give you, first, the gentleman's name. I do not know him personally, but I have asked several of the Mississippi Members, and they say he is one of the foremost men in the State. He lives in the capital of his State, Mr. L. J. Folse, general manager, Mississippi State Board of Development, a new organization to develop that great State. This is what he has wired me:

Hon. J. B. ASWELL,

*United States Congress, Washington, D. C.:*

I compliment you on your stand regarding the Haugen bill. The language used by you as quoted by Associated Press is identically what I used in McComb, Miss., three days prior to your statement.

McComb is in the heart of PERCY QUIN's district.

Mr. MANSFIELD. That is his home.

Mr. ASWELL. That is his home. [Reading:]

The subsidy and dole program of Great Britain has brought them to the verge of civil war. There is no higher expression of the communistic tendency of this country than the Haugen bill. I am certain that every farmer in Mississippi is patriotic and independent enough, and is so confident of his own ability to work out his future with a reasonable amount of cooperation that if put to a vote Mississippi would overwhelmingly repudiate this socialistic Haugen measure. The marketing of farm products in America is a business matter and not a political one. We do not feel any legislation at all is necessary in the matter; and if the National Congress will place the responsibility for a proper marketing system upon the bankers and merchants of the country, where it properly belongs, the business men can build a proper marketing system; and the only reason why we have not had it is because of the utter indifference of business and the extreme activity of the demagogue. The defeat of the Haugen bill ought to be accepted by every patriotic American as a reaffirmation of our confidence and belief in the principles upon which this country was founded and upon which its future rests.

L. J. FOLSE,

*General Manager Mississippi State Board of Development.*

[Applause.]

Mr. TINCHER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Chairman and gentlemen of the committee, it will not be my purpose in the brief time allotted to me this afternoon to discuss in detail any one of the so-called agricultural bills. There are a few, it seems to me, signboards that we all ought to notice as we are passing on, and I shall only undertake to call attention to those.

In the first place, I want it definitely understood it does not make any difference to me what the political future of myself or my party is, if in order to insure such political future I must vote for something I believe to be bad for the future of my country. [Applause.] I do not claim any distinct quality on that line above the rest of you men. I do think sometimes we are stampeded to be for or against a proposition through information that has been sought to be furnished us by men who are on the pay roll of some organization at so much per month to furnish this information, and yet they undertake to speak for all the people of a particular class or group. I do not believe that is sound doctrine on which to legislate, and I do not believe such men can speak for the entire people a bit better than you or I.

The statement was made the other day that the greatest farmers' organization in the United States had indorsed the Haugen bill. If that is true, then my information is in error, because I understand the grange is twice as large as any other organization among the farmers in America, and that they not only have not indorsed it but have gone on record as being against it and opposed to it. That is the kind of information I get. In addition to that, not 30 per cent of the farmers belong to any organization. Who is speaking for them?

I want to call the attention of my colleagues to another thing—and let me say in passing I am not one of these Congressmen who lives in a city and represents only a great industrial section. I think 75 per cent of my constituency make every dollar they have by tilling the soil, and I know that practically every blood relative I have or ever did have continues to get his livelihood even to-day through that process; and if I believed the Haugen bill was economically a sound piece of legislation, and if I believed that the price my children would have to pay for the mistakes of their father was not too high, and that the Haugen bill would give the farmer more money for his product, without doing damage to the great

mass of people unorganized, I would be for it; but I am not only not convinced, I am convinced that every man who votes for the Haugen bill, if by any hook or crook it should be enacted into law, will live to regret the day he was ever permitted to cast his ballot therefor.

Now, why? And before I go any further with the discussion I want to propound two or three hypothetical questions to those supporting the Haugen bill. I do not want you to answer them in my time, but I know some of you are going to speak in the future and I want you to tell me what you will do if the Haugen bill becomes a law and these things happen.

The first question I want to propound to you is this—and I only go by what is written into your proposed law—I propounded this question to the chairman of the committee who drafted the bill and who is its author and the answer was not at all satisfactory. Suppose the bill is enacted into law, what will you do if I make a deal with an Englishman or a citizen of any foreign country that we will split 50-50 on the profits and the Englishman comes into the American market and buys 100,000,000 bushels of wheat at the surplus price or at the world price, which I am going to assume is \$1, and if wheat is \$1 in the world market, then the local or domestic price is \$1.50 because you add 42 cents tariff and the freight, which will make the local or domestic price \$1.50.

If this bill is written into law and my English friend buys 100,000 bushels of wheat and sells it back to me, do not you have to buy my wheat for \$1.50? He paid you in America \$1 a bushel and never shipped it out of the United States; he then sells it back to me and I will either make you buy it at \$1.50 a bushel or I will dump it on the market at \$1.40 a bushel and break the market.

Mr. HAUGEN. Will the gentleman yield?

Mr. BEGG. No; the gentleman can answer that in his own time. I know what the answer will be. They will say that the board would not sell unless they would agree to ship it out. How would they compel the purchaser to ship it out of the country? I do not want to see the time when the United States will say to any foreigner, "You can not sell in the markets of the United States." In other words, I do not want to see the time come when America will be led into enacting an embargo act. I do not care what the article is that the embargo is written on, it will make trouble with the rest of the world. America once tried it and they took it off the statute book right away.

Mr. BURTNES. Will the gentleman yield?

Mr. BEGG. No; I can not yield. Now, I want to ask you gentlemen what is to prevent my going into Canada—I use that for a foreign market—and buying 100,000,000 bushels of wheat at \$1.10 a bushel? Let me say that is the world market. Then let me go into the market to-morrow and drive the market up to \$1.15. I ship it over to America and let America pay the tariff cost—you are obligated to pay the tariff plus the transportation; what is the trouble in my manipulating the market there so that I make a clear profit without any risk?

Oh, it is a great business, the greatest piece of mechanical speculative machinery that I have ever seen in my life. If I can understand the English language, and I admit I know nothing about cooperative marketing, especially of wheat or anything of that kind—but this problem is so simple it does not take a Wall Street broker or banker to analyze it and see the possibilities under it.

Now, I want to propound another question. Suppose the equalization fee is to go in, and they say it is going in in two years, the Government is going to pay the bills until that time, and after that time, of course, the farmers are willing to bear their own burden. I will have something to say about that later. But what I want to ask is this question: Here are two farmers, one living on one side of the road and the other on the other. They are both living in a real agricultural territory. Mr. A is a stock feeder—feeds a lot of cattle and a lot of hogs. He can not produce enough feed to fatten his stock for the market. Mr. B, his neighbor, raises corn. Now, if Mr. A goes over to Mr. B and buys a thousand or 10,000 bushels of corn, will there be an equalization fee on that sale? I asked this question of the chairman of the committee, the author of the bill, and he said it was optional. He says that is the right of the board to determine whether to put an equalization fee on corn fed into livestock. If they do there is bound to be a discrepancy and unfairness with the man that does not pay an equalization fee on the corn that he feeds into his livestock. If they do not, what percentage of corn in the United States will have to bear the equalization fee which is the charge for the operation of this great burdensome piece of economic machinery. What percentage of corn bears the burden?

I have not verified the figures, but I get them from the Agricultural Committee, that not 10 per cent of the corn of the United States is processed for anything other than feed. Now, think of it. Ten per cent of the corn of the United States has to bear the unfair burden of operating this so-called economic scheme. Either your scheme is economically sound or it is not. If it is economically sound, the price of all agricultural commodities will rank together. It can not be otherwise. If it is economically unsound, which I think it is, it will bring wreck on the people that you are trying to benefit.

I want to propound another question, another dilemma, and I want to see how you answer this. The only speech I have heard on the Democratic side that was not raising an awful howl against the tariff being too high was the speech of the gentleman from Texas [Mr. HUDDSFETH].

Let me propound this to you: Suppose the Haugen bill succeeds. Its very success will be its ruin. And why? Do you expect an American farmer to feed \$1.40 corn in competition with the Canadian farmer, who is feeding the same kind of livestock on \$1 corn? It just can not be done, because Canadian land is even cheaper than the land in the United States. Do you expect the American rancher down in Texas to feed cattle, paying this enormous—I will not say enormous—equalization fee, whatever it may be, plus the tariff of 15 cents a bushel on corn, plus the freight; or do you expect the cattleman of the North to whom the Texas rancher has sold the cattle to feed the cattle \$1.20 corn, in competition with the Canadian or the Argentinian, with his cheap forage, without again jacking up your tariff and making it higher than it is to-day?

If there is any one thing that the Democratic Party has ever stood for, so far as its pledges are concerned, it is to lower the cost of living. It makes interesting reading to go back as far as 1824 and peruse the editorials from the New York press. They prophesied just exactly the same things that you gentlemen are prophesying to-day. You can read an editorial in the New York papers of that day and it sounds just as if it was written to-day. They talked about the tariff being a subsidy for the few, being a tribute levied upon the masses for the benefit of the few. Either I am unable to reason, either I am absolutely thickheaded, or else the men who are trying to make the principles of the Haugen bill compare with and work as the tariff does can not reason or are not honest. There is no more comparison between the economic principles of the protective tariff and the question of a subsidy than there is between the darkest night and the brightest day. What is a tariff? You gentlemen all know who wrote the first tariff. It was James Madison, of Virginia. If James Madison were living to-day he would in all probability be a Democrat. He not only put a tariff on manufactured articles but he put a tariff on raw products, and why? They put the tariff on at first to protect industry. The employee in those days was only thinking about getting enough to eat and developing his country; but to-day we do not levy a tariff in order to protect industry as an industry. Not on your life. You give American labor wages 25 per cent more than anyone else in the world, and the manufacturer in this country will manufacture and sell goods in all the markets of the world in competition with the world without a tariff. If you compel the manufacturer to pay wages from three to ten times as high as his competitors, then you can choose between one of three things. You must either give them a tariff, close the factory, or cut the wages. There is no other answer.

This Haugen bill is a subsidy if it is anything in the world. The bill says \$375,000,000 for the first two years. Let me ask you a practical question. Suppose it develops that \$375,000,000 is not enough. We establish the machinery, we pledge the credit of the United States to pay the bill. Suppose it costs a billion dollars. Will we pay it? Of course we will. We have paid bills ever since I have been in Congress with not half the legal responsibility that will be tacked onto the Government if we pass the Haugen bill. Provide a subsidy? Never for an industry that is self-supporting, that is producing more than is required for the necessities of life. There are only one or two cases where in my judgment a subsidy would be justified in any Government. If there was a demand for any necessity of life, and the economic condition of the people engaged in the production of that necessity did not permit them to produce a sufficient amount to meet the needs of the people, and if you could not encourage production, and if competition was so keen with the rest of the world that the farmers could not compete and there was a shortage, and we could not get it in any other way, then there might be a justification for a subsidy. I have wondered sometimes, since I have been studying this question for a month, whether my ability to reason has become distorted.

How can you pay a bounty and then curtail production when you have a surplus to begin with?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KETCHAM. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. BEGG. Mr. Chairman, there are two conditions when I would pay a subsidy, and then only rarely. Some one asked a gentleman on the floor the other day if he had voted for the ship subsidy, and he said he had. If the shipping business affected only a part of the people, there would be no justification for a subsidy at all, but if the welfare of the whole people depends upon the ability to ship to the markets of the world, and the merchant marine can not live without a subsidy, then I have no apology to offer to anybody for being for a subsidy.

My good friend from Nebraska [Mr. McLAUGHLIN] on Saturday went on to recite how much money we had given to the railroads as a subsidy in the early days, so that they would build a road out through his country and on out through that great, unexplored, unknown West. Is there any difference between developing an unexplored wilderness rich in fertility and minerals by the granting of a subsidy and doing the same thing to correct an overproduction? I said a moment ago that I would not vote for a nickel to subsidize anybody in America. I want my farmers to know that. You do not have to send them word, because I told 500 of them three weeks ago that I would not support a bill to give them 5 cents out of the Treasury, because I do not believe you can pass a law to put value into a bushel of wheat that is not there. Here is what I will do, and this is just as far as I will go.

We spend annually now about \$42,000,000 in developing agriculture. We have been doing it ever since I have been in Congress and a long time before; I do not mean \$42,000,000 a year, but I should suppose, in a total, we have spent \$150,000,000 in the development of agriculture. Now, I am willing to do this. After having spent Government money to help production, I am willing to loan to the leaders of agriculture \$100,000,000, if it needs it, to perform an experiment in developing a market so as to get on the same plane as we have other products, but any scheme to handle the surplus that is not sound enough economically to command the respect of private capital is too unsound for me to put Government funds into its treasury.

Mr. MADDEN. Will the gentleman allow me to read a telegram in connection with what the gentleman has just stated?

Mr. BEGG. Yes; I will.

Mr. MADDEN (reading)—

CHICAGO, ILL., May 9, 1926.

MARTIN B. MADDEN, M. C.,

Washington, D. C.:

Give us a national charter for America's credit trust—cooperative marketing. Purpose to comply with your suggestion on farm relief in lieu of a subsidy. Unlimited capital pledged. We are well organized for this purpose and want to count you in. Letter follows. Answer now.

Maj. A. E. GAGE,  
President Economic Science Federation.

I want to say I do not know who these people are, but there is a proposal to furnish money to market farm products.

Mr. BEGG. Now, Mr. Chairman, the argument has been made repeatedly by both sides, more generously on the minority side than on the majority side, that the present Fordney-McCumber tariff bill had not benefited the farmer. I want to challenge that statement, and in support of my challenge I want to give you a few figures. And let me say to this House membership and to the Democrats I am not alarmed about newspaper threats I have read in the papers that if we did not pass the Haugen bill the West will revolt so far as the Republican Party is concerned; that does not alarm me at all. They will only revolt a short period. Why? There never has been since the dawn of the United States a low-tariff party nor a free-trade party without a financial panic save in the World War and in the Mexican War. There never has been a time, Mr. Farmer and you farmers' Representatives—there never has been a time when the price of a bushel of corn and wheat or a pound of beef or pork or wool has brought as much in the market under a low tariff or free trade as it always has done under a high tariff. And I will say again something else, and you can take that to your constituents out in the West.

There never has been a low tariff party in power nor a free trade one without free soup houses in the city, without idle labor—except in the World War and in 1846, the Mexican War—and if you can show me where I am misquoting I will make a public apology before this Congress. Now, there is no

use to deny it, we are not demagoging this afternoon, but we are facing facts and arguing on history.

Mr. ASWELL. Will the gentleman yield?

Mr. BEGG. I can not. There never has been free trade or a low tariff party in power without free soup houses, without idle labor, and when labor is idle she only eats 50 per cent of the farm products a year, as when she works, and if the American farmer wants to take revenge—and that has been hinted at on the floor—if they want to take revenge and want to vote to cut the tariff that will close every mill in my district, because there is not a mill producing to-day that is not compelled to have a tariff, and if you throw the employees in other centers out of work I will guarantee the American farmer that which always has happened is likely to happen, namely, they will get less for a bushel of wheat than they got this year. Take that story to them. The Republican Party has been as good a friend to the farmer as the Democratic Party ever dared be. See if that is true. Now, I suggest to low-tariff advocates wool never sold on the farm—that is, by and large—on an average for over 20 cents a pound under free trade or a low tariff, save during the war, and nobody is going to claim prosperity because of a war. Now, wool since we have had the emergency tariff act jumped since the passing of the act from 11 cents a pound, of the grade of which I am speaking, and never sold less than 45 cents a pound. Well, if wool is 20 cents under a low tariff and 45 cents under this tariff, the Fordney-McCumber, there is a differential in favor of the farmer of 25 cents a pound.

Take a farmer who had sold 1,000 pounds of wool last year. There is one of three things. He either has \$250 less debt or else more money in the bank or else more property. He has \$250 more assets than he would have had with a low tariff unless the next low tariff violates every precedent that has ever been made since Washington's administration.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BEGG. Briefly.

Mr. HUDSPETH. The gentleman means under no tariff at all he got 20 cents; does the gentleman mean that?

Mr. BEGG. I said low tariff or free trade.

Mr. HUDSPETH. We have either had a sufficient tariff or no tariff at all. Under no tariff wool went as low as 4 cents a pound.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. Could I have a little more time? I think I could get through in five minutes.

Mr. KETCHAM. Mr. Chairman, I yield to the gentleman five additional minutes.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes more.

Mr. BEGG. Now, gentlemen, keep in mind this \$250. Let us take wheat. This is not hearsay. Under free trade—and that is the Democratic policy, as I understand it—Canadian wheat averaged 5 cents a bushel more than Minneapolis wheat of the same grade. I get these statistics from the Department of Agriculture, and you can get them there; and if they are not accurate, you can charge the Department of Agriculture with the error.

I will cite the average price of typical grades of wheat at Winnipeg and Minneapolis between the years 1920 and 1926. In 1920-21 the price at Winnipeg was \$1.89 and at Minneapolis 12 cents higher per bushel, or \$2.01. In 1921-22 the price at Winnipeg was \$1.30 and the price at Minneapolis \$1.48, or 18 cents higher. In 1922-23 the price at Winnipeg was \$1.12 and the price at Minneapolis \$1.26, or 14 cents per bushel higher. In 1923-24 the price at Winnipeg was \$1 and the price at Minneapolis was \$1.24, or 24 cents higher. In 1924-25 the price at Winnipeg was \$1.58 and the price at Minneapolis was \$1.66, or 8 cents higher. In 1925-26—42 weeks—the price at Winnipeg was \$1.51 and the price at Minneapolis was \$1.68, or 17 cents higher, an average of 16 cents higher at Minneapolis than at Winnipeg during the six years quoted. The average for the period of time I have read—and that is not hearsay—is 16 cents a bushel in favor of the tariff. For the period of 42 weeks, 1925-26, the price was 17 cents higher at Minneapolis under the tariff, and when free trade prevails it is 5 cents higher in Canada. There is a differential in wheat of 22 cents a bushel. If the average farmer of the country sold a thousand bushels of wheat last year, that gives him \$220 on his wheat crop last year in excess of what he would have received under low tariff, and that with the \$250 excess that he got for his wool makes a fund of \$470 in his bank which he would not have had otherwise.

Let us take the item of cattle. I am giving you Mr. Haugen's figures on cattle. Mr. Haugen last fall went over into Canada to buy steers. He paid \$4.60 a hundred. Add \$1.50 a hundred from the tariff and freight 42 cents and you have a total of \$6.52. Mind you, Canadian cattle delivered at his farm at \$6.52, with a tariff of \$1.52 a hundred on that weight of steer, when there never was a time when he was in the market when he could have bought the same cattle in Minneapolis, nearer home, for less than \$7.60.

What happened? Why, the tariff. Who got the difference between \$4.60 and \$7.80, or \$3.20? Who got the difference? The man who sold the steer, Mr. Farmer.

Mr. HUDDSPETH. The man who raised the steer?

Mr. BEGG. Yes; the man who raised the steer. Nobody else. If he sold an 800-pound steer at \$1.50 a hundred, that is \$12. That is \$12 for an 800-pound steer received because of the tariff. Suppose he sold 10 of them.

There you have a difference of \$590 on three little bits of crops on any 80 acres of land that can be produced in Ohio. I do not mention the 5 cents a dozen on eggs, or the tariff on butter or lard or hogs. I do not mention any other than the three items, and there is not a farmer in Ohio who has not to-day in bank between \$700 and \$1,000 more than if we had free trade. Why do you not tell the truth?

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BEGG. Give me five minutes and I will quit.

Mr. KETCHAM. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes more.

Mr. BEGG. I will not be one who will subscribe to the doctrine of going out and telling the farmers that they are the worst-off people on earth, because they are not. Who are they in America who own some of these automobiles in the world?

Ninety per cent of the automobiles of the world belong in America. I do not believe there are many farmers in the United States that do not have one or more of them. The automobile is not alone a luxury; it is partially a necessity. Not all the radios are in the cities. There is not a nation in all the world where agriculture and labor in their prosperity can be compared with agriculture and labor in America to the extent of one-tenth.

Now, my friends, if old, stolid, sober, experienced England can be almost uprooted and thrown into nobody knows what to-morrow by reason of the same mistake—a dole that you are asking us to hand out, only to a different class of people—if they can be thrown into turmoil, who is there who wants to stand up here and say, if we once begin to pay out a subsidy, or dole, or bounty, or gift, or anything you want to call it, where it will end? In God's name, the man who gets something for which he does not give something is damaged by the receipt thereof, and if you once begin with the farmer you can not quit without paying the price, and the price may be trouble. The price has been trouble in Great Britain, and she has not yet freed herself from the parasite of the unemployment dole. I ask you, join together and use your brains. Help the American farmer if you can; but you can not pass a law to put more value into his corn than is put there by honest toil. Do not, I pray you, go forth demagoguing with a promise for the sake of a reelection for yourselves or your party. [Applause.]

Mr. FLETCHER. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. FLETCHER. What bill are you for?

Mr. BEGG. For the Tincher bill.

Mr. SUMMERS of Washington. Did the gentleman vote for the McNary-Haugen bill, which did not carry a subsidy?

Mr. BEGG. I did not. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS of Illinois. Mr. Chairman and gentlemen of the committee, it is my purpose, in the time allotted to me, to discuss the Haugen bill, the principles underlying that bill, and the things its authors and those who are supporting it believe it will do for the basic agricultural commodities of the country. However, the remarks just made by the gentleman from Ohio [Mr. BEGG] perhaps would justify me in stating that in so far as the question of the tariff is concerned there is nothing in the hearings of our committee, covering a period of more than seven weeks, that even indicated that there was any sentiment or feeling among the agricultural interests of the West and Central West of dissatisfaction with the protective tariff. Every witness, so far as I recall, who was interrogated upon that point, without any regard to politics—and we had representative men speaking for the farm organizations from various

sections of the country—made the statement that the farmers were not here fighting the protective-tariff system; that they were not here complaining about the rates and provisions carried in the Fordney-McCumber tariff law, but they were simply here urging a program that they believed would assist agriculture in getting the full advantage which a protective tariff gave to other groups and to other interests.

The gentleman from Ohio spoke about a revolt. While I do not intend to talk politics or say anything unkind, the farmers of the great Mississippi Valley, or at least a very large per cent of them, regard the Democratic Party as a sort of agricultural pest, just as they think of the cutworm or the weevil. They have that feeling and regard it in that manner because they have seen and know what the Democratic Party does for agriculture whenever they have an opportunity to write their doctrines on the statute books and administer the laws of the country.

This party almost bankrupted the farmers of Illinois, Iowa, and those great agricultural States during the Cleveland administration. They mortgaged their farms so that they might enlarge their barns for the purpose of supplying adequate sleeping quarters for the unemployed who came their way. They knew all about that. They will not soon forget it. If there should be a revolt in that part of the country, I will say that it will not inure to the benefit of the Democratic Party. The Democratic Party is the third party in these States, and if my friend from Arkansas [Mr. OLDFIELD] keeps coming into those States and talking tariff it will become the fourth party, I fear. [Laughter and applause.]

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. GARRETT of Tennessee. Do the farmers of the Mississippi Valley hold the Democratic Party responsible for the condition that exists just now?

Mr. WILLIAMS of Illinois. They very largely do. They know that when the Republican Party came into power in 1921 agriculture was prostrate and that we have been laboring with the problem ever since of stabilizing and putting agriculture on its feet. The farmers of that country know that 1920 was when the bottom dropped out of agriculture.

Mr. HUDDSPETH. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. HUDDSPETH. From the gentleman's remarks, I take it that you do not expect any votes on this side to pass the Haugen bill?

Mr. WILLIAMS of Illinois. The people whom I am talking about are not greatly concerned about and do not mind very much the attitude of the Democratic Party on this or any other question. Not only during the Cleveland administration have the farmers of the Middle West suffered from Democratic fallacies, but in 1914, on the very day war in Europe broke out, the farmers of my State and the grain-producing States of the Central West were fast getting into the same condition of insolvency, bankruptcy, and ruin that they experienced during the Cleveland administration. I was in a little town in one of the counties in my district on that day making a campaign in a primary, and the farmers were selling their wheat for 61 cents a bushel. Of course, the war came on and during the war we had the highest protective tariff we ever had in this country. So there is no great danger of any revolt among farmers growing out of a discussion of this question—however it might damage some of our Republican friends—that will inure to the benefit of our Democratic friends in the great grain sections of the West and Northwest.

Now, what is it we are trying to do here?

The statement has been frequently made that we have a farm problem in America. We do have a farm problem in this country. We have many farm problems in this country. Many of them are of such a nature that they can not be cured by legislation and the farmers of the country know and appreciate that fact. The problem we are considering here under the Haugen bill is how to assist in stabilizing the four or five great commodities of which we have a large exportable surplus.

As to all the agricultural production of America that is perishable or semiperishable, which comprises more than 50 per cent of the total value of farm production, there is no very great complaint as to present conditions, except that the operating costs of the farmer, like they are for everybody else in the country, are high. Whatever difficulty American farmers, engaged in producing these commodities, may have, intelligent farmers believe can be solved and must be solved largely through cooperative marketing, through the efforts of the farmers themselves and financed by themselves. This great spread between the price received by the producers of many commodities and that paid by the ultimate consumer can not be abridged except by the farmers themselves organizing and

retaining control of their commodities until they are placed in the hands of the ultimate consumer. [Applause.]

There are two branches of agriculture that are important. First, of course, is the producing end.

For many years Congress has by legislation and by liberal appropriations—and the States have assisted in the same way—been helping the American farmer to produce better, to produce more scientifically and to produce more of the food-stuffs and products of the farm.

It has been very helpful to agriculture. We have now reached a point where the American farmer is perhaps the most efficient producer of any farmer in the entire world. But there is another part to successful agriculture, and that is the marketing of the products of the farm after they are produced. We have not kept pace; we have not made the progress along this line of our agriculture that we have along the producing line.

The attention of our committee was called a year or so ago to this fact, which impressed me. It was stated that for the year 1923 the growers of melons in the States of Georgia and Alabama, two States which produce very fine melons for the New York and eastern markets, brought to the growers of those melons on the cars at the shipping points an average of 5 cents each. The freight rate to New York City was between 6 and 7 cents, making the price less than 15 cents per melon laid down in the city of New York, and yet those same melons, for which the producers in Alabama and Georgia got 5 cents per melon and the railroads got 7 cents for their transportation, sold to the consumers of melons in New York on the average from 90 cents to \$1.25 apiece. This condition exists as to many products of the farm. In the interest not only of the man who produces this class of agricultural products but in the interest of all the consumers, this great spread should be lessened. This is one of the problems of the farm in which all the people are interested in reaching a proper solution. I have thought, and I still believe, that the solution of these problems is by cooperative marketing, and we are making great progress in cooperative marketing in this country. Last year the cooperatives did a business of over two and a half billion dollars, or more than one-fifth of the value of our entire agricultural production.

However, in the Haugen bill we are undertaking to deal with a different problem. The great commodities of which we produce a large exportable surplus—

Mr. TINCHER. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. TINCHER. Handling the commodities with the cash appropriation provided for in the Haugen bill, in accordance with the terms of that bill, will have what effect on the cooperatives the gentleman has just referred to?

Mr. WILLIAMS of Illinois. If the gentleman from Kansas will permit me, I will come to that in the development of my thoughts on the Haugen bill.

Mr. TINCHER. I shall not interrupt further. I did not suppose the gentleman would object.

Mr. WILLIAMS of Illinois. I think the bill introduced by the gentleman from Kansas [Mr. TINCHER] will be very helpful in marketing and in taking care of the kind of farm products I have just mentioned, but we are here dealing with a question and a problem more fundamental than perishable foodstuffs that can be taken care of by cooperation.

During the war the American farmer, acting on the request of the Government, overstimulated production. We largely increased our production of cotton and of wheat and of corn and of the great basic foodstuffs and at large expense to agriculture. Billions of dollars were invested by the farmers of the country in additional equipment so that they might produce those things that the world needed and that they were told were required to insure the winning of the war for the United States and for our allies. We all know with what wonderful patriotism they responded to the call of their country, but the very readiness of that response meant, later, almost their utter undoing. At the close of the war farm products were high and there had been a most tremendous production of wheat and corn and cotton at exorbitant costs to the producer; 1920 came along and we had deflation and the bottom dropped out of the prices of farm products, and they have never since approached a proper ratio relation with other commodities. The farmer's real trouble dates from the summer of 1920.

Now, what is the difficulty? If all the farmers of the United States could be organized into a cooperative marketing organization, the situation would be entirely different. For instance, if 100 per cent of the cotton farmers were organized, they could control the price of their cotton; but they are not organized perhaps to a greater extent than 7 per cent or 10 per cent, and it is utterly impossible for the small percentage in these cooperative organizations to carry enough of the crop

and finance it to have any appreciable effect on the value of the whole crop. We have this anomaly in respect of cotton, and it is startling when you stop to think of it. In the summer of 1924, when the United States Department of Agriculture issued its first statement as to probable output of cotton for that year, it was stated we would produce 12,500,000 bales of cotton. Cotton was then selling at 30 cents per pound. Three or four weeks later the Department of Agriculture, on account of favorable seasonal conditions, made a supplemental report in which the production of cotton for that year was estimated at something over 13,000,000 bales, and a little later it was found that the crop would approximate 14,000,000 bales, and cotton dropped to 24 cents a pound. Therefore, under our present marketing system and through the inability of the cotton farmers to cooperate and to organize as they should, but probably will be able to do in the years to come, we have found that a crop of cotton of 14,000,000 bales brought the cotton planters of the South over \$300,000,000 less than would a crop of 12,500,000 bales.

Mr. ASWELL. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. ASWELL. Will the gentleman explain to the House how the Haugen bill will help the price of cotton when there is no tariff on cotton?

Mr. WILLIAMS of Illinois. Yes; I will do that. That will be quite easy, and I will do that later.

Mr. ASWELL. That has not been done in this debate or in the seven weeks of hearings.

Mr. WILLIAMS of Illinois. Now, take the case of corn. In 1923 we had an estimated corn crop of 3,000,000,000 bushels. In 1924 the corn crop was 2,400,000,000 bushels or 600,000,000 bushels less than the crop of 1923, and yet the value of the 3,000,000,000-bushel crop was more than \$350,000,000 less to the farmer than the short crop of 2,400,000,000. Now, there is something radically wrong about that.

Mr. ASWELL. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Excuse me just a moment.

Mr. ASWELL. I will wait until the gentleman has finished.

Mr. WILLIAMS of Illinois. Under conditions as they exist at this time, conditions over which the farmer has no control, a bumper crop instead of being a blessing is a disaster in disguise. We think there is something wrong with a situation like that.

The theory of the Haugen bill is not that you can change the law of supply and demand. This can not be done by law, but we realize that with these great bumper crops, with their large surpluses, the next year a short crop, the next year maybe a short crop or a large crop, yet through a series of a few years, three years or five years, production and demand balance each other in all our great staple commodities. We have been producing cotton in this country for more than 100 years, and so have other countries of the world. We have had great surpluses that brought down the price. It has at times ruined the cotton planter of the South, and yet we have no surplus in cotton. There is not enough surplus cotton in all the world to run the spindles of the world 90 days. It is the same way with all great staple food crops—no surplus over a series of years, but violent fluctuations from one year to another because of imagined surpluses or deficits which has caused such great disaster to the American producer.

The theory of the Haugen bill is this, as I understand it: The farmers, not being able to organize and cooperate and control the crop market, believe they should have the assistance of the Government in setting up machinery that will enable them to levy an equalization fee on the whole production of any one commodity, thereby creating a fund that can be used in the orderly marketing of that commodity, a fund that can be used when there is a surplus in lifting that surplus off the market so that it may not have a depressing and ruinous effect on that part of the production consumed in the United States.

Mr. ASWELL. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. ASWELL. The gentleman said he was in favor of an equalization fee on all the products.

Mr. WILLIAMS of Illinois. Oh, no; the gentleman knows my position on the Haugen bill. I am not in favor of a subsidy. I am not in favor of that part of the bill. I do believe in the theory of the bill—that the American farmer is entitled to a price on that part of the product consumed in America comparable to the price that is paid to industry and labor for their products. [Applause.] Is there anything unsound about that? Who will say that the producer of the foodstuffs of America, that feed all of our people, is not entitled to an American price for that part of the product which is consumed by the American people? He pays the American

price for everything he consumes, and he is the greatest consumer of all classes of people in America. That is the principle on which the Haugen bill is drafted.

If the thing we are attempting to do is proper and right for the farmer, it can not be unsound economically. If a plan can be devised where the farmer bearing his own cost, at his own expense, can be enabled to market domestically at a fair American price the part of the crop used here, that can not be economically unsound. Of course, as to the part sold in export, we are not going to dump it at a low price in other parts of the world; we will sell it for whatever it will bring in the world market. Here has been the great difficulty and is the problem we are trying to solve—when we produce 800,000,000 bushels of wheat in the United States we consume 600,000,000 bushels, leaving 200,000,000 that must be sold in export to foreign trade. We are not able to control the world market on wheat, and the producers of wheat sold in the world market will have to take such price as they can get for that part of their crop; but is it fair to the farmer, is it right, that the small percentage that is used in export, which is often sold for less than production, shall be allowed to depress the American market for 600,000,000 bushels sold in this country? We are trying by this machinery to obviate that. Men who have given this great study, able men, say that it is economically sound to enable the American farmer to so market his product, to so control his supply and market it in an orderly way, that he will have the same bargaining power that others have in other industries.

Now, he walks up to the counter and says what will the price be on this and what will you take for everything he buys to operate his farm. Everything he has to sell he has to call up over the telephone and say to the dealer, "What is the price of this"—wheat, cotton, or whatever he has to market. Whatever the price is, that is all he gets.

If the machinery we have in this bill will do the thing that its authors believe and hope it will do, it is certainly a good thing. If it works, it will help everybody in the United States. If it fails to work, it would not hurt anybody but the American farmers themselves. [Applause.]

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. CONNALLY of Texas. This board that is appointed declares an operating period on corn; they find that corn in Canada is worth, say, \$1 a bushel. What is the tariff on corn?

Mr. WILLIAMS of Illinois. I think 15 cents.

Mr. CONNALLY of Texas. They buy the corn then at \$1.15?

Mr. WILLIAMS of Illinois. The board under the Haugen bill, notwithstanding the statements that have been made, has no authority to buy or sell a single thing. The board is at no time in business and neither is the Government at any time in business.

Mr. CONNALLY of Texas. Who pays this board?

Mr. WILLIAMS of Illinois. The cooperative associations who handle the commodities sought to be placed under the operation of the law.

Mr. CONNALLY of Texas. Then it is the cooperative with the sanction of the board?

Mr. WILLIAMS of Illinois. Yes.

Mr. CONNALLY of Texas. It gets the money from the board?

Mr. WILLIAMS of Illinois. Yes.

Mr. CONNALLY of Texas. That is what counts. The cooperative buys the corn at \$1.15 plus the freight. How large a fee would you collect back on that corn?

Mr. WILLIAMS of Illinois. The gentleman from Texas, I think, knows that I can not answer that question.

Mr. CONNALLY of Texas. I am not undertaking to embarrass the gentleman.

Mr. WILLIAMS of Illinois. I know that.

Mr. CONNALLY of Texas. I want to know how it will work out with corn.

Mr. WILLIAMS of Illinois. That will necessarily have to be left with the board.

Mr. CONNALLY of Texas. In other words, in order to make this plan workable we must, in the nature of things, give the board absolute power to say what the fee shall be and when it shall be levied on all of the products that go into the market.

Mr. WILLIAMS of Illinois. Absolutely; and I say to the gentleman from Texas that I can see nothing wrong with that. It is a board of farmers dealing with their own products, and they certainly have the right to have something to say as to what those things are worth.

Mr. FULMER. And the Interstate Commerce Commission fixes rates without anybody saying anything about it.

Mr. WILLIAMS of Illinois. Certainly.

Mr. CONNALLY of Texas. If the gentleman's premise is correct that this is a board of farmers, and they are going to fix their own equalization fee, surely they will fix it pretty small.

Mr. WILLIAMS of Illinois. Just as small as they can. The thing that we are seeking to do in this bill, as I understand it, is exactly what the gentleman from New Jersey [Mr. FORT] so ably explained ought to be done in his first speech which he made to the House on the farm problem, except, of course that the gentleman from New Jersey believes that this can be done without an equalization fee on production.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman five minutes.

Mr. TINCER. Mr. Chairman, if the gentleman feels that he will not be able to finish in five minutes I shall be glad to yield him 10 minutes additional, and I do so.

The CHAIRMAN. The gentleman is recognized for 15 minutes.

Mr. WILLIAMS of Illinois. I have not the time to go into the details of how this board will work. That will be discussed under the five-minute rule. Objection has been made here to the board and as to the manner in which it is constituted. I think the gentleman from Louisiana [Mr. ASWELL] in the able address he made thought that a board on which there would be only three representatives from the cotton section might not look after the cotton planter as adequately as it should, or at least he expressed some fear that there might be danger in placing his great industry in the hands of a board with only three members representing that particular section of the country. That is exactly how the Federal Reserve Board is organized. You have three members.

Has there ever been even a suspicion that any action or lack of action on the part of that great board has been against the interests of any section of our country? Certainly not. That board functions and functions well in the interest of all the country, and if we have this board created as contemplated here, constituted as it will be of representative farmers, of men who have a knowledge of and are interested in all these great commodities in which we are dealing, that board will deal justly and equitably with all American agriculture and no one need have any fear as to the constitution of the board. [Applause.]

They say it is radical, that it is unworkable. It is not more a radical proposal than when Senator Aldrich and others first commenced talking about the idea of an asset currency 15 years ago. It took a long time to convince the bankers and the financiers of the country that you could create an organization which every national bank would be forced to enter, whether voluntarily or not, that would be workable, and yet no one, I take it, would repeal the law that federated and created this great system which is able to mobilize all of the money and all of the credit of America and use it at the points in the country where it is most needed. There is considerable analogy between this bill and the Federal Reserve Board bill so far as the mechanism of the two boards is concerned. We believe that for agriculture a great board that has a comprehensive view of the whole agricultural situation, that could find out what would probably be a surplus in this given commodity, and to deal with cooperative organizations, handling that commodity, that could take any surplus off the market and carry it over to a lean year or handle it in a way that would not depress the market, would be helpful to agriculture.

And it would be. I do not know whether this will work as we think it will or not, but it is the only constructive program submitted to this Congress to reach the fundamental difficulty of agriculture concerning these great exportable crops which have been causing the farmers such distress.

Mr. COOPER of Wisconsin. Will the gentleman yield for a brief interruption?

Mr. WILLIAMS of Illinois. Certainly.

Mr. COOPER of Wisconsin. I have listened to the arguments for the Haugen bill and against the Haugen bill, and I am much impressed with the merits of the measure, but I have been unable myself to understand why there is any real good reason for the postponement of the equalization fee. Why not have it go into operation at once and let it work out its own salvation?

Mr. WILLIAMS of Illinois. I was just getting ready to discuss that. The farm organizations which appeared before our committee for seven weeks during which this problem was being discussed from every angle all went on record without a single exception as saying they wanted to finance their own rehabilitation by this equalization fee on production. They said that they believed that it was workable and practicable,

and that agriculture was not asking and did not want any subsidy out of the Treasury of the United States. [Applause.] In the whole record covering thousands of pages that statement was repeatedly made. It was iterated and reiterated by the responsible farm leaders of this country, and I can say to-day I think I know that that is their opinion and their view and that now they would like to see this bill restored to the form in which it was when presented to the committee.

I am not going to discuss how this change took place. I do not know. I opposed it and other members of the committee opposed it, and I am opposed to it now. I am opposed to it in the first place because I do not believe in subsidies. I stood here on this floor under the administration of President Harding, a man we all loved, who served in the Senate while many of us were here in the House, and I was one of those who on one occasion was at the White House and talked about the ship subsidy bill coming up for consideration in the House. The people of my district, including farm organizations, were opposed to that subsidy, and I voted against the administration of my own party and the policy of the leaders of the party because I was opposed to a subsidy. It is absolutely indefensible. We want to give the American farmers of our section of the country what they say they want and not give them something they do not want and say will ruin them. They want the equalization fee made effective at once and want us to cut out the subsidy and pass the bill as the farm organization presented it to the committee.

Mr. KETCHAM. Will the gentleman yield?

Mr. WILLIAMS of Illinois. I will.

Mr. KETCHAM. Does the gentleman recall anyone responsible—of course they are all responsible—any one farm leader who appeared before the committee and advocated a subsidy?

Mr. WILLIAMS of Illinois. They all said they did not want it.

Mr. KETCHAM. Does the gentleman further recall any farm organization in the country that has gone on record in favor of it?

Mr. WILLIAMS of Illinois. I never have.

Mr. KETCHAM. On the contrary have not they all opposed it and repeatedly declared against it?

Mr. WILLIAMS of Illinois. Absolutely so. This amendment in this bill that calls for \$375,000,000 subsidy upon the Treasury has placed the great farm organization in a compromising and untenable position which they deeply deplore and I am sure they regret the action of the committee in reporting out this kind of legislation. [Applause.]

Mr. BEGG. Will the gentleman yield?

Mr. WILLIAMS of Illinois. I will.

Mr. BEGG. Did I understand the gentleman to say these same farm organizations testified against a subsidy and then a subsidy was put in and then authorized the statement it should be taken out.

Mr. WILLIAMS of Illinois. No; I did not say authorized.

Mr. BEGG. I did not quite mean that, but I mean is the gentleman speaking for himself here knowing—

Mr. WILLIAMS of Illinois. I am speaking for myself. I am speaking for every member of our committee with possibly three or four exceptions, and so far as I know every farm organization that appeared before our committee.

Mr. BEGG. If the gentleman will permit another question, I do not desire to interfere with his argument. How did this subsidy get in?

Mr. WILLIAMS of Illinois. I do not know; but the gentleman from Indiana [Mr. PURNELL] says, "To get votes." I do not know about that.

Mr. TINCER. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. TINCER. What is the gentleman's idea of the effect which the subsidizing of this industry would have?

Mr. WILLIAMS of Illinois. I think it would be ruinous. I do not think it would be a check on overproduction for two years. The farmers do not want it. They want to levy a fee on their own production, and that would help them the same as a subsidy paid out of the Treasury and act at the same time as a stay on production.

Mr. PURNELL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. PURNELL. The gentleman knows that I was a member of the committee who was not in favor of the subsidy idea, and was in favor of putting an equalization fee on all farm products and making it effective at once, and in favor of asking for only sufficient money out of the Federal Treasury to set up the machinery. But this, which I think the gentleman will admit, ought to be said in favor of those advocating this revolving fund as a temporary expediency, and that is that it will take at least a year to educate these farmers, and that the

revolving fund, such as may be necessary to stabilize these various products, will only be called into requisition for one year. I am not saying that in justification of the revolving fund, because the gentleman knows that he and I were in accord on that proposition in the committee.

Mr. WILLIAMS of Illinois. I do not yield any further. I have only a few minutes.

Notwithstanding what I have said about the revolving fund and the subsidy, if the bill is not amended, as surprising as the statement may seem to some of my colleagues, I intend to vote for it in its present form, and for this reason: It does embody the essential principles for which these great farm organizations contend. Under it we will get a board, with the broad power that it must have to command action, and an equalization fee that will automatically go into effect without congressional action; and, in my opinion, we will not be called upon for the \$375,000,000 subsidy. Gentlemen must remember that we are not voting the money out of the Treasury to-day. It is just an authorization that may be followed by an appropriation or not, as Congress in its wisdom may determine when that matter comes up.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Illinois. Yes.

Mr. GARRETT of Tennessee. The gentleman has referred to this as a "revolving fund." I would like to get it clearly in my head, if I can. I do not see what there is in this bill that makes it a revolving fund. It is not expected that any part of it will be repaid?

Mr. WILLIAMS of Illinois. It will revolve out of the Treasury until [laughter] I think it might be called a semi-revolving fund.

Mr. GARRETT of Tennessee. There is absolutely no provision in the bill under which any part of it will be repaid?

Mr. WILLIAMS of Illinois. Oh, no. It is not contemplated that it ever will be.

Mr. PURNELL. That was a misnomer. The original idea was to create a revolving fund and make an equalization fee. This was an eleventh hour proposal that came in.

Mr. GARRETT of Tennessee. The gentleman is justified in using the expression because that expression is in the bill, but the bill is not justified in using that expression.

Mr. JACOBSTEIN. In discussing this with Farmer QUIN I was informed that what they had in mind was a sinking fund, a reserve fund, not a revolving fund.

Mr. WILLIAMS of Illinois. What we had in mind, I will say to the gentleman from New York, was a law that would authorize an equalization fee on production. That would create a fund on each commodity, to use to carry over the surplus and to market the surplus of that commodity. We were asked for an equalization fee and no subsidy. [Applause.]

Mr. Chairman, my time has about expired and I only want to add that in my work on the Committee on Agriculture and in the consideration of this great problem I have attempted to help frame a bill and get it enacted into law along the general principles of the Dickinson bill. This is what the farmers of my State have indicated they want. I believe such a bill is economically sound and will give the farmers an opportunity to place agriculture on an economical parity with industry and labor, this is all they ask—to this they are entitled. This is the legislation urged before our committee by Sam H. Thompson, president of the American Farm Bureau Federation, by Earle Smith, president of the Illinois Agricultural Association, and by George Peake, chairman of the Committee of Twenty-two named at the Des Moines conference. These gentlemen are all honored citizens of Illinois, and in my judgment represent not only the sentiment of the farmers of Illinois but also that of a large per cent of our bankers and business men.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ASWELL. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. WHITTINGTON] 20 minutes.

The CHAIRMAN. The gentleman from Mississippi is recognized for 20 minutes.

Mr. WHITTINGTON. Mr. Chairman, the question of agriculture presents an important problem. It is our most difficult economic question. The problem is not political or partisan, but it is economic, and I shall so treat it.

This is no time for oratory or high-sounding phraseology. It is an occasion for clear thinking and for keen analysis. I shall undertake to speak as one business man to another, as one Member of Congress to another Member of Congress, who is vitally interested in the agricultural situation.

Let me say, in order that you may get the slant of my views, that I represent a cotton constituency. The district from which

I come produced in 1925, 905,054 bales, or approximately one-eighteenth of all the cotton raised in the United States. There are 11 counties in the district, and all of them produce staple cotton, and in addition to its staple production there is raised short cotton in one of the counties. The district has a practical monopoly on Delta staple cotton, 1½ inches and longer. While I am a lawyer, I have been engaged in the production of cotton for some 25 years. For several years I was interested in raising short cotton in south Mississippi, and for the past 20 years I have been raising staple cotton in the Mississippi Delta. I knew from experience, as well as from study and observation, the difficulties confronting the cotton grower. My possessions consist principally of farm lands, and in common with my constituents I am interested in agricultural relief as I am interested in no other question.

I am now, and have been since 1920, a member of the Staple Cotton Cooperative Association. I noticed an advertisement of this association in one of the newspapers in my district a few days ago. The facts contained in the advertisement may be of interest to the Members of Congress. This association has received to date more than 258,000 bales of cotton. It has paid to its members this season more than \$21,000,000. Its credits and loans to its members during the current year will exceed \$1,500,000. The advertisement of the association contains this significant statement:

While the rest of the country is besieging Congress for some sort of farm relief, we have availed ourselves of the facilities already afforded by the Federal intermediate credit banks and the Federal Farm Loan Board.

The discount corporation, operating in connection with the association, cooperates with the banks. I quote this further statement from the advertisement:

These two institutions (the cooperative association and the discount corporation) stand for soundness, conservatism, and safety, which are the only foundations of business success and permanent prosperity.

From time to time I have sent to the association to which I belong, and also to others in the district who have given a study to agricultural legislation and have manifested an interest in the agricultural situation, a copy of the several agricultural bills introduced. I have requested the views of the cotton growers in and out of the association as to the effect the legislation would have on cotton. The responses that I have received to date are to the effect that cotton can not get any benefit from the passage of the Haugen bill, for the principal reason that this bill makes the tariff the yardstick, and there is no tariff on cotton, nor could a tariff on cotton be included in the bill, under the rules of the House. The president of the above association advises me that no benefits under the Haugen bill will accrue to staple cotton unless there is a tariff of at least 10 cents per pound.

#### BASIC INDUSTRY

Agriculture is our basic industry. But farming is more than an industry. It involves the economic welfare, the social progress, the racial character, and the national security of all the people. All groups and all classes of people are affected by agriculture. Nearly one-half of the average family income is spent for food. Most of the remaining one-half is spent for clothing. The farm serves the most universal of human needs. The success of the merchant, the banker, the professional man, and the wage earner in the city and town is dependent upon the prosperity of the farmer. The question materially affects the whole population.

#### ECONOMIC SIGNIFICANCE

The National Industrial Conference Board of New York has just completed an exhaustive study of the agricultural situation. The following facts give the important place that farming holds in our economic system:

The agricultural industry exercises normally a purchasing power of nearly \$10,000,000,000 annually for goods and services produced by others.

It purchases about \$6,000,000,000 worth of manufactured products annually, or about a tenth of the value of manufactured goods produced.

It supplies materials upon which depend industries giving employment to over half of our industrial workers.

It pays indirectly at least two and a half billion dollars of the wages of urban employees.

It supplies about an eighth of the total tonnage of freight carried by our railroad systems.

Its products constitute nearly half of the value of our exports.

It pays in taxes about one-fifth of the total cost of government.

Our farms and farm property represent nearly one-fifth of our tangible wealth, and agriculture has contributed in recent years about one-sixth of the national income.

The current value of the total capital invested in agriculture in 1919-20 was \$79,000,000,000 as compared with \$44,000,000,000 invested in manufacturing industries, \$7,000,000,000 in mines and quarries, and \$20,000,000,000 in our railroads in 1919. The value of capital invested in agriculture in 1921 was \$65,000,000,000 against \$44,000,000,000 invested in manufacturing industries.

#### THE PROBLEM

For many years agriculture has not yielded adequate returns. Manufacturing and other industries are in a better position than the industry of the farm. General business has been prosperous and wages have attained unprecedented high levels. But farmers are discontented; agriculture is out of joint. There is a real problem.

The farmer's problem is a part of our problem. The farmer's welfare is an important part of our welfare. There is a disparity between the farmer's income and the income from other industries. For the crop year of 1923-24 the net return to the farmer on his investment was 2½ per cent; for the crop year 1924-25 the net return was a fraction more than 4 per cent after allowing farmers and their families a monthly wage without board of \$35. But in 1923 the income of corporations manufacturing food products, metal products, textiles, and textile products was 10 per cent and more on their investment.

The total value of all farm property in 1913 was \$45,227,000,000; in 1920, \$79,607,000,000; in 1925 the total value of all farm property had been reduced to \$59,154,000,000. However, in terms of 1913 purchasing power, the total value of all farm property in 1925 was only equal to \$38,188,000,000.

Again, the total farm indebtedness in the United States in 1910 was estimated at \$4,320,000,000, and it had grown to \$12,250,000,000 in 1920, and it is approximately that amount to-day.

The industrial conference board finds that the return on the capital invested in agriculture, including the value of food, fuel, and shelter supplied by the farm, during the five years prior to the war, averaged 5½ per cent, but during the five years since the war averaged only 4 per cent, and that the net return on the individual farm operator's investment is only 2 per cent.

The problem becomes perilous when we consider that the rate of farm failures from 1910 to 1924 shows an increase of over 1,000 per cent in contrast to that of commercial failures, which has remained practically the same per year during the same period. Most of the bank failures in the United States are located in the agricultural regions, and the number of bank failures in 1924 was 915, or 42.05 per cent larger than the number of failures in 1893, which was 642. The decline in the economic position of agriculture is reflected in the frequent and numerous foreclosures of mortgages to satisfy indebtedness on farms.

The earnings of the farmer are smaller than those of any other workers. The actual earnings of the farmer in 1924 in return for his labor are computed by the conference board at \$730 on the average, as against the average earnings of \$1,256 by workers in the manufacturing industry, \$1,572 by workers in transportation, \$2,141 by clerical workers, \$1,678 by ministers, \$1,295 by teachers, \$1,650 by Government workers, and an average of \$1,415 per worker in all groups other than the farmer. The food, fuel, and housing supplies on the farm the board appraises at about \$630 per annum, which leaves the average farmer a cash income of \$100 out of his labor during the year 1924.

The problem of agriculture is intensified by the abandonment of farms and the exodus of the farm population in recent years.

It is said that farm values were too high in 1920.

This is true in many instances. But there has been since 1913 an increase in national wealth in the United States from \$200,000,000,000 to \$380,000,000,000. While farm values have decreased since 1920 the national wealth has increased. Since 1920 farm values have decreased more than \$20,000,000,000 and the losses in prices on farm commodities amounted to \$10,000,000,000 more, but at the same time our national wealth has increased some \$80,000,000,000, or from \$300,000,000,000 in 1920 to \$380,000,000,000 in 1925.

#### CAUSES

The capable physician in treating disease seeks the cause. The quack undertakes to treat the disease by removing the symptoms. The physician relieves or controls the cause and thereby removes the symptoms.

The faithful public servant seeks the cause of the agricultural problem, while the politician would relieve the symptoms by a temporary palliative. But a temporary palliative is worse than useless as a remedy. Political expediency can not take the place of sound and economic law. Human laws can not override natural laws. There must be no faulty thinking. There must be proper analysis. Let us be sensible; let us do a little clear thinking.

#### ALLEGED CAUSES

Some say that the cause of the farmer's trouble is that the farmer is lazy and indolent. I deny the charge. While the workers in transportation have eight-hour laws, while organized labor has short hours, while the employees of the Government have short hours, while the Adamson law provides short hours for transportation, the farmer toils from sun to sun. As a class he is industrious; he is not idle; he is not lazy.

Some say that the farmer has too many automobiles. But all the joy riding is not done by the tillers of the soil. Statistics show that there is a larger per capita ownership of automobiles among the workers in transportation and in other industries than among the farmers. The ratio is larger for the town than for the country.

It is said that the farmer does not use intelligence. But he has increased his yield per acre so far as the yield is determined by intelligence. However, farming is the greatest gamble in the world. The yield is determined by many natural forces over which the planter has no control. Storms, pests, weeds, disease, rainfall, weather play an important part. The farmer by intelligence has engaged in intensive farming, but it frequently happens that the rainfall is a more important factor in the yield.

It is also said that the farmer should reduce production. But he can not solve the problem merely by cutting down production. He can not determine production like the manufacturer. The manufacturer knows the demand and regulates his production, but the cotton grower in America can not know the production in Egypt, Peru, Brazil, or India. Moreover, the matter of determining production is not only important, but it is difficult. In 1919, 33,000,000 acres of cotton produced 11,421,000 bales, while 33,000,000 acres produced 9,762,000 bales in 1923. The boll weevil and unfavorable weather conditions reduced the crop. The products of the farm are for the markets of the world. The farmer must compete with the farmers of other countries. He produces for the world market. The failure to reduce production is not the real cause of the farmer's plight.

It is said that the failure to diversify is at the bottom of the farmer's troubles. Lack of rotation is urged as the cause of the farmer's condition. Farmers have striven to diversify as much as possible. But diversification that forces farmers to undertake production that is unadapted by reason of soil, climate, and other features is uneconomic, and will produce more economic ills. The cotton belt is essentially a one-crop country. Cotton is the money crop. There should be as much diversification as possible; there should be rotation to preserve the soil; but the lack of these is not the cause of the farmer's condition.

#### REAL CAUSES

But what is the real cause? Has the farmer a real complaint? It is not a sufficient answer to refer him to the laws of supply and demand, and to the doctrine of the survival of the fittest. The farmer asks that the protection that has been extended to manufacturing be accorded to him.

I have read the hearings before the Committee on Agriculture. I have read the testimony of Mr. Frank W. Murphy, of Minnesota. I do not know him, but I judge from some remarks that have been made on the floor during this debate that some think he is a little bit careless in handling the truth. However, he has pointed out the chief trouble. He has diagnosed the farmer's case, and Hon. FRANKLIN W. FORT, the distinguished statesman and publicist from New Jersey, agrees with the diagnosis made by Mr. Murphy. The cause of the farmer's plight, according to Mr. Murphy and according to Mr. FORT, is the American protective system. By the protective system I do not mean merely the tariff. The system embraces the tariff, transportation, banking, and labor. The tariff protects the manufacturer; the transportation act provides a fair return to the railroads; the Federal reserve act protects the bankers; immigration laws protect the laborer. Manufacturing, transportation, banking, and labor have been provided for, but the farmer is left out. No benefits accrue to the farmer under the protective system. The farmer wants an even chance with the industrial workers. Two ways are open: Either farm products must rise in price or other commodities must come down.

But there is another cause. There are approximately 6,500,000 farmers in the United States. They are unorganized. The multiplicity of numbers is the principal handicap; it is at once the strength and the weakness of the American farmer. The farm population, according to the estimate of the Department of Agriculture on January 1, 1926, is 30,655,000, and there has been a net decline of more than a million since 1920, with a decline of 479,000 during the year 1925 alone. Because farmers are unorganized they exercise comparatively little control over supply, demand, or price. Others who sell fix their prices. When the cotton grower goes into the market he asks the buyer what he will pay for his cotton. It is stated that there are probably 150,000,000 farmers in the world.

The 6,500,000 farmers in the United States are competing with each other and with the other 143,500,000 farmers in the world to sell their products to buyers that are organized. No other industry could survive under such a system.

There is the problem of the surplus. The manufacturer can adjust the volume of his product to the estimated requirement of his market. The farmer can not do this. In many crops weather and pests have more weight than acreage in determining the yield. Droughts, floods, boll weevil, and other pests and diseases make accurate adjustment of production impossible.

Moreover, the aggregate value of a large crop is less than that of a small crop. The cotton crop of 1924 was 13,153,000 bales; its value was \$1,487,000,000. The cotton crop of 1923 was only 10,140,000 bales, and while 3,000,000 bales less, this crop brought \$100,000,000 more than the crop of 1924. The average acreage for cotton in the United States for the years 1921-1924 was 35,000,000 acres; yet the yield in those years, due to uncontrollable influences, varied about 2,250,000 bales.

In 1925 the corn crop was one-half billion bushels in excess of the corn crop of 1924, and yet the value of the corn crop for 1925 is materially less than the value of the corn crop for 1924.

Fifty-two million acres of wheat in 1924 produced 862,627,000 bushels, while the same acreage in 1925 produced 669,365,000 bushels. The corn acreage in the United States in 1920 and in 1924 was approximately 101,000,000 acres, and yet on the same acreage there was a variance in the total yield of 858,000,000 bushels. The control of the acreage, therefore, is not a complete control of production. The 1924 corn crop was 20 per cent less than the 1923 corn crop, and yet it sold for about \$350,000,000 more than the 1923 crop.

Wild speculation frequently injures the farmer. Illegitimate speculation should be curbed. Exchanges are necessary, but there is too much fluctuation, and there is too wide a variation in prices.

The spread between the producer and the consumer is entirely too great. On May 7, 1926, Mississippi peas raised in the truck section of the State, were selling in New York at from \$4.75 to \$5 per hamper. The grower received \$1.25 per hamper. The express rate was 80 cents per hamper, in car lots.

Mr. B. F. Yoakum, former president of the Frisco Railroad, found that the farmers received an average of \$16.14 per ton for cabbage for which the consumer paid an average of \$60 to \$75 per ton. The farmer received an average of \$31.97 for tomatoes for which the consumer paid an average of \$100 per ton. Hon. Franklin D. Roosevelt traced a crate of celery from the producer in Norfolk, Va., to the consumer in New York. He found that the producer sold the crate for \$0.40 to a commission man. Commission men sold it as follows: Commission man No. 1 sold it for 60 cents, No. 2 for 75 cents, No. 3 for 90 cents, No. 4 for \$1.05, No. 5 for \$1.15, No. 6 to buyer for grocery stores for \$1.25. The last buyer sold it to the retail grocer for \$1.35, and the grocer sold it to the ultimate consumer for \$2.60. The consumer paid 6½ times what the producer received. The producer got only 15 per cent of the final selling price.

The farmer receives \$1.25 for his wheat, while the public pays \$1.68. The farmer receives \$0.55 for his corn, and the consumer pays \$1 a bushel. He receives \$6.50 a hundred for his cattle, while the consumer pays between \$0.50 and \$0.60 a pound. It is said that on the average the producer receives but 38 per cent of what the consumer pays for his crops.

The price ratio between what the farmer sells and what he buys is against him. The farmer's dollar must be equal to anybody else's dollar. This is the principal trouble of the cotton farmer to-day. The cotton grower is in a worse position than any other farmer at this time. Cotton is selling at from 2 to 4 cents a pound to-day less than it costs to produce it. The costs of production are high; cotton labor is more

than double the pre-war prices. Machinery, farm equipment, necessary household supplies, and living are nearly double the pre-war costs. Industry receives higher prices, while the return to the farmer is utterly inadequate.

Then, too, the question of taxation vitally affects the farmers. Their taxes are largely for schools, roads, interest, and sinking funds for bond issues. The burden of taxation on the farmer has increased, and frequently there is no corresponding benefit to the farmer. Taxes on farm property are too high. From 1914 to 1925 taxes increased approximately 140 per cent, while the value of farm products increased only 58 per cent. A study shows that it takes nearly four times as much produce or products at the farm to pay the taxes in 1925 as it required in 1913. In 1923 the taxes of the farmer were 9 per cent of his gross income.

The great cause, however, is lack of organization. What lesson does the farmer get from organization in America? What organization does the farmer need? He requires business leadership. The talent required in leadership is for selling and for marketing. It is not necessarily in the matter of production. It would be difficult for the average farmer to supply the necessary leadership in organization. Who manages the United States Steel Corporation? Is it managed by a man technically skilled in the manufacture of steel? No. It is managed by Judge E. H. Gary, a trained lawyer and a business executive. The president of the United States Steel Corporation is Mr. Farrell, who has been trained, not in the production and manufacture of steel, but in the sale of steel products.

Moreover, the problem is national; it is vast; it is not local. It is not confined to any one group. The entire country is interested in the problem. The foreign trade of the United States depends very largely upon cotton production; the export-trade balance is determined by the shipment of our agricultural products to our foreign customers. The balance of trade in favor of the United States means a great deal. The export of agricultural products has given to the United States in the five pre-war years and in the five postwar years a favorable trade balance of \$870,000,000 a year. During those 10 years the amount of our exports of the five large groups of agricultural products was \$1,870,000,000 annually.

The real cause of the problem is the inability to properly market and control the surplus. Both causes result from lack of proper organization among the farmers. Proper organization, that will result in proper marketing, is the real remedy. The surplus must be handled and controlled. The average production of cotton over a period of five years is about 11,500,000 bales. The world needs the average production. In the case of cotton the surplus means the large crop, or the production above the average. In the case of wheat and corn the surplus means the export surplus. Cotton is a world crop, and the price of cotton, wheat, and corn exported, as they come into contact in the world markets with the products of other nations, determines the domestic price. The farmer does not ask any legislation that is not fair to all the people of the United States. I do not ask for my constituents any legislation that discriminates against other sections of the United States, for while we are Mississippians we are at the same time Americans. [Applause.]

#### THE MISTAKE

I believe that those who are responsible for the American protective system are responsible for the plight of the farmer to-day. It is a mistake to interfere with economic laws by legislation. The farmers, and particularly those of the Corn Belt, have been taught that their agricultural ills can be cured by laws.

Protection has been extended to other classes and the farmer has been taught that he can be benefited by this protection being extended to him. It is said that the protective tariff is responsible for better standards of living. We have heard during the course of the debates in Congress this session much about the bread lines in the fall of 1920 and 1921. We have heard about the unemployed on the Boston Commons. Both manufacturing and farming suffered from deflation in 1920. Every great war has left political and economic ills to vex both the victor and the vanquished.

I was raised on a cotton farm. The cotton of the South must compete with the cotton of other countries in the markets of the world. The poor are always the first to suffer in any great calamity. I do not forget the unemployment following the deflation in the industrial East, but I recall the poor farmers of the South, whose cotton declined from 40 cents to 10 cents a pound in 1920. Lower prices for the products of the farm make peasants of that class of American citizenship that is the bulwark of our institutions. There must

be better living conditions for the laborer in industry, but at the same time there must be better returns and better living conditions for the men and women on the farms, and particularly the cotton farms of the South. At best, the farmer's life is one of toil, hardship, and deprivation. When you recall the idle laborers of the industrial East following the period of deflation, do not forget the poor toiling men and women in the cotton fields of the South.

The farmer knows that a mistake has been made. His troubles have been fomented by political agitators. The real, honest-to-goodness farmers are not responsible for all the plans that have been proposed for his relief. Economic travail brings forth a litter of political demagogues who promise easy cures for agricultural ills. The farmer realizes very largely that production and consumption control prices, and that the laws of supply and demand can not be repealed by legislation.

He knows that his problem is economic and not political. He knows that protection stifles initiative and breeds economic stagnation. He protests against the unequal advantages that have been accorded to manufacturing, and he asks that the protection be eliminated, or that, as an expedient, it be extended to him.

#### THE TARIFF

The United States has had a protective tariff for more than 100 years. The principle was inaugurated in 1816. It grew until 1828, after which year rates were gradually lowered until the War between the States. Then they were raised. Since the War between the States tariff rates have never returned to the level of the middle of the last century. Under the Fordney-McCumber law, enacted in 1922, we have the highest rates in our history.

England abandoned the protective tariff 75 years ago. The United States has retained it, and with few exceptions has continued to raise the rates. But the United States of 1925 is different from the United States of 1913. We are now the great creditor Nation of the world. The effect of the tariff is economic. The question of a tariff should be economic rather than political. The fact that the United States is now the great creditor Nation of the world is going to contribute very much to the solution of the protective tariff question. We have become a lender instead of a borrower. We are no longer in our economic infancy. We now import considerable quantities of foodstuffs and raw materials. Manufactures are a more important part of our exports than ever before. We have rapidly increased our loans abroad until the foreign loans of American citizens now aggregate over \$9,000,000,000. This amount is aside from the sums due our Government in an almost equal amount from foreign governments. Our factories are producing more than is needed for our domestic consumption.

I come from a staple cotton district, and whenever I am convinced that a tariff will be good for my constituents and at the same time fair to the United States I will stand for a tariff on staple cotton. This will give you the slant of my views in the matter of a tariff. Our exporters must be able to collect. Our foreign investors must collect their interest; our Government must collect its debts. But foreign governments or customers can neither pay their foreign loans nor buy our exports unless they are in turn permitted to export their products to the United States. Sixty per cent of the agricultural imports into the United States to-day are in direct competition with the products of the American farmer. A century of the tariff has molded our industrial enterprises and influenced economic thought. If the United States is to maintain its position as the great creditor nation of the world, the tariff must be lowered and not raised. It should be lowered sensibly and gradually, but the protective system should be dismantled. The remedy is not to increase the system, but to restrict it. There must be agreements on tariffs and on ship subsidies. Some foreign creditors can only pay by shipping. Ship subsidies therefore would result in inability to collect foreign debts and realize on foreign securities. There must be agreements about foreign investments. We have made mistakes; I think we agreed to pay the railroads too much because of Government operation during the war. We have made errors; we have lost heavily because of our faulty analysis, and we plunged into the disasters of 1920 and 1921. We sent our goods to an impoverished Europe that needed them but was unable to pay. We bought marks; recently we have bought foreign securities until the foreign obligations to us are piled like Ossa on Pelion. I repeat there is no way for our foreign customers and our foreign debtors to pay unless they are permitted to sell their products in the United States. The strengthening, therefore, of the protective system means economic financial ruin.

The arguments for the protective tariff are hoary with age. The hackneyed expressions of better standards of living and the

full dinner pail have been put aside by our best thinkers and most profound economists. They may serve the purposes of the politicians, but they can not withstand the keen analysis of the clear-thinking business man. They are evidences of loose thinking.

The development of the automobile industry in the United States without a tariff is a refutation of the argument that American industry needs a protective tariff to promote higher standards of living. The employees in the automobile industry receive the highest wages of almost any industry. My argument places the American system on merit, volume, and small profits, rather than protection; it invokes time-saving and labor-saving devices, simplification of methods, standardization of products, and cheapening of processes. Moreover, the laborer in the protected industry does not get the benefit of the tariff; it goes to the manufacturer.

#### TARIFF ON COTTON

A tariff on agricultural products does not protect the farmer. There is a tariff of \$0.42 a bushel on wheat, \$0.15 a bushel on corn, and there is a tariff on steers, swine, and butter. As long as the farmer produces an exportable surplus the tariff does not mean anything to the farmer. The surplus, however small, must be sold in the markets of the world, and the world market price determines the price of the whole crop. The pending legislation is a confession that the wheat grower and the corn grower get no benefit from a tariff. Senator ARTHUR CAPPER, of Kansas; Senator ALBERT CUMMINS, of Iowa, and the statesmen from the Corn Belt admit that a tariff on wheat and a tariff on corn are ineffective. Approximately 25 per cent of American wheat is exported, while only 1 or 2 per cent of our corn is exported. About 65 per cent of the cotton crop is exported.

Staple cotton is largely raised in the district I represent. By staple cotton I mean cotton 1½ inches and longer in staple. The annual production for 1914 to 1924 of staple cotton in the Mississippi Delta was about 500,000 bales. About 25 or 30 per cent of this amount was exported. If a tariff on wheat and corn are not effective, if it does not protect the farmer, manifestly a tariff on staple cotton would not benefit the cotton grower. About 800,000 bales of so-classed 1½ staple is produced annually elsewhere in the South and about 65 per cent of it is exported.

No one contends that a tariff generally on cotton would protect the American cotton grower. In 1925 the United States produced about 54 per cent of the world's supply of cotton. Cotton and tobacco are practically the only surplus crops in which our product exercises a dominant influence in the world market.

But we have had a tariff on staple cotton. Under the emergency tariff act of 1921 there was a tariff of 7 cents per pound on staples of 1½ inches and longer. This tariff was in force until the Fordney-McCumber Act was passed about October 1, 1922, when it was repealed. Why was the tariff enacted in 1921? The United States imports certain varieties of cotton, and particularly long-staple cotton 1½ inches and longer. From 1915 to 1919 we imported annually an average of about 200,000 bales of Egyptian and other staple cotton. Egypt produces long staple cotton. But during the year 1919 there was a great deal more Egyptian cotton imported than ever before in one year, principally because of the demand for automobile tires, with the result that the deflation of 1920 found something like 550,000 bales of Egyptian cotton on the American markets. In the meantime similar cotton had been grown at large expense in Arizona and California. Since 1920 the imports of Egyptian cotton have been about 200,000 bales annually. What was the effect of the tariff on cotton? A careful study of the price shows that the tariff did not have any effect on raising the price of similar domestic cotton.

The conclusion from a careful study of cotton shows that it was no more effective on staple cotton than it is now on wheat or corn. I may say in passing that I am surprised to find that the Government has no accurate statistics on the domestic production and the domestic consumption of staple cotton, and that I am trying to secure legislation that will provide such information, which will be very valuable in marketing staple cotton. The figures I am using are the best estimates I am able to obtain from the Bureau of Agricultural Economics. Correct statistics will have an important bearing on a tariff on staple cotton. The tariff of 1921 was enacted to protect Pima cotton grown in Arizona. Of course it had no effect on Delta or upland staples 1½ inches and longer. The growers of long-staple cotton depend upon foreign markets for a sale of a large proportion of their product, and unless the importation of staple cotton increases very largely, a tariff on staple cotton would be ineffective. The staple-cotton grower to get the tariff would

have to make concessions to the manufacturer that would only result in benefit to the manufacturer.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. WHITTINGTON. In a few minutes I will be glad to yield. I desire first to finish my statement, and if I do not anticipate and answer your question, I will gladly yield.

#### SUBJECTS OF PENDING LEGISLATION

There are three bills pending; they are known as the Haugen bill, the Tincher bill, and the Aswell bill. In the Tincher bill and the Haugen bill the agricultural products are divided into classes and commodities. The basic commodities are cotton, wheat, corn, cattle, swine, and butter.

The Aswell bill provides permanent legislation for organization, marketing, and selling. It is the best permanent treatment of the problem and of the subject matter before us.

The Tincher bill establishes a Federal farm council and is designed to aid in the development of cooperative and other associations for marketing agricultural commodities, and is intended to assist in the distribution and proper handling of the surplus of such commodities. It provides agricultural relief by providing for loans to cooperatives and other agencies. Its design is to stabilize the market for farm products and to promote orderly marketing. It keeps the business of marketing farm products in the hands of farm-controlled organizations. It promotes farm organization. It will help the farmer who has products to sell by enabling him to hold his product if necessary. I think the bill should be amended. There is no tariff on cotton, and there should be a separate fund to cover the handling of cotton. I should like to see the loan fund increased from \$100,000,000 to \$150,000,000 and I believe that the commodities should be separated into cotton and other classes as in the Haugen bill. The financing and marketing problem would be similar. Seventy-five million dollars should be at the command of cotton, and the remainder should be used in the marketing of other commodities. I realize that the amount is large, but it is a loan, and under the Tincher bill the Government of the United States can lend its aid in stabilizing markets and promoting the orderly marketing of agricultural products. I believe that a better solution of the farm-relief question would be the combination of the loan features of the Tincher bill as a temporary relief with the marketing features of the Aswell bill as a permanent relief.

#### HAUGEN BILL

The outstanding features of this bill are that it creates a farm board, encourages the organization of producers, and declares it to be the policy of the bill to—

protect domestic markets against world prices and assure the maximum benefits of the tariff to agricultural products.

It provides for an equalization fee to be levied upon cotton, wheat, corn, and other agricultural products with the understanding that the equalization fee on cotton is to be deferred for two years, and in the meantime the Government is to advance \$75,000,000 to cotton and \$75,000,000 to wheat and other products. The equalization fee would be \$2 a bale on cotton. The losses, if any, in the operation of the loan of \$75,000,000 during the two years, in so far as cotton is concerned, would fall on the Government. The equalization fee is compulsory. It must be paid by every cotton grower, to create a fund to cover losses in operations, to handle large or surplus crops.

There are some objections to the Haugen bill, and unless these objections are removed it can not be sound legislation nor provide a real economic solution to the agricultural situation.

The use of the tariff on wheat and corn will result in price fixing by the Government. The embargo in the bill is unsound. The compulsory equalization fee is wrong. It ought to be voluntary if levied at all. The subsidy feature should be eliminated.

Will the proposed legislation benefit all classes and all commodities in agriculture? I have already spoken of the benefits to be derived from the Tincher bill and the Aswell bill. I now consider the effect of the Haugen bill on the cotton grower.

The declared policy is to make the tariff effective; it is inoperative so far as cotton is concerned. The bill therefore provides that in the case of cotton the equalization fee is to be levied and the equalization fund provided for the promotion of orderly marketing of cotton and to stabilize the price.

I maintain that the price of wheat and corn can be stabilized and they can be marketed orderly just as well as cotton. If orderly marketing and stabilization are good for cotton they are good for wheat and corn. Why make the cotton farmer pay more for his wheat and corn, in the form of pork, in order that the cotton farmer may merely market his crop

orderly? Adequate and cheap loans would enable the cotton farmer to market his crop orderly and at the same time it would enable the wheat and corn farmer to do the same thing.

For instance, in 1924, 564,000 bales of cotton were produced in the Mississippi Delta, and the value of this crop was \$70,000,000. In 1925, 964,000 bales were produced, and one-half of this crop was the very lowest grade we have ever had, and yet this crop will be marketed at \$90,000,000, or 30 per cent more than the value of the crop of 1924. This situation has been brought about by orderly marketing and by adequate credits and finances that enable the orderly marketing.

Under the Haugen bill, the domestic price of wheat will be increased 42 per cent to the grower of cotton, the price of corn will be increased 15 per cent, and the result will be that the farmers of the Delta and of Mississippi will pay millions of dollars more for their bread and millions of dollars more for their pork, thereby materially increasing the cost of their production without any corresponding increase in the price of their cotton.

Moreover, under the Haugen bill it is contemplated that the surplus of the wheat and corn will be sold more cheaply in the foreign markets and to foreign labor than it is sold to labor in the United States. We might just as well be plain about the matter. As a cotton farmer I will be increasing the cost of my production, of my meat and bread, to use plain language, without getting any corresponding benefit under the Haugen bill; that is to say, it will still further foster the American protective system. It simply means doubling the tariff to the cotton grower.

If the surplus of wheat sells in the foreign markets more cheaply than to the American laborer, will not the manufacturer come to Congress and say: "You have reduced the cost of foreign labor by selling it wheat more cheaply than to the American laborer, and you have thereby reduced the cost of foreign goods; you must now raise the tariff in the United States." Will not that result? If it does result, then the sale of cheap wheat and corn abroad will result in further disaster to the grower of cotton in the South, who must sell his cotton in the markets of the world, in competition with cotton grown in Egypt, India, Peru, and other foreign countries. It must be kept in mind that the purpose of the equalization fee on cotton is to stabilize the market, and on wheat, corn, and other products, is to sell these products in foreign markets for much less than the domestic prices.

I want my criticism of the Haugen bill to be constructive. If the tariff yardstick can be eliminated, if the embargo can be left out, if the equalization fee can be made voluntary, if the subsidy can be made a loan, I will support the Haugen bill as an emergency measure. I believe that there is an emergency confronting the cotton grower. He needs help and he needs it now. He can not await the reformation of our tariff system.

Let me say a word about the postponement of the equalization fee on cotton for two years. It is said that it was postponed to educate the cotton grower. It was postponed to get southern votes, according to the indisputed testimony before the committee. It was postponed in order to promote, and in a measure force, cooperative marketing.

I know the cotton farmer and he has heard of the equalization fee. It is far better to educate him before we force equalization on him, for he will revolt. We have talked about his independence; we have emphasized that in many cases to his hurt, but he must have a day in court. I do not want to force an equalization fee on him. I do not want to force him to join any organization. Sound legislation will enable him to work out his own salvation. If the equalization fee is sound it will enable him to lift himself up, so to speak, by his own boot straps. But it must be voluntary.

The Haugen bill unless amended, as I have indicated, promotes political control of agriculture. The farmer becomes the football of politics. I want to help the wheat farmer of the West and the corn farmer of the Middle West, but at the same time I want that help extended to the cotton grower. If we made a mistake in the amount that we agreed to pay to the railroads during the war, will it solve our agricultural problem to repeat the mistake? I believe that we can render to agriculture the same aid that we are now rendering to transportation, and I think we can do it without any subsidy.

The Haugen bill promotes centralization and bureaucracy. It fosters price fixing. It puts the Government into the business of merchandising. It contemplates that the board will, in reality, fix the price of cotton.

I shall not speak of the constitutionality of the equalization fee. It strikes me that it is a tax upon production. The bill admittedly provides a subsidy.

Agriculture expects legislation at the hands of Congress. They are entitled to the sound relief that Congress can give.

As the bills have been submitted by the committee, I believe that the Tincher bill is the best of the measures proposed for the temporary relief of agriculture. But we should go further and enact measures for permanent relief.

#### REAL REMEDY

None of the bills will give complete relief. There is no perfect law. I have no panacea for all of our agricultural ills. It is said that the farmer is capable of production, but that he is incapable of selling. He should be encouraged. The Government has been of great assistance to the farmer. Congress appropriates millions of dollars annually to promote agriculture. It has enabled him to increase production. There should be a further coordination of Government information to aid voluntary adjustment of production to demand and consumption. The real remedy for the farmer is organization. There must be organized selling to compete with organized buying. Organization is essential to effective merchandising. The Government has loaned money to the railroads. The need of the farmer is not so much more credit as cheaper credit. Because of the fact that the industry is basic the Government is justified in advancing by way of loans sufficient funds to form the initial capital that will enable farmers to organize to handle their surplus crops. But organization must be voluntary.

Agriculture's need, I repeat, is for efficient and competent leadership in organization. The farmer can not be legislated or forced into effective organization. In Mississippi the cooperative associations are realizing the value of the voluntary features in connection with cooperative marketing. Members are permitted to retire after one year; they are not required to pool their crops. The voluntary features should be emphasized.

I desire to say in this connection that there is a great deal of misconception relative to the cooperative associations. There are those who believe that their success depends upon the control of the commodity. There are others who contend that the real benefit of the cooperative comes from better service in marketing, both for the producer and the consumer. The purpose of the organization should be not to hold the product, not to arbitrarily fix the price, but to market intelligently.

Again, there is a great difference of opinion as to what is meant by orderly marketing. It is difficult to define the term. By orderly marketing I do not necessarily mean the holding of the product. It involves simply the sale of the product at a price that is fair both to the consumer and the producer.

The surplus must be controlled. The crop must not be dumped on the market. But every real friend of the farmer recognizes that while the total price of the large crop ought to be at least as much as the total price of the small crop, the price per pound or per bushel will likely be less.

The great aim of all legislation should be to promote organization among farmers for selling their products. It is to foster cooperative marketing. The organization of farmers should be as efficient as the organizations of consumers; the growers should be as well organized as the buyers. But mere organization will not solve the problem. Cooperative marketing associations have in many cases pursued wrong methods and wrong policies. The methods of handling one crop will not apply to all crops. Raisins and cotton, for instance, can not be marketed in the same way. Perishable crops and nonperishable crops must be handled differently. The pooling of perishable crops, under proper circumstances, is profitable. But pooling implies control of the crop. A pooling association, as I have been able to study the question, is not able to render satisfactory service to its members unless the association controls a large percentage or monopoly of the product.

Again, many cooperative associations have failed because of excessive overhead expenses. There must be competent leadership; there must be business and executive ability, but the management of the ordinary marketing association does not require a great deal more executive ability than the management of a banking or commercial organization doing a similar volume of business. To put a \$5,000 man in a \$25,000 job will not solve the problem of marketing. I have studied cooperative marketing as it obtains in various parts of the country, and I am sure that many mistakes have been made by the organization paying a larger salary than it should pay for the services rendered. Salaries should be adequate, but promoters of cooperative organization in various parts of the country by insisting that the managers and employees of the organization be paid salaries that are entirely too high for the volume of business transacted have contributed to their failures. The farmers ought to profit by mistakes in this and other regards. Some organizations should pay high salaries; others should not. It depends upon the volume of business. The cotton organizations and the cotton cooperatives are profiting by the

mistakes of the past in methods and operations. The organization of the future can render better service than the organization of the past. The farmers should not despair because of mistakes; they should be used for stepping stones in the progress and development of organization for marketing and for controlling the surplus, that is absolutely essential to the prosperity of the farmer.

I can not emphasize too much the voluntary features in connection with farm organization. The farmer is an individualist. He should have the right to market cotton without pooling, and he should have the right to withdraw from the association after any crop year if he is not satisfied with the management or operation of the association. The great vice in the Haugen bill is that no benefits can accrue to farmers unless they join the cooperative organization.

The passage of the bill means that every farmer would be forced indirectly to join a cooperative association, whether he wanted to or not. Moreover, the so-called equalization fee on every cotton grower would be handled by Government officials, and the organizations, under the Haugen bill, would be under the control of politicians rather than business men. The wrong organization is worse than no organization at all. The public opinion among farmers must demand organization before organization can be successful; it must be voluntary. The Government should provide the machinery to enable farmers to organize properly and to control associations or other institutions to market and handle farm crops, all of which organizations, to be successful, must be under the control of the farmers themselves. The Government should aid these organizations by loans, and, if necessary, by assisting them to establish their initial capital; but membership in these organizations must be voluntary if they are to be a success. Our farmers must be free, and their freedom should be fostered.

The organization must be farmer owned and farmer controlled. I maintain that the Government can aid the farmer to help himself by fostering and promoting voluntary organizations and by lending the farmer money in promoting these organizations, just as the Government has loaned the railroads money. In other words, my remedy is for the farmer to organize and control his own association. I do not want the politician to take charge of the farmer's business. Farming is an administrative problem; it is a business problem; it is not a political problem.

Under the Tincher bill and under the Haugen bill the Government can make its loans to cooperative associations or to any other organization or association that it may choose. The purpose is to see that the farmer gets a fair price for his product. As I say, the Tincher bill or the Haugen bill, if properly amended, will give temporary relief, but permanent relief can only come as a result of organization among the farmers and complete coordination and correlation of organizations handling the same products in the same territory or country.

The problem of the farmer will be solved when the manufacturer and the farmer are brought closer together, when the producer and the consumer are neighbors. Why are the great agricultural counties of Lancaster and York, in the State of Pennsylvania, so prosperous? It is said that the value of agricultural products in Lancaster County, Pa., exceeds that of any other county in the United States. It is because these agricultural counties are located near the industrial centers of Reading, York, and Hanover, where the consumers are close to the producers. There must be cooperation between the city and the farm. Manufacturing and industry must be located in our great agricultural regions. This involves the question of transportation, which I can not discuss here.

Agriculture furnishes one-eighth of the total tonnage of freight carried by the railroads. It pays, however, approximately 19 per cent of the total freight of the country. There should be a readjustment of freight rates so that the farmer's product, constituting 8 per cent of the volume of traffic, should not have to pay 19 per cent of the freight income. The general level of freight rates may not be too high. A flat reduction may not be desirable, but a revision of the entire rate structure should be made, so that it will remove the preferential rates given the large industries and cities and the discrimination that exists against the small towns that are shipping and receiving points for the farmers. Every dollar saved in reduced shipping and freight rates is a dollar in the pockets of the farmer.

Moreover, there should be a revision of the tariff to reduce the cost of articles consumed by the farmer, to bring closer together the farmer's price and the price that he must pay for his agricultural requirements.

Organization of farmers will enable them to secure cheaper credit, reduce the interest item, and will enable them to eliminate very largely the spread between the producer and the

consumer. There is a place for the middleman; there is a place for the man who brings the producer and the consumer together in the market. He will find his proper place always when farmers are efficiently organized.

A majority of American farmers are owners of their homes. The farm is different from the store; it is different from the office. It is the farmer's home. Home ownership must be encouraged in the solution of all agricultural problems. It means better agriculture. It means a better country. The market of farms is the world. The farmer's real remedy is better markets at home and abroad.

Commercial fertilizer is a large item in the cost of crop production. The United States has spent millions of dollars in the erection of nitrate plants at Muscle Shoals. Muscle Shoals was developed primarily for the manufacture of nitrate for munitions in times of war and for the manufacture of fertilizer in times of peace. The equipment for the manufacture of nitrate should be utilized by the Government. Every effort should be exerted to conserve the money that has been invested in nitrate plants, and it should be demonstrated whether the production of nitrate is practicable and profitable. I maintain that it is the duty of the Government to dispose of Muscle Shoals so that the nitrate plants shall be utilized in the production of fertilizer. Of course, I think that the adjacent States should share in the power to be developed at Muscle Shoals over and above the power required in the operation of the nitrate plants. I might not advocate the establishment of the nitrate plants as an original proposition, but the Government has spent millions in building the plants, and if the Government can not operate the plants so as to produce nitrates, or if it can not lease the plants so as to secure the production of nitrates at a reasonable cost to the farmer, it will then be time enough to say that all of the power generated at Muscle Shoals should be used for industry and commercial purposes. Cheaper fertilizer means much in the solution of the farm problem, and if power can be produced cheaply for other purposes at Muscle Shoals, surely it can be utilized in the manufacture of fertilizer.

I have already referred to the burden of taxes on farm lands. The taxes on farm lands in many counties of Mississippi have been increased 250 per cent in the last 10 years. Other sources of revenue must be added to that of the farm. If other sources can not be provided, then the taxation on farm lands must be lowered. There must be economy in county, State, and national affairs. Waste and extravagance must be eliminated.

Unlawful combinations and monopolies among manufacturers who pool their operations in determining the unfair prices farmers pay for the necessities of life must be eliminated. The costs of production to the farmers will thereby be reduced.

The cotton growers of the South are interested in foreign markets. Our foreign customers consume more of our cotton than our domestic customers. As a result of the World War our foreign customers were impoverished. Their markets have largely been lost to us. It is the duty of the Government to promote and negotiate trade relations between the United States and foreign countries that will promote business. Foreign markets mean much to the cotton farmer.

I can not emphasize too much the stabilization of the currencies and the rehabilitation of the countries of Europe in the solution of the problem of the farmer and especially the cotton farmer. The farmer sells in an open world market at a price largely determined by the inexorable law of supply and demand. He buys in a protected market, and to-day he pays approximately war prices for labor, freight, and all products of industry. In the case of the cotton grower, he receives to-day less than the cost of production.

A prosperous agriculture means a prosperous country. The farmer that I know and the farmer that I represent asks no special favors. Emergency relief is needed. However, the vital thing in agriculture is to develop a program and a policy that will put the business of farming on its feet and assure a reasonable opportunity to make a fair profit. The farmer feeds the Nation and feeds the world. His industry is basic. The food supply of humanity must be safeguarded. The farmer asks that laws be passed and that laws be repealed, so that agriculture can be given the same square deal that should be given to labor, banking, manufacturing, and transportation. [Applause.]

Mr. TINCHER. Mr. Chairman, I yield to the gentleman from Ohio [Mr. BURTON] 10 minutes.

Mr. BURTON. Mr. Chairman, I have the keenest appreciation of the disadvantages of the farmer. There is an agricultural problem, and we must take into account the importance of this basic industry and the fact that so many of the best of our citizenry are engaged in an occupation which has often been unprofitable. I am willing to go far in rendering aid, provided

it is within the scope of our constitutional powers, and provided the action is fair to the whole country and helpful to the farmer himself.

At the very outset, however, I have the conviction that the Haugen bill, so called, contains several provisions which are clearly unconstitutional. A good deal has been said on the general subject, but very little has been set forth in regard to our right to pass this bill.

At the beginning I call attention to the method of selection of the Federal farm board, for which there is a provision in the bill. The provision is for the selection of a Federal farm board to be composed of 12 members. How are the members to be selected? Section 3 of the act provides that there shall be a Federal farm advisory council to be selected by bona fide farm organizations and cooperative associations.

This council shall nominate to the President three individuals from each of the 12 Federal land-bank districts eligible for appointment to the board. This takes away the appointing power of the President. Let us go back to the fundamentals of the Constitution itself and read the pertinent portions of Article II of section 2, clause 2, defining the powers of the President. This is the language:

And he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law, but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

It thus appears that the appointing power alike involves a grave responsibility and confers upon the Executive a prerogative which is an important part of our political system. I do not think we fully realize how comparatively limited in number are the officials of the United States Government who are chosen by the elective franchise. There are three kinds: First, the Members of the House of Representatives, whose election is provided by Article I, section 2. Who shall choose them?

The electors in each State shall have the qualification requisite for electors of the most numerous branch of the State legislature.

According to the amendment of the Constitution, article 17, providing for popular election of Senators, there is the same provision for electors as above, that they shall have the qualifications requisite for electors of the most numerous branch of the legislature.

We come, then, later to the selection of presidential electors for choosing the President and Vice President provided for in Article II, section 1, clause 2, which provides that they shall be appointed in such manner as the legislatures thereof may direct. There is thus a certain latitude in each State in this regard. At one time, as I understand it, presidential electors in South Carolina were chosen by the legislature. There are certain general constitutional provisions in regard to the qualifications of electors—as the fifteenth amendment—under which the right of a citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Then in amendment No. 19 there is a similar provision—

The right of citizens of the United States to vote shall not be abridged by the United States or by any State on account of sex.

It will be noted that these provisions in the two amendments are in their nature prohibitive against discrimination; they are not affirmative. The right belongs to each State to specify qualifications. Each State may authorize a property qualification; an educational qualification may determine the age at which the elector may first have the right to vote, and numerous other provisions. But it will be seen that the whole executive department, all the machinery of administration, is left to the appointive power of the Executive or, in the case of minor offices, to the courts of law and the heads of departments, as stated by the Supreme Court of the United States in the case of *Kain v. U. S.* (177 U. S., p. 293):

The fitness of the appointee must be determined by the appointing power.

Of course, there can be machinery, as under the civil service, for the naming of eligibles for subordinate positions. Now, let us consider this provision. It absolutely limits the power of the President in his choice to one of three persons from each one of these 12 farming districts.

The right to determine fitness does not exist or would not exist if this provision were adopted. We must always take into account in determining the desirability of a statute not only the statute itself but the precedent that it creates and

just where might we land if this proposition is constitutional. There is now pending a bill for the establishment of a department of education. If this proposed law is desirable and a precedent, then it might be provided that when that department is organized the President shall select a member of his Cabinet from any one of three designated by the American Education Association. Let us go a little further: When you establish such a principle you might make it a law of the United States that the Comptroller of the Currency or even the Secretary of the Treasury shall be chosen from a list of eligibles of three selected by the American Bankers' Association. Let us take another illustration: Suppose a board should be created for the settlement of labor disputes. It might be enacted that the members of that board should be chosen from eligibles selected by the American Federation of Labor.

To my mind, Mr. Chairman, this provision, which may seem so insignificant—and which is a recognition no doubt, or attempted recognition, of some of the very best of our citizens—has in it elements of danger of the most serious nature. It would be a long stride toward doing away with government of the people, by the people, and for the people and substituting government of the groups by groups and for groups. Some one may say in the words of the old inquiry, "What are you going to do about it? Suppose this list of eligibles should be presented to the President and he should choose one of them, what would be done in that case?" In the first place, we might have a President of the type of Cleveland or Wilson, who would positively decline to comply. In the next case, situations might arise where the validity of their action would be questioned, and, still further, and most conclusive it is not for us, the lawmaking power, to pass a statute which is clearly unconstitutional.

Some persons may say there is a supporting illustration in the railway transportation act of 1920. That act, in section 304, creates a Railway Labor Board, and it is specified that there shall be nine members, three to be suggested by the railroad employees, three by the managers of the railways, and three to be chosen by the President independently, but if anyone uses that illustration he must be confronted immediately with the unanswerable argument that membership in this board is not according to an ordinary case of appointment.

It provides for the establishment of an arbitral tribunal, and is no exception whatever to the general rule. Of course, the question of the constitutionality might be raised as well there as here.

I pass now to a second feature of the bill, upon which I am frank to say I have a certain amount of doubt. A person in reading this proposed law with its complicated provisions, with its wide ramifications, with the great margin of uncertainty as to what is to be done in different cases, would inevitably rise from the consideration of it with the conclusion that something is wrong about the proposed act, but as to just where he shall put his finger he is a little doubtful. The first point, in regard to which I am frank to admit I have some doubt, is that there is no distinction between intrastate and interstate commerce. I do not desire to take the time of the committee in a discussion of that phase of the matter, as there are other things of which I wish to speak, because this would take me far afield, and would require all of the time allotted to me in speaking of that single subject. On this I have to say that it will be observed that the equalization fee to be collected applies to both interstate and intrastate transactions. The purposes of the equalization fee are set forth in section 9. That section, which is not happy in its syntax, is evidently intended to bring this statute within the provisions of the interstate commerce act.

You have a provision that one of the cooperative associations or some processing organization takes over the specified basic products of a farmer. Let us take an illustration. Suppose a farmer in the State of Minnesota has a thousand bushels of wheat. He hauls that wheat to the mills at Minneapolis and sells it there. It may be the intention that the flour shall go into interstate commerce, but there is nothing conclusive to that effect, and the decisions of the Supreme Court are unequivocally to the effect that until that question is decided, or unless it is in the course of business so thoroughly established that it inevitably is a part of interstate commerce, then it is an intrastate transaction. There has been a rather recent decision of the Supreme Court of the United States, that of *Heisler v. The Thomas Collier Co.* (260 Sup. Ct. Repts.), in which it is held that the Pennsylvania tax on anthracite "when prepared and ready for shipment" as applied to coal destined to have a market in other States, but not as yet moved from the place of production or preparation, is not interstate commerce.

And I will say that the decisions are clear on this subject, that where there is not a distinction between the interstate and

intrastate clearly set forth in the statute, then and in that case the laws and regulations pertaining to interstate commerce do not apply.

I candidly say to the members of the committee there have been some decisions of the Supreme Court which I think would make it rather difficult for any one to dogmatize at least on this subject. A leading case, which perhaps would make out that transactions such as are contemplated in this bill, are a part of interstate commerce, is the Swift case (196 U. S. Supreme Court), in which it was held:

Cattle sent from one State with the expectation they will end their transit after purchase in another State, with only the interruption necessary to find a purchaser in the stockyards, and when this is a constantly recurring course, it constitutes interstate commerce.

In this case, however, there was a violation of the anti-trust laws involved in that it was an alleged combination to suppress competition, but bear in mind the Supreme Court there included the words—

with the expectation they will end their transit after purchase in another State.

In the Dayton-Goose Creek Railway case a part of the income of the road was claimed under the recapture clause. In opposition, it was claimed that a large share of the income was earned within the State, but the Supreme Court said the income from interstate and intrastate commerce were so inextricably interwoven that you could not separate the two, and sustained the claim under the recapture clause.

Now, just briefly in conclusion upon this phase of the bill. It is difficult to find an absolute rule upon which a person could rely as applicable; but I think the strong probabilities are that the court would hold in passing upon it that this statute, in that it does not make a distinction between interstate commerce and intrastate commerce, is not valid. I refer especially on this subject to the case of *Hill v. Wallace* (259 U. S. p. 44).

Mr. MOORE of Virginia. May I ask the gentleman a question?

Mr. BURTON. A brief question.

Mr. MOORE of Virginia. Will the gentleman note the Employers' Liability case (207 U. S.), where the interstate and intrastate transactions are so complicated with each other that the court said that there was no dividing line to be found, and declared the statute invalid?

Mr. BURTON. Yes.

Mr. MOORE of Virginia. They declared the statute could not be supported because the two things were so complicated with each other.

Mr. BURTON. That, no doubt, is a case in point. There is a very easy practical explanation of many activities, apparently local, which are nevertheless part of interstate commerce. Suppose there is a railroad company that runs through three States, and they have an equipment that is used for through traffic in those three States. That is necessarily interstate commerce. But suppose part of the equipment used only within one State is dangerous, and a car so used is attached to another that runs through three States; it might promote an accident. So very properly the court might say that you could not sever the car which would be used on the same train with others which were used in interstate commerce. I come now to another constitutional objection to this bill.

Say what we may of the Haugen bill—and I say in regard to this infirmity mentioned in selecting the board it attaches to at least one other bill pending here before the House—there is within it an exercise of powers which come under the provisions of the Constitution relating to the taxing power. You can not deny that the proposed equalization fee is an excise tax. It is not a mere license. First, consider the magnitude of transactions involved and the very great amount that must be collected. Provision is made right away for \$375,000,000.

To digress for a moment, I certainly wish to commend the gentleman from Illinois [MR. WILLIAMS], who spoke a few minutes ago, in that he opposed this large appropriation from the general funds of the Treasury, an appropriation which would require a remodeling of our taxing system and the imposition of additional taxes.

You may call this equalization fee by any other name that you will, but it is a tax; it is an excise tax. You are all familiar with the provision in the Constitution—I do not have to read it—to the effect that all taxes must be uniform. Now, how can you make that tax uniform in the very nature of the case? There must be such varied transactions with respect to the agricultural products of the country. Some of them would be sent out of the country. Suppose a cargo of wheat were sold in Minnesota and the contract was for a purchase at Liverpool.

That does not go to any cooperative association. That does not go to any substitute for a cooperative association. There is no plan for imposing a tax upon that in this bill. All exports of grain and meats that may be sent out of the country are outside of the collection of your equalization fee, and thus your tax is not uniform.

Let me give you another illustration. Probably the largest share of the corn in the country is fed to hogs or to stock. Well, let us see what you would have under these circumstances. Here is farmer A on one farm in Illinois; he sends his corn to an elevator, and there it is measured, and by the provisions of the law the equalization fee must be collected on that corn. Farmer B feeds his corn to hogs. How can you establish uniformity in the tax that is levied on those two uses of corn? It is utterly out of the question. Does anyone suppose that you can organize a system so that all of any commodity, corn, wheat, or whatever it may be, can be included so that you may levy a tax on it?

Of course there may be evasions of any revenue law. A person here and there might avoid the payment of taxes which others would pay, but that would not make the tax invalid. But the trouble with this provision is that in your machinery for carrying out the law you allow a share of commodities to be so treated that you can levy the tax and others outside, where you can not levy the tax.

There is another thing that I think is more serious than this, and that is the delegation of the right to levy this equalization fee. I pass with brief mention the consideration that I mentioned a moment ago—the utter impracticability of enforcing such a law as this. If it is levied on all the products of the soil, think of the millions and billions of bushels of corn and wheat and other products; and who is so rash as to believe for a minute that without the organization of an army—yes, with the organization of an army—you can levy this tax upon all of them? It is out of the question. One fallacy in the bill is that you can draw a line between the surplus and the domestic demand.

This seeks to confer a power on the board that this Congress has no right to confer upon a board. "The power to tax is the power to destroy." That is language coming down with echoes from the time of Chief Justice Marshall. It is the power most subject to abuse and capable of being exercised as a means of oppression of any of the functions of the Congress or the Federal Government. And do you say you will appoint a board and give that board the power to fix taxes of such magnitude and infinite variety independent of Congress?

There is a brief filed with the McNary-Haugen bill of two years ago that goes at great length into this subject. It quotes a number of cases of licenses. Your attention is called at first to the fact that these are a mere bagatelle in comparison with the taxes contemplated herein. I have no doubt that the Congress can give the Secretary of the Interior the right to fix fees that are to be paid in forests. There is a very large list of them, I believe, on page 89 of this brief of two years ago. But they do not, any of them, rise within shooting distance of the level of such a tax as this.

The thing which is used as authority for this kind of a proceeding is the interstate commerce act. Well, the argument of inconvenience is sometimes of great force in law, and, as Chief Justice Taft says in one of his decisions, there are a myriad of decisions to be made in regard to the fixing of rail-way charges or rates.

Looking around this Chamber, with all the work we have to do, how utterly impossible and how wildly absurd it would be to ask that this Congress fix the rate on a ton of freight to be carried 10 miles from one State to another in every case which might arise.

In the interstate commerce case, which went as far as any and which, I think, went to the very verge in sustaining the right to delegate power, it is laid down with the utmost distinctness, and it has been established most clearly by judicial decisions that there must be a set of rules under which the commission must act. The rates they fix must be reasonable, and then they must take into account various factors. Well, now, with an undertaking of this kind, how are you going to establish any rules?

Mr. HAUGEN. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. TINCER. Mr. Chairman, I yield the gentleman five additional minutes so that my chairman may discuss the constitutional question with the gentleman from Ohio.

Mr. BURTON. I am conscious I have gone over this very superficially and I have been able to touch only the high spots. I did not wish to read to the committee all of the judicial

decisions on the subject, and I have, perhaps, asked you to accept conclusions where they could easily have been supported.

Mr. HAUGEN. I did not rise to discuss the constitutionality of the question with the gentleman but to ask the learned gentleman one question: Does the gentleman contend that a marketing agency has not the power to deduct a certain amount to pay the expenses of transacting the business?

Mr. BURTON. The trouble with the gentleman's question is that it does not reach this proposition at all. A marketing agency to pay expenses is one thing, but a tax levied by a board, shifting in amount, is an exercise of authority.

Mr. HAUGEN. It is simply deducting the amount necessary to pay the expenses. Of course, would the gentleman expect the board to transact business without paying expenses and without paying losses? So a certain amount is withheld and paid into a fund for what purpose? To pay expenses and to pay the cost of marketing the commodity.

Mr. BURTON. It is a very simple transaction when you have a bailor and a bailee or when you have an owner and a commission agent. That is a transaction universally recognized and easy of solution, so that you can fix the rules very readily; but here the Government is delegating a tremendous scope of authority to determine the amount of the tax and to levy that tax on the whole myriad, I may say, of producers throughout the country.

Mr. HAUGEN. Will the gentleman yield further?

Mr. BURTON. Yes.

Mr. HAUGEN. We now have about 12,000 cooperative organizations doing the very thing that is suggested in this bill. We simply set up a large corporation, and we permit them to deduct a sufficient amount to pay the expenses of marketing the commodities.

Mr. BURTON. But the gentleman from Iowa overlooks a vital difference. That is a matter of contract, of relations arising out of membership in an association; it is a matter of voluntary membership, and the individual members bear the losses; but in this case you would collect by a tax from the willing and unwilling.

Mr. HAUGEN. There is no tax about it. It is simply deducted.

Mr. BURTON. I can not agree with the gentleman on that. If it is not a tax, I do not know what a tax is.

Mr. RAINY. Will the gentleman yield?

Mr. BURTON. Yes.

Mr. RAINY. Is not a tax usually defined to be the involuntary contribution on the part of the citizen for the support of his Government?

Mr. BURTON. I do not think in the definitions the involuntary feature is carried. There is a very wide difference between taxpayers as to that question of voluntary or involuntary. I think those who pay who are of the involuntary are very largely in the majority.

Mr. RAINY. We will leave that part of it out. Is not a tax a contribution forced, perhaps, from the citizen for the support of his Government, and what part of this equalization fee will go to the support of this Government?

Mr. BURTON. That is the very point. That is the strongest objection to it. It does not go to the support of the Government.

Mr. RAINY. Then it is not a tax.

Mr. BURTON. Oh, whenever it is collected by public authority, for whatever purpose it is applied, it comes under the general heading of a tax.

I think I am not lacking in sympathy in this matter, Mr. Chairman. I can say to my colleagues from Iowa that I was a farmer's boy out there for the greater share of five years before any one of them, when, in addition to the pests and disadvantages of drought and of flood from which they now suffer, there were the hardships of pioneer life and the rattlesnake and the wolf, the rattlesnake and the wolf as well frequently killing the sheep. One of the most vivid recollections of my boyhood is a total eclipse of the moon 60 years ago this last season. The totality continued for a very unusual time, and, my, how the wolves did howl when the light did not come back. I know the hardships of the Iowa farmer; I know the hardships of the farmers of any State or of any country; but in that occupation of theirs there is a compensation in independence. They are the yeomen of the country more than any other class. [Applause.]

Whenever the tocsin of alarm sounds they are ready to respond, and while I am ready to vote for very considerable appropriations or for methods to aid, when we look at things in the large I think this applies to all our population—the less they are coddled, the less they are aided by subvention, the more they have strength in the elements that enable them to go ahead. I am afraid in the past 10 years, largely due to

the circumstances arising out of the war, we have departed from these old principles of independence which are at the same time the strength and the chief bulwark and promoter of American progress and American institutions. [Applause.]

Mr. FULMER. Mr. Chairman, I yield to the gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Chairman, I am supporting the Haugen bill. Agriculture is in the throes of an economic crisis. The farmer is bankrupt. Agriculture is the basic industry of the country. Without it the wheels of industry and every commercial activity would stop. The question logically arises, Why should the farmer be bankrupt when agriculture is the foundation on which the life of the Nation depends? Is the cause of this condition to be found in the operation of the law of supply and demand as it affects the products of the soil, or is the cause an artificial one? In considering this question we can not segregate the industry of agriculture and arrive at correct conclusions from a study of the subject on the basis of such isolation. No industry in this country stands alone or constitutes of itself an economic entity. All industries, including that of agriculture, are indissolubly interrelated through the all-embracing factor of commerce. The industries produce wealth; commerce distributes and markets the products of industry. Commerce does not create wealth; it creates profits and losses on the commodities of wealth which industry has produced. Commerce can not exist without production, for commerce begins where production ceases. But commerce is indispensable to industry, for if the products of the latter can not be distributed and marketed industry can not survive.

But if the machinery of commerce has broken down or has become so expensive of operation as to leave no profits to a particular industry, that industry must either go out of business or the machinery of commerce be so adjusted as to permit it to produce at a profit.

Agriculture is not producing at a profit, and something is seriously wrong either with the industry or with the machinery of commerce.

We are informed that the manufacturing industries of the country are operating and producing at a profit and have experienced an era of unusual prosperity during the past six years. The markets in industrial stocks and bonds have risen to unprecedentedly high levels, and billions in stock and cash dividends have been distributed to stockholders as profits during that period of time. The banks in those sections of the United States where manufacturing is the predominant industry have likewise prospered, due to the great demand for loans on liquid securities.

The banking institutions in the financial centers of the country, with half of the world's supply of gold in their vaults, have freely extended credit at low rates of interest for the launching of new and the expansion of existing business enterprises, for investment and speculation in industrial stocks and bonds, and in addition thereto have advanced credit to the extent of nine or ten billions of dollars to European countries. At no previous time in the world's financial history have the moneyed powers in any country been so completely in control of the world supply of money and world finances as are the moneyed powers of this country to-day. They not only control the banks of this country but the leading banking institutions of foreign countries and our great Federal reserve system. They can and do expand and contract the volume of currency and credit at will; they can make money plentiful or scarce. They can precipitate money panics or avert them. They can build up or break down any industry or enterprise by extending or refusing credit. They control commerce. The economic destiny of the country is in their hands. They control the Government. They are a money trust, and with the object of the more firmly fastening their grip of control upon the commercial and economic life of the Nation, they finance, organize, and foster monopolistic combinations of other businesses, enterprises, and industries.

These moneyed powers own or control the big manufacturing industries; they own or control the railroads of the country; they own or control the old-line life-insurance companies, the telephone and telegraph and big power companies, and they are back of that gigantic movement now under way to bring into one superpower system the control of all the electric power, both developed and potential, in the whole United States. They own or control all these industries and enterprises because of the opportunity for profitable returns they afford both on invested capital and credit advanced and because of the liquid character of their securities. But these moneyed powers do not own the industry of agriculture. They do not want to own it. Why should they invest large capital in farm lands and farming enterprises, pay taxes on the physical values

thereof, pay for maintenance and upkeep, seeding, cultivating, and marketing crops and assume the risk of partial or total failure of crops from drouth, flood, winds, hail, grasshoppers, and other pests, when the sad experience of the farmers amply demonstrates that it is not necessary that these moneyed powers own the farms or conduct the farming operations in order to reap the profits therefrom.

In 1920 farm products were selling at profitable prices, agriculture was on a prosperous basis, and money was flowing into the pockets of the farmers. The money powers had permitted an expansion of credit among the farmers during the war to encourage them to greater production of food supplies to meet the necessities of that crisis. Manufacturing industries and practically every other business enterprise in this country had also prospered during the war period. But when the crisis had passed following the ending of the war, agriculture was singled out for slaughter. The money powers said there was too much inflation of prices. They were not concerned with the inflation of the prices of manufactured commodities or of industrial stocks and bonds, but they were concerned with the inflation of the prices of agricultural products alone. They decided that too much money was being distributed among the farmers, and that money so distributed is difficult of control and does not yield interest. Only credit yields interest; hence the scheme to take the money away from the farmers. The Federal reserve system was employed as the agency to effect this purpose, and in pursuance thereof in 1920 it withdrew credit from agriculture and forced liquidation of the farmers' notes, which resulted in the deflation of farm values to the extent of \$20,000,000,000 and of the values of farm products to the extent of \$6,000,000,000. The bankruptcy of agriculture was inevitable. It was a cold-blooded, premeditated act, and the law of supply and demand had no part in the tragedy. It was a clear-cut case of discrimination against agriculture, for while this scheme of deflation was being executed the Federal reserve system was extending liberal credit at low rates of interest to the manufacturing industries and to the speculators in the stock markets. The farmer was deflated, but the manufacturers and stock gamblers were protected against deflation. The farmers' dollar was reduced in purchasing power to 50 cents or less, while the dollar of the manufacturer was held at par.

After the work of deflating agriculture was accomplished and the discrimination against that industry was established, the tariff rates on manufactured products were so increased as to make certain the perpetuation of such discrimination. It is an artificial and not a natural economic system that is wrecking agriculture.

Every informed person recognizes agriculture as the industry upon which all other industries and commercial activities rest, and no one would acknowledge a wish to have agriculture fail. Even those who are responsible for the economic disadvantage under which the farming industry labors do not want to destroy it. They want simply to hold it down to the lowest economic status where it will continue to produce. They want to keep the farmers' mind in a psychological state of optimism that will spur him on to continued productive activity, in order that they may have the opportunity to commercialize his labors and profit on his production. In their eagerness to reap the largest possible profit from the farmers' production these profiteers have reduced him to a level where little optimism and no remuneration is left to him for his toil.

The progress of man up the ascent of time toward civilization is marked all the way by oppression, struggles, and rebellions. It has always been the organized economic power of the few against the unorganized and undirected force of the many. It has been the marshaling of the collective physical strength of the masses in support of the masters and against the unorganized individuals of the masses. It has been the voice of usurped authority commanding those in whom all authority rests. It has been the dictator standing upon the necks of the people. In 1776 the people of this country promulgated their declaration of independence from such a dictator and sustained that declaration by force of arms and set up in this country a new rule of supremacy, that of the people themselves, and established a government upon the basis of such supremacy. But the forces of special privilege did not relinquish hope nor cease their activities to retain or regain their economic power over the people. The one overshadowing issue that has persisted throughout the history of this Government is that presented by the struggle between the few who have sought economic advantage through special privilege and those who have contended on behalf of the masses of the people for equal rights to all and special privileges to none. In this prolonged struggle the special-privilege

class has won and the people have lost. Again the dictator stands upon the necks of the people—the dictator of special privilege and of economic supremacy.

But a new declaration of independence has been promulgated by those who are opposed to special privilege and they are prepared and determined to fight to sustain that declaration. This new declaration of independence is that the people shall have freedom from economic bondage; that they shall have freedom from the unequal struggle against special economic privilege; and that the Government with its institutions shall be restored to them and be made to function on behalf of all the people on the basis of equal rights.

The fight to sustain this new declaration of independence is on now in the effort to restore the principle of equality between the industry of agriculture and the manufacturing industries and other business and commercial enterprises of this country.

The fight is centered around H. R. 11603, known as the Haugen bill. The principles and objects of the bill are clearly and comprehensively set forth in the committee report thereon, from which I shall quote as follows:

For many years the producers of the Nation's basic agricultural crops have been seeking a way to adjust supply to demand in their most profitable markets, through control of agricultural surpluses. The bill provides a way in which this may be accomplished.

The administrative body is a farm board directed to promote stability and effective protection for agriculture. The objects sought under its operations are:

- (1) To give producers of farm crops power to influence their price as effective as that possessed by other industrial groups;
- (2) To secure a protected price to the producer of crops like wheat, pork, and beef, of which a relatively small surplus enters world trade;
- (3) To afford all the advantages of orderly marketing through control of surplus to the producer of a crop like cotton, of which the American supply is the dominant factor in the world price;
- (4) To enable producers of meat animals to maintain a stable level of swine and cattle population by steady prices and by promoting carry over of corn from years of high production to years when the yield is low; and
- (5) To promote cooperative associations by making it possible for them to control the movement to market of temporarily unneeded quantities of a commodity without imposing on their members alone the entire burden of withholding, removing, and disposing of them.

Through the operation of the equalization fee, which requires every unit of a commodity to bear its share of the cost of its stabilization and protection, the effect of this plan is to provide 100 per cent co-operation of all producers in financing transactions necessary to the control and disposition of crop surpluses. It takes 100 per cent co-operation to deal effectively with the surplus, and it is impossible to get such complete cooperation otherwise than through Government action. Honest, able, and sincere men with extraordinary ability have attempted it and have failed.

Bills for the management of agricultural surpluses in the Sixty-eighth Congress met with certain objections. Although your committee does not feel that they were valid, changes have been made in the present bill to meet them. The bill is drawn to conform as closely as possible to the recommendations of the cooperative marketing associations that have appeared on its behalf before the committee. It was devised after careful attention by operating officials of large cooperatives, and men familiar with sound economics and good practice in the commercial field.

#### SUMMARY OF THE PROVISIONS

A Federal Farm Board is established, with 12 members, to be appointed (one from each Federal land bank district) by the President from a list of 36 nominated by the Federal Farm Advisory Council. The council is composed of four men from each land bank district, who serve without salary and who are chosen at conventions of farm organizations and cooperative marketing associations within each district.

The board is given definite powers and duties to assist all producers of agricultural commodities in their work for orderly marketing, whether producers of "basic agricultural commodities" (wheat, cotton, corn, butter, cattle, and swine) or producers of other agricultural commodities.

In the case of basic agricultural commodities the operations of the board will be through contracts with cooperative agencies, created by the producers themselves, or with processors of the commodity, or with other agencies if there is no cooperative association capable of carrying out the agreements. The board can not enter into the contracts, however, until after it has found that certain specified conditions exist. In the case of cotton, it must find that there exists or is likely to exist a surplus above the requirements for orderly marketing and that the cooperative associations or other organizations representing the producers thereof are in favor of the board taking a hand; and in the case of other basic agricultural commodities the board must find that there is or is likely to be a surplus above

domestic requirements, and that the domestic price does not reflect substantially the competitive price outside the United States plus the amount of the tariff and the transportation costs and charges to the United States.

After the finding of the necessary facts, the board will assist in removing or withholding the surplus by entering into agreements, under which the board will undertake to pay, out of the equalization fund for the particular commodity, the losses, cost, and charges involved in the purchase, withholding, and selling of the commodity or any food product thereof. Advances may be made out of the equalization fund for these purposes. The profits will accrue to the equalization fund.

The board is also authorized to make loans to cooperative associations of agricultural products not included within the list of basic agricultural commodities, for the purpose of assisting them in controlling the surplus of their commodity, or for the purpose of assisting them in the purchase and construction of the facilities to be used in the storage or processing of the commodity.

In order to finance its operations on basic agricultural commodities, the bill provides for the payment of an equalization fee upon the processing or first sale (as the board may determine) of the commodity, so that the producers of the commodity may eventually finance their own stabilization program. An equalization fund for each commodity will be established, and the fees on that commodity will be placed in the proper equalization fund. Collection of the fee is deferred for two years on all commodities, and the operations during that period will be financed out of the revolving fund.

The board is given no power to buy or sell on its own account, whether directly or through agencies.

The bill provides for a revolving fund of \$375,000,000. Of this sum \$100,000,000 is set aside for cotton; \$250,000,000 for the other basic agricultural commodities; and \$25,000,000 for loans to cooperative associations handling other agricultural products, and for the purchase of warehousing or processing facilities.

I am supporting the Haugen bill for the reasons set forth in the analysis and summary of its provisions just quoted. I believe this bill will go a long way toward establishing the parity between agriculture and the other industries of this country. The establishment of such parity is the only remedy that will afford relief to agriculture. The farmer must have a price for his products in the domestic or home markets that will reflect the same degree of protection against cheap labor, cheap materials, and cheap lands in foreign countries as that afforded to manufactured products in the home markets. The mere extension of Government credit to the farmer will not solve his problem. What he needs is a price that will enable him to produce at a reasonable profit. There will be no difficulty in securing credit if he is placed on a basis of profitable production. Moreover, he needs this protection of price to enable him to liquidate the credit heretofore extended to him and which he can not liquidate under the present price conditions. The farmer is entitled to be placed in a position where he can receive the benefit of the tariff laid on the importation of the commodities which he produces, so that he may share the benefits of the protective policy of this Government on a basis of equality with the manufacturer.

The chief purpose of the Haugen bill is to make the tariff on basic agricultural products effective in order that the farmer may have protection in fact and not merely in name through the tariff on such products. Those who are opposing this bill base their opposition mainly on the fact that it will render the tariff effective as a protection to agriculture and increase and stabilize the price of its products. The manufacturing interests did not oppose the levying of tariff rates on agricultural products in the Fordney-McCumber tariff act because they knew that such levy by that act alone would be ineffective as a protection to any agricultural product carrying an exportable surplus. They knew that the foreign market would determine the price not only of such surplus exported, but of that part sold in the domestic market as well, notwithstanding the tariff duty thereon. But the manufacturing interests are bitterly opposing the Haugen bill because it will make the tariff on wheat and the tariff on other basic agricultural products effective as a protective tariff, and thereby place agriculture on a basis with manufacturing under the protective policy of the Government.

Why does the manufacturer oppose the Haugen bill? Why can he not be fair-minded on the subject and be willing that agriculture enjoy the same economic privilege that the Government confers upon the manufacturer?

He is opposing this bill for the same basic reason that capital and industry have always opposed the policy of unionized shops. The opposition to the latter is for the obvious reason that in dealing with labor on the basis of the individual they can control wages and through the control of wages control

labor. But when labor through organization can compel the fixing of wages on the basis of collective bargaining, the control of labor is weakened. Through organization labor seeks to protect itself against its absolute economic control by capital and industry. And, so, through the enactment of the provisions of the Haugen bill the farmers are seeking to protect themselves from the same control by eliminating the economic discriminations against them under the existing system of our protective tariff policy. Capital and industry oppose every movement that strikes at their grip, or seeks to loosen their hold, on their commercial supremacy of the country.

It is shown that by reason of this discrimination the farmers of the country have received \$13,200,000,000 less for their crops since 1919, than they would have received had they been permitted to share the benefits of the protective policy of the Government on an equal basis with the manufacturers. And in addition to that staggering loss of more than \$2,000,000,000 a year for the past six years on crop values the farmers have sustained a shrinkage in the value of their farms of more than \$20,000,000,000 since 1920.

Is the protective policy of the Government the special and exclusive privilege and property of the manufacturer? Unquestionably he thinks it is, and the Government has encouraged him in this belief, for it has permitted him to have the exclusive enjoyment of the privilege throughout all the years since we have had a protective policy. But it is not his exclusive right. The Government does not belong to the manufacturer alone. He has simply usurped the instrumentality of the Government to promote his own economic advantage by securing for himself the exclusive benefits of the tariff protection. A protective tariff can be justified only on the ground of protecting a domestic industry against a foreign industry, and there can be no justification for favoring one domestic industry at the expense and to the material detriment of another domestic industry of equal or greater importance to the economic welfare of the country.

The manufacturer has wrongfully enjoyed the exclusive benefit of tariff protection for so long a time without interruption that he now claims it to be his exclusive and special privilege. Selfishness and greed are the only inspirations for such claim.

What has been the result to agriculture of this system of special privilege? In addition to what has already been shown in that respect let me read a number of excerpts from the committee report on the Haugen bill:

In summing up the causes of the farmer's difficulties, the conference board declares that while 60 per cent of the farmer's income depends on world conditions of supply, demand, and costs, which are out of his control, most of the elements entering into the expense of operating the farm—that is, the cost of agricultural production—are determined by domestic conditions which place the costs for the farmer on a higher level of values than the world level of values which determines the bulk of the farmer's income. Having to produce at a level of high costs, the farmer must meet competition which, producing at lower cost, limits the market for his surplus in accordance with the abundance or scarcity of world crops.

#### FARM VALUES BELOW PRE-WAR

The total value of all farm property in 1913 was \$45,227,000,000; in 1920, \$79,607,000,000; and in 1925, \$59,154,000,000. Reduced to terms of 1913 purchasing power, however, the total value of all farm property in 1925 was only equal to \$38,188,000,000 of 1913 purchasing power. In other words, all farm property in the United States in 1925 had only 84.4 per cent of its purchasing power in 1913.

Farm lands in the United States as a whole have an actual exchange value or purchasing power approximately 20 per cent less than the purchasing power of the same land in 1910, according to comparative figures from the United States Bureau of Census for 1910 and 1925.

#### FARM BANKRUPTCIES INCREASE

This situation is illuminatingly reflected in farm bankruptcy statistics. The rate of farm failures from 1910 to 1924 shows an increase of over 1,000 per cent, in contrast to that of commercial failures, which has remained practically the same per year during the same period. Capital invested by farm operators decreased from \$47,000,000,000 in 1920 to \$32,000,000,000 in 1925, a loss of approximately \$3,000,000,000 per year.

#### BANK FAILURES

The decline in the economic position of agriculture has been the chief cause of the enormous number of bank failures in the United States since 1920, without parallel in any previous period in our history.

The number of bank failures in 1924 (915) was 42.5 per cent larger than the number of failures in 1893 (642). The number of

failures for the period 1920-1925, inclusive (2,494), was greater than the number of failures during a period of 26 years up to 1920 (2,424). Most of the failed banks were located in agricultural districts.

The following table showing bank failures in the United States since 1920 does not include figures for closed national banks which were reopened without having been placed in the hands of a receiver. Except for the years 1924 and 1925, figures for other banks do not include banks reopened in the same year in which they were closed.

*Bank failures by years ending on June 30, 1920 to 1925*

[Statistics obtained from the Comptroller of the Currency]

Year ended June 30—	National banks		Other banks		Total	
	Number	Liabilities	Number	Liabilities	Number	Liabilities
1920.....	5	\$1,930,000	44	\$18,955,000	49	\$20,885,000
1921.....	28	17,301,000	290	96,124,000	318	113,425,000
1922.....	33	20,287,000	863	95,029,000	396	115,316,000
1923.....	37	20,076,000	237	64,550,000	274	84,626,000
1924.....	138	74,743,000	777	223,188,000	915	297,931,000
1925.....	102	53,315,000	440	118,728,000	542	172,043,000
Total.....	343	187,652,000	2,151	616,574,000	2,494	804,226,000

\* \* \* \* \*

WORKS ON NARROW MARGIN

Actual earnings of the farmer in 1924 in return for his labor are computed by the board at \$730 on the average, as against average earnings of \$1,256 per wage earner in the manufacturing industries in the same year, average earnings of \$1,572 by transportation workers, \$2,141 earned by clerical workers, an average of \$1,678 earned by ministers, \$1,295 by teachers, about \$1,650 by Government employees, and an average of \$1,415 per worker in all groups other than farmers.

The food, fuel, and housing supplied by the farm the board's report appraises at about \$630 per year, which leaves the average farmer a cash income of about \$100 out of the \$730 earned by his labor during the year 1924. An average return of about \$400 is allowed on the capital invested, making the total average cash income per farmer operator about \$500 a year. Since the cost of food and clothing purchased by the average farm family during the year runs to about \$475, the average farm income is only slightly more than enough to purchase the necessities of life.

Since these figures represent averages, there are as many worse cases as there are better ones, and in many instances, therefore, farmers have had to forego payment of interest on debt or taxes, to say nothing of repairs, equipment, and maintenance and proper care of the fertility of the soil, in order to pay ordinary living expenses.

\* \* \* \* \*

FARM DEBT REMAINS UNPAID

As a result of high costs and impaired income of the farmer, the total farm indebtedness in the United States, which was estimated at \$4,320,000,000 in 1910, had grown to \$12,250,000,000 in 1920 and stands at approximately that figure to-day. The real debt is larger than the figures indicate, because prices of commodities which must pay the debt are, in many instances, lower than they were when the debt was incurred.

The foregoing facts and figures indicate both a measurement of the farmer's ability to pay and the extent of the redistribution of wealth between farm and other industries that has taken place and is continuing in the United States.

Can it be questioned by any honest-minded person that agriculture is in the throes of an economic crisis and that the solution of its problems are beyond the power of the individual farmers and of the cooperative organizations of farmers? The problems are of national magnitude and of national concern. They arose out of economic conditions fostered by the Government and our national policy of special privilege. The solution must come from the Government. The Haugen bill points the way.

When the railroads come to Congress and ask for legislation, their requests are granted; when the banking interests ask for legislation, their wishes are promptly gratified; when the manufacturing industries seek greater protection through the tariff the favor is readily conferred. But when the agricultural interests come to Congress and seek redress of their economic grievances they are told that their situation is unfortunate, but that it would be economically unsound for the Government to do anything to relieve their distress. They are told to go back home, work a little harder, be more saving, and wait patiently for the adjustment of their economic difficulties through the operation of the natural law of supply and demand.

But I say to you that the farmers have listened to that kind of advice for the last time. They know their problems are not the result of their own delinquencies and that they can not be

adjusted by the operation of the natural law of supply and demand. They know that they are the victims of an artificial system of economics for which the Government is responsible and they are demanding the relief that they have proposed.

The agencies of Government have been employed and the powers of the Government have been invoked to make agriculture contribute its wealth of production to the support and maintenance of the Nation without profit to the producer. Under the present economic system the farmer is prostrate. The Government has brought him to this estate and only the power of Government can release him from it. His dilemma must be recognized and his oppression relieved.

For six years the farmer has been producing his crops at a loss, not because his productions were greater during that period than formerly nor because the requirements therefor were less. His losses are not due to the operation of the natural law of supply and demand. They are due to artificial causes that have suspended the operation of that law.

If the farmer is compelled to produce and sell on the basis of the law of supply and demand, then in the interest of simple justice to him he must be permitted to buy upon the same basis. If he must sell his products in a competitive world market, he is entitled to buy his supplies, merchandise, and equipment on the basis of that market. On the other hand, if the manufacturer is to be protected in the markets of this country against foreign-made goods so that the law of supply and demand does not operate to fix the sale price of his merchandise on the basis of the world market, is not the farmer entitled to the same degree of protection in order that he may likewise be relieved from the operation of that law? The farmers are not demanding or advocating that the policy of tariff protection be abolished, but they do demand their right to share in such protection on the basis of equality with the manufacturers. Can it be honestly contended for a moment that the 30,000,000 farmers of this country have not the same economic rights under our Government as those engaged in manufacturing? But the moneyed powers decreed otherwise. They decreed that the farmer had no economic rights which they or the Government were bound to respect, and upon that assumption proceeded to formulate and execute plans to reduce him to bankruptcy.

The farmers of the country are besieging Congress, demanding relief from this economic oppression. And since the Government is responsible for the oppression, their addresses to Congress are justified. They are not pleading for a favor; they are demanding a right. It behooves the Congress to heed this demand, for the Government was not established as a private agency in the hands of the few for the exploitation of human labor and the subordination of human rights.

Lincoln said in his first inaugural address in 1861:

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it.

It is undeniably true that the country and the Government belong to the people and that they have the right and the power to dictate the conduct of the Nation's affairs and the character of governmental policies and administration, but it is equally true that the people are not controlling the Nation's business and that their interests are not given primary consideration in the administration of the Government. The sovereign power of the people has been usurped; and while the burdens of the Government still rest upon their shoulders, its control has been taken out of their hands. To the people have been left the political forms, but from them have been taken the economic substance and strength of the Government. This usurpation has not been accomplished by force of arms or by revolutionary methods; it has been effected through the opiates of false teachings. The people have been chloroformed into a false sense of security, and their just powers to shape their own economic destiny have been perverted to accomplish their economic exploitation.

But it is still the people's Government, and it is their combined strength that supports and gives it life. There is no stronger human institution. It is upheld by the collective physical and spiritual forces of the people of this Nation; and if the Government, animated and inspired by this greatest of human forces, were held to the execution of the high purposes for which it was ordained, namely, to establish and insure even and exact justice and equality of opportunity for all men, there would be no agricultural problem for the Government to solve.

But while we have religious and political freedom, freedom of speech, freedom of the press, and the right of peaceable assembly, yet, having permitted to be taken from us our economic freedom, it may be literally said that we have but the husks for our subsistence.

It is becoming more and more difficult for the man of the ordinary walks of life in this great country of boasted freedom to resist successfully the gripping force of economic power that tends to hold him to the status to which he was born. What hope can spring eternal in the breasts of the toilers of the land, those who produce wealth and not simply commercialize it?

They are the victims of a system of discrimination against the masses of the people and in favor of those who, through the prestige and power of great wealth, control and dictate the legislative and administrative policies of the Government. They have harnessed the people's power through the machinery of the Government to place the people in economic bondage.

This is strong language, but it is no stronger than the truth it expresses. We may as well face the issue squarely and meet it now. The issue is, Shall the people of America be free in fact or shall they be content with the mere political forms of freedom? The people have both the right and the power to determine this question as they please. The Government and all powers and rights thereunder are theirs. They can exercise those powers and rights and be the masters of their country and of their own economic destiny or they can continue to be as they now are, the vassals of the money lords. The encouraging sign on the economic horizon is that the farmers—30,000,000 strong—are no longer pleading for their rights but are demanding them.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Ohio [Mr. THOMPSON].

Mr. THOMPSON. Mr. Chairman, I am a member of the Committee on Agriculture from Ohio. I am naturally proud of my membership on a committee composed of such distinguished and able men. I am especially proud of our veteran chairman, Hon. GILBERT HAUGEN. He has been a member and chairman of this committee 10 years, having been returned 14 terms from Iowa. He is one of the oldest Members of the House. He is the personification of courtesy and fairness to his fellow Members, and is a successful man of affairs back home in Iowa. He is a large owner of farm lands in southern Minnesota and northern Iowa and understands the agricultural question as well, and perhaps better, than any other member of this great committee.

So, having confidence in my chairman, I told him I would go along with him on the legislation as far as I could, reserving the right in the end to do what I thought best or what my constituents felt might be best.

The district I represent in Congress is largely agricultural, but not subject to the same conditions as the farming classes farther to the west of us. My district is composed of the seven counties in the extreme northwest corner of Ohio. It represents diversified, intensive farming, and there are many interests that must be considered in connection with legislation such as is before us. With all due deference to our brothers of the West and Middle West, we of Ohio wish to make the observation that Ohio has been a conservative middle ground of thought, political and otherwise. There have swept down out of the great Northwest and West various strange doctrines, such as the Nonpartisan League idea; and out of Iowa came the movement growing out of the activities of that able and brilliant Iowan, Gen. James B. Weaver. His movement was known as the "greenback craze," which one of Ohio's gifted sons—the late John Sherman—met and vanquished by what was known as "resumption of specie payment." Then there came from bleeding Kansas another line of thought, known as populism, with its statesmen, such as Senator Peffer and "Sockless" Jerry Simpson, and this movement grew and thrived until it gathered the proportions of a cyclone, which gathered itself together not only on the prairies of Kansas, but gained momentum at the mouth of the River Platte in Nebraska and resulted in the 16 to 1 storm, which was checked, as it rolled eastward, by William McKinley and Mark Hanna, both of Ohio.

And now we have the "Corn Belt Committee of Twenty-two" from Iowa before us. They mean well; they are our brothers; we love them all, but must stop, look, and listen. Can we agree to give them everything they think they want and everything they demand? During the weary weeks this session that I sat on the Agricultural Committee and listened to the witnesses, none appeared before our committee from Ohio; but, as the hearings were closing, I pointed out to the Hon. Samuel Thompson, head of the National Farm Bureau, how our committee was in sympathy with the farmers' so-called problems and what the Congress and our committee had actually done for the farmers. I said:

I have been sitting around this table for the last two or three years listening to complaints about the ills of the farmers. The Sixty-seventh Congress passed legislation which was supposed to be

beneficial to the farmers. I think it was William Jennings Bryan who said that the Sixty-seventh Congress had passed more legislation that was beneficial to the farmers than any Congress before in the history of the country. You will remember that we passed the intermediate credit act, affording the farmer new channels for credits running from six months to three years commensurate with his production and marketing methods.

We then passed a bill which increased the amount individuals may borrow on farm mortgages through cooperation with the Federal farm-loan banks from ten thousand to twenty-five thousand.

Then we placed the meat-packing industry under Federal supervision, making it possible to ascertain the status of the meat-packing and stockyards activities.

Then, as Mr. FULMER has said, we passed the cotton standards act, which has operated so successfully.

We placed a tax on trading in grain futures, supervised the grain exchanges, and legalized the membership of cooperatives on the grain exchanges.

We legalized cooperative marketing.

We furnished a farm-to-market highway program and appropriated funds to be used for the next three years. We increased the working capital of the Federal loan system, making it possible to float bond issues more easily.

We provided that the interest rate on farm-loan bonds would be increased to 5½ per cent, an emergency act.

Revised the tax schedule.

Reduced the surtax; limited immigration to 3 per cent of the foreign born recorded in 1910 census.

Prohibited the manufacture and sale of filled milk.

Created a representative of agriculture along with industry, commerce, and finance, on the Federal Reserve Board.

Reenacted the War Finance Corporation and extended its usefulness.

Appropriated funds for the Department of Agriculture and enacted an emergency tariff, followed by the permanent tariff.

I want to say in defense of this committee, and in defense of Congress, that we have been trying to help the farmer; we have passed all this legislation, and yet we find that the farmer is still here, still knocking at our doors. Perhaps there has been no nation-wide policy enacted as yet. I understand the cooperatives are coming before us saying that they do not want any legislation outside of this cooperative marketing bill which has already passed the House.

I assure you we want to do everything we can for agriculture. We are perfectly willing, if we can only find the remedy.

Then, note Mr. Thompson's reply to my statement. He said [reading from the record]:

My observation would be this, that the Agricultural Committee of the American Congress will always be a very important, busy, and hard-working committee. Even if you pass this legislation I would not want to promise that we would not be back here again talking to you about something else that would be needed. I feel that as much as we have done toward the help of this industry that we have never had an understanding of the agricultural problem—not even ourselves—as we should have had, much less other people, and we are getting a more complete understanding on the actual industry itself.

Mr. THOMPSON of Ohio. I wish to say in that connection that you are always welcome to come before this committee. We like to meet around this table and thrash out these problems. I want to ask for my own information your opinion of the McNary-Haugen bill. Did you think that that was a fundamental bill or a bill that would allow the camel to stick his nose under the tent, and later on we could amend it and simplify it so that it would have been a real national policy for the administration of agriculture in this country?

Mr. THOMPSON. We felt that that was emergency legislation, and we feel that this will accomplish the same purpose in a better way.

Mr. THOMPSON of Ohio. Of course, many of us, as you know, voted for that bill.

Mr. THOMPSON. We were very grateful for it, grateful to the men that took the brunt of it and made the hard fight. It wasn't an easy thing to do.

Mr. THOMPSON of Ohio. And some of us are still tinctured with the same virus.

Mr. TINCHER. It is the only farm bill that this committee ever reported out where we got licked on the floor of the House.

Yes; we got licked on the floor of the House exactly two years ago this month. Those of you who were here remember that fight. Mr. TINCHER, of Kansas, was battling for the McNary-Haugen bill, and many of the Members voted for it then who will not probably do so now in its present form. The vote was taken June 3, 1924, and the bill received 155 votes, with 223 against it. It was defeated by a majority of 68 votes. I went along with the bill and with my chairman at that time and took 10 of my Ohio colleagues with me; but 10 of them were also against the bill and two failed to vote, making 22 in all, and no more.

I feel that I can not do so well this time, for I possibly shall not vote for the Haugen bill in its present form, or for any of the so-called agricultural bills. My people in Ohio wish no new legislation on agriculture now. They wish to let well enough alone. And I desire to insert in the Record evidence to show that I am sustained in this view by letters and telegrams from organized agriculture in Ohio, as follows:

[Letters]

MONTPELIER, OHIO, May 3, 1926.

Hon. CHAS. J. THOMPSON, M. C.,

Washington, D. C.

DEAR SIR: It is the consensus of opinion among the members of the various farm organizations of Williams County that the farmers have a problem of collective bargaining, but at the present time they are not ready for the adventure in the form of any of the bills presented in Congress.

If there should be some measure or amendment presented that affects the interests of the farmers of your district, we will submit the decision thereon to your own judgment.

Respectfully,

WILLIAMS COUNTY FARM BUREAU,  
PAUL SMITH, President.  
WILLIAMS COUNTY POMONA GRANGE,  
G. H. FAST, Master.

PIERCE & STEVENS,  
Middle Point, Ohio, May 6, 1926.

CHARLES J. THOMPSON,

Representative, Washington, D. C.

DEAR SIR: We sincerely trust that you will not vote for the Haugen bill, as it is undoubtedly unpractical, and the Tincher bill is strictly class legislation. We can cite you to a cooperative elevator that cleared better than \$7,500 last year. So the success or failure of a cooperative elevator depends largely on its manager, and the Government does not hire the managers. It is up to the cooperative elevator to succeed or fail, just as it is up to us, and the writer has been in the trade for 20 years and can prove to you that we can handle grain for less money, with less overhead expense, than any cooperative, and we pay the same prices. We do not believe that God made the world for any one man, or for any set of men, but for the people in general. Trust that you will give these bills your careful consideration.

I am,

Yours very truly,

C. T. PIERCE.

OFFICE OF MASTER OHIO STATE GRANGE,  
Coshocton, Ohio, May 6, 1926.

Hon. C. J. THOMPSON,

House of Representatives, Washington, D. C.

MY DEAR MR. THOMPSON: An inquiry of yours relative to the Grange stand on the Haugen, Aswell, and the Tincher bills has been referred to me.

The Grange has taken no action regarding any particular bill. In Ohio we are somewhat opposed to the theory of anything bordering on price fixing as being unsound.

Doctor Atkeson is keeping in close touch with the situation and can give you the reaction of the organization relative to the different phases of the farm relief bills as viewed by the Grange.

Respectfully,

HARRY A. CATON,  
Master Ohio State Grange.

[Telegrams]

COLUMBUS, OHIO, May 7, 1926.

Hon. CHARLES J. THOMPSON,

House Office Building, Washington, D. C.:

As director of agriculture it is my duty to refute statements that Ohio farmers do not favor Haugen bill. The farm organization leaders who made these representations speak for less than 5 per cent of our farmers. They by no means reflect public opinion in this State. The farm industry in Ohio is in a critical condition, the same as in other Corn Belt States. Our loss in land values has been \$720,000,000 during the past six years. The majority of farmers here want the Haugen bill and are unalterably opposed to Tincher and Aswell bills.

CHAS V. TRUAX,  
Director of Agriculture.

BRYAN, OHIO, May 4, 1926.

C. J. THOMPSON, M. C.,

Washington, D. C.:

We oppose all these bills.

A. G. BROOK, Farmer Grange, No. 2101.

NAPOLEON, OHIO, March 3, 1926.

Hon. C. J. THOMPSON,

House of Representatives, Washington, D. C.:

We are opposed to farm bills Nos. H. R. 11606, 11618, and 11603. Letter following.

H. F. POHLMAN & SONS.

LEIPSIC, OHIO, May 5, 1926.

Hon. C. J. THOMPSON, M. C.,

Washington, D. C.:

Protesting both the Haugen and Tincher bills, we urge you to use your influence against them.

C. A. HIEGEL.

OTTAWA, OHIO, May 3, 1926.

C. J. THOMPSON, M. C.,

Washington, D. C.:

We are opposed to all agriculture relief bills. Would be favor of bill to provide bureau of cooperation in Department of Agriculture if it did not have the Haugen-Dickinson rider.

REESE HICKEY,

President Putnam County Farm Bureau.

[Letters]

MCCLURE, OHIO, May 1, 1926.

Hon. C. J. THOMPSON.

DEAR SIR: In regard to the so-called farm relief bills, copies of which you sent me, we are opposed to H. R. 11603 and H. R. 11606, or any other bills whereby the Government is to control exports or to fix prices in any way.

Do not see any harm in H. R. 11618, neither do I believe that it will be any benefit to the farmers of Ohio.

Yours,

L. I. WINCH,  
Master Bethel Grange.

STOCK FARMS, Napoleon, Ohio.

Hon. C. J. THOMPSON,

House of Representatives, Washington, D. C.

DEAR MR. THOMPSON: After studying farm bills Nos. 11606, 11618, and 11603 carefully we are very much opposed to them.

MR. THOMPSON, I do not believe our Congress can work out a system to satisfy the different farmers of to-day. From my experience I find the element continually asking for help are not the real dirt, hard-working, taxpaying kind, but more often the swivel-chair, hot-air kind, who have not enough real knowledge of our farms to tell a cow from a jackass in the way of conducting our business.

MR. THOMPSON, we are with you every inch of the way with your ideas of economy. Cut down our overhead expenses. Save our money. Let every individual get out and hustle and work his own business. Keep your doors locked to that element asking for millions to help us farmers.

Our present form of government has been very satisfactory. Encourage the thrifty, hard-working, taxpaying farmers, and let the other element take care of themselves.

Our Senators and Representatives elected by the people, paid by the people, that make our present form of government, can better tell our needs than the element I have heretofore mentioned.

Respectfully,

HENRY G. POHLMAN.

NAPOLEON, OHIO, April 28, 1926.

Hon. C. J. THOMPSON,

Washington, D. C.

DEAR FRIEND THOMPSON: Received your telegram and also copies of the three farm relief bills. I have gone over them thoroughly in our farm papers and also in the Blade, and now the bills themselves, and I only hope you will not support them, as they are about as un-American as anything I have studied. The Government has plenty to do to function without trying to help any class of people. As I said before, if we arent regulated too much, we will come out all O. K. I spoke to some of our farmers, and they all said that THOMPSON knows that we are opposed to those measures.

Respectfully,

J. F. VEIGEL.

THE NORTHWESTERN COOPERATIVE SALES CO.,

Wauseon, Ohio, April 29, 1926.

MR. C. J. THOMPSON:

Having sold my herd of cattle, I resigned as director of the Northwestern Cooperative Sales Co. last March. Accordingly I referred your telegram to a member of that board with the suggestion that an expression be given you. My personal opinion is that the dairy farmers and the farmers generally are not asking for legislation such as is proposed in the three bills mentioned.

I believe most of the thinking farmers are opposed to the creation of any more boards and the appropriation of such sums as provided for in these bills.

I am a director of the Ohio Poultry Producers' Cooperative Association, with 1,800 members in Williams, Fulton, Henry, and Defiance Counties. At a meeting to-day of the board of directors I discussed the matter with various members of that board, and there seemed to be no sentiment favorable to any of the proposed legislation. They do not feel that legislation will materially aid the cooperative-marketing movement. Personally I do not believe that the various cooperative-marketing associations in the United States are at the present time well enough organized to successfully carry out the proposed course of action, even granting that the principles involved are economically sound.

Trusting that the above expression may be of service to you, I am  
Very truly yours,

JAY C. BURR.

THE OHIO FARM BUREAU FEDERATION,  
Columbus, Ohio, May 1, 1926.

Hon. C. J. THOMPSON,

*House of Representatives, Washington, D. C.*

DEAR MR. THOMPSON: Just returned from Chicago, and the midwest group failed to indorse the present Haugen bill. Our people in Ohio took action and are still opposed to impractical equalization fees. The expression of the dairy groups has not been in favor of the Haugen bill.

No organization action has been taken on the Capper-Tincher bill, owing to its recent presentation, but it has been the expression of our Ohio leaders that they favor cooperative marketing and extension of intermediate credits acts for the handling of cooperative products, as we believe is expressed in the Tincher bill, thinking that this will tend to the orderly distribution of farm products and maintain a high average price by eliminating dumping at harvest season.

Very truly yours,

L. B. PALMER, President.

NAPOLEON, OHIO, May 8, 1926.

Hon. C. J. THOMPSON,

*Washington, D. C.*

We are utterly opposed to any bills pertaining to farm relief or any appropriations thereto.

J. F. VEIGEL.

BELMOR, OHIO, May 1, 1926.

Mr. C. J. THOMPSON,

*Washington, D. C.*

DEAR SIR: In reply to yours of the 27th, as our grange is inactive at present, some of us got together and decided that we were not in favor of the agricultural relief bill, but were in favor of the other two.

Yours truly,

D. L. HARSHBERGER,  
*Master of Belmore Grange.*

NAPOLEON, OHIO, May 3, 1926.

Hon. C. J. THOMPSON,

*House of Representatives, Washington, D. C.*

At a special board meeting Saturday the agricultural relief bills were carefully considered and the following resolution passed:

"Resolved, That the Henry County Farm Bureau go on record favoring the Tincher bill and that the secretary wire Representative THOMPSON of this action. Steps should be taken in framing the law to clothe the control board with administrative powers similar to that exercised by the Federal Revenue Board."

HENRY COUNTY FARM BUREAU,  
HARRY M. PONTIOUS, *Secretary.*

VAN WERT, OHIO, May 4, 1926.

C. J. THOMPSON,

*Washington, D. C.*

Grange and farm bureau not opposed to Tincher bill, but are to others.

W. O. BLACK,  
*President of Van Wert County Farm Bureau.*  
FRANK BALYEAT,  
*Master of Pleasant Grange.*

LEIPSIC, OHIO, May 4, 1926.

Hon. C. J. THOMPSON, M. C.,

*Washington, D. C.*

Putnam County Pomona Grange and Leipsic Grange go on record as being opposed to House bills Nos. 11618 and 11606.

C. F. HENRY, *Secretary.*  
D. C. HENRY, *Master.*  
J. A. HUMMON, *Pomona Master.*

BRYAN, OHIO, R. D. 5, May 1, 1926.

Hon. CHAS J. THOMPSON,  
*Washington, D. C.*

I believe the Tincher bill comes nearest fulfilling the party's pledge and will do us the least harm.

Personally, I am opposed to all of them.

Very respectfully yours,

W. S. TOMLINSON.

EDON, OHIO, April 30, 1926.

Hon. C. J. THOMPSON,  
*Washington, D. C.*

DEAR FRIEND: Our master, Mr. Bible, received your wire in regard to the farm relief bills to be brought up next Tuesday, and we appreciate your kindness in remembering us.

We had a meeting last night and voted in favor of the Haugen bill, but opposed to the Tincher bill and the Curtis-Aswell bill.

We are not very enthusiastic about any bill of this kind, but the Haugen bill might be of some advantage to us until such time as natural causes make a change and the pendulum swings back again, giving the farmer an equal chance with every other man, which is all any of us ask, or at least we ought not to ask more.

Thanking you again for your kindness and interest in us (this means the whole grange), I am,

Truly yours,

C. M. DAVIS,  
*Chairman Executive Committee.*

SWANTON, OHIO, May 6, 1926.

CHARLES J. THOMPSON,

*House of Representatives, Washington, D. C.*

Please protest the enactment of the Haugen and Tincher bills.

THE SWANTON MILLING & ELEVATOR CO.

One of the principal objections that Ohio people have to these bills is that they set up too much new machinery. It has become the fashion for Congress to create new commissions. And commissions are a bad thing, Lincoln once said. They are not answerable to either the President or to Congress or to the people, but constitute a sort of fifth wheel of government, answerable to nobody and a law unto themselves. No one can be held responsible for what a commission does. There is no one individual who can be held accountable. We are becoming a Government by commissions. The farmers of my country have been wishing for Federal employees of commissions to be cut off and cast out. The passage of this law would add to the pay roll of Uncle Sam and swell expenses. I feel that the farmers are for economy.

The Haugen bill proposes a farm advisory council of 48 members, and among other duties of this council is to nominate 36 candidates, from which the President will make a selection of 12 to compose the Federal farm board, each to draw a salary of \$10,000 annually for his services. The board is given power to select its own secretary and such experts and other employees as may be necessary to carry on its operations.

The Tincher bill would set up an advisory farm council of 36 members and a farmers' marketing commission of 7 members, 1 of whom shall be the Secretary of Agriculture, and 6 members to draw salaries of \$12,000 each. The Aswell bill would borrow \$100,000,000 of the Government.

The measures proposed would vastly increase the evils of bureaucracy, of which there is so much complaint in the Nation. Congress, if it passed these bills now under consideration, would bureaucratize the entire farming industry of the country. It would place it under governmental control and supervision, with a host of high-salaried commissioners and additional inspectors and busybodies. And these are despised by farmers.

If living costs are artificially advanced, it will be necessary to put wages up. Then it will cost more to produce everything, and prices of everything will be higher. And so we will start around again in the old circle—higher cost of living, then higher wages, then higher prices for everything, and higher wages to pay the higher prices for everything, and still higher prices to pay the higher wages, until finally we come once more to the inevitable smash.

There has been already too much of this sort of legislation. Let well enough alone. [Applause.]

Mr. FULMER. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. RAINY].

Mr. RAINY. Mr. Chairman, if I may have the attention of the gentleman from Kansas [Mr. TINCHER] I want to reply to the colorful speech made yesterday afternoon by that gentleman in which he took occasion to criticize a great farm paper in my State and to characterize an article, which discussed his bill, in terms most emphatic.

Under the permission I have to extend in the RECORD I will print at this place in my speech the article referred to by the gentleman from Kansas, including the heading.

The matter referred to is as follows:

TINCHER BILL SMELLS BAD

The Tincher farm relief bill, which has the backing of the administration, is being shoved through Congress in the hope of heading off the kind of legislation farmers really want, and at the same time to give the Republican Party an opportunity to say it has made good its promise to do something for agriculture.

The principal feature of this bill is that it establishes a Government fund of \$100,000,000 to be loaned to cooperatives.

The Illinois Agricultural Association sets forth the three principal objections to this bill:

1. It provides no mechanism or funds for making the tariff effective on agricultural products.

2. It makes no provision of any kind for handling the surplus or stabilizing markets or prices.

3. It provides no aid for carrying over surplus production from one year to the next or for finding markets abroad.

Real cooperatives do not want the kind of Government loans provided in this bill. To accept such loans would put them in debt on an unsound basis, and if they attempted to handle the surplus they would do so at the expense of their members and with little hope of success.

The bill will encourage fake cooperatives like the Grain Marketing Co. and lead to an epidemic of promoted cooperatives.

The bill bears all the earmarks of the old Grain Marketing Co. crowd and the legislation and Government help which it has sought in the past. Gray Silver and his associates may not have had a hand in framing the Tincher bill, but they certainly will not be displeased by it.

This bill should be sunk without trace, whether we get anything else or not.

The principal thing about the article to which he objects is the title which reads:

Tincher bill smells bad.

This edition of the Prairie Farmer had been out one week before the gentleman from Kansas discovered this article in its editorial columns, and on the day he made his speech another issue of the Prairie Farmer had made its appearance and had reached this city.

I have carefully read this article to which the gentleman referred yesterday. It is a most careful and a most accurate analysis of his bill, the most careful and the most accurate analysis I have yet seen—a marvel of condensation.

His bill tenders to farmers the old relief, the opportunity which has been tendered them so many times during the period he has served in Congress, representing in part the great State of Kansas; the opportunity to borrow more money directly, and perhaps indirectly; the opportunity to further increase the farm indebtedness of this country. Accepting the opportunities they have had in the last eight years, during the period covered by the service of the gentleman from Kansas, they have increased their farm indebtedness from a little over \$5,000,000,000 until it reaches now the enormous total of almost \$12,000,000,000, and the gentleman's bill proposes to give them an opportunity to add another \$100,000,000 to that immense total.

The trouble with the gentleman's bill and with his proposition is that we thought in the Corn Belt States it was buried long ago. We thought with the continued increase of farm indebtedness and with the continued failure of the remedies he suggests the proposition was dead and buried. It is dead; if it is buried, then it is time for it to smell even worse than this article says it smells.

Now, the gentleman threatens a dire revenge. The Prairie Farmer, he says, is a rival of the farm newspapers, which appear in duplicate in so many sections of the United States and which are owned and edited by a Senator from his State [Senator CAPPER], who has also introduced this bill in the Senate.

He proposes as a measure of retaliation against the Prairie Farmer that Senator CAPPER's paper be placed in every farm home in Illinois, and that is the revenge he proposes. He also calls the author of this editorial a liar, which was a perfectly safe thing to do. He is a thousand miles from here. [Laughter.]

Mr. CAPPER did find his way into nearly every Republican farm home in Illinois just before the recent Republican primaries. I have here the Prairie Farmer, but that is not the only paper in which his advertisement appears. He indorsed Senator McVINLEY as a candidate for reelection to the United States Senate. At the time Mr. McVINLEY received this indorsement from Mr. CAPPER he was the most popular man in either party in the State of Illinois, without any question. The World Court had nothing to do with it. As soon as the Republicans

of Illinois found that Senator CAPPER had indorsed McVINLEY, that was the end of McVINLEY's popularity with the farmers of Illinois. [Laughter.] Here is a long letter printed as an advertisement in the Prairie Farmer assuring the farmers that Senator McVINLEY "is helping the farmers and can help the farmers." The letter is from Senator CAPPER.

On the next page appears another advertisement addressed to the farmers with this foreword, "This advertisement is paid for by Illinois farmers as the first step in getting back to a 100 cents farm dollar"—they paid for it themselves—it indorses Frank L. Smith, and announces that Smith is pledged to support the principles of the Federal farm board measure for immediate farm relief. These advertisements went to all the farm homes in Illinois with the result that Republican farmers had the opportunity of voting on the Capper-Tincher bill and on the Federal farm board bill and the latter won by an enormous majority.

Six years ago McVINLEY had the same opponent, Colonel Smith, of Illinois. Six years ago in the agricultural counties of Illinois, in the counties outside of Cook County, Smith was defeated by McVINLEY by a plurality of 69,000 votes. This year Smith stood for the Federal farm board measure and McVINLEY made his campaign with the indorsement of CAPPER, and McVINLEY was defeated by 89,000 votes in the agricultural counties of Illinois. Where the World Court cut any figure must have been in the county of Cook. Smith carried Cook County by 20,000 less majority than he received six years ago. So the Republican farmers of Illinois had CAPPER and all of his suggestions and arguments and they compared that with the platform which indorsed the Federal farm board measure and the Federal farm board measure received a tremendous indorsement.

Here is another advertisement of Senator McVINLEY. This is his own advertisement, paid for by himself, and refers to his opponents. I read from it as printed here in another issue of the Prairie Farmer—

They do not like McVINLEY because he has adhered to the platform pledges of the Republican Party and has supported the policies of President Coolidge.

With these two propositions before the Republicans of Illinois with the Capper-Tincher bill—and that was an issue—and with the Federal farm board measure and with the further pledge of McVINLEY that he had supported and proposed to continue to carry out and support the policies of Coolidge, the Republicans administered to the most popular man in Illinois a tremendous defeat.

Mr. WILLIAMS of Illinois. Will the gentleman yield?

Mr. RAINY. Yes.

Mr. WILLIAMS of Illinois. The Capper-Tincher bill had not been introduced at the time of the Illinois primaries.

Mr. RAINY. The gentleman is mistaken. The bill itself may not have made its appearance, but the principle of the bill was discussed on the hustings in Illinois, and Senator CAPPER's position was well understood by the Republican voters in Illinois. They were against further loans to farmers.

Mr. WEFALD. Will the gentleman yield?

Mr. RAINY. Yes.

Mr. WEFALD. What does the gentleman think the result would have been in Illinois if the Tincher bill had been an issue out there?

Mr. RAINY. The principle of the Tincher bill was an issue in Illinois, and the policies of President Coolidge were also issues in the Republican primary in Illinois. Senator McVINLEY was an exceedingly popular man. His personal popularity overcame some of the bad effects of the Capper-Tincher bill, but if the Capper-Tincher bill had been the only issue and had not had the popularity of Senator McVINLEY to offset some of its unpopularity, the defeat of this measure would have been more pronounced even that it was.

With a great deal of surprise I have listened to the debate, especially on the Republican side of this Chamber, and have heard Republicans denounce the \$375,000,000 revolving fund—and it is a revolving fund and in a moment I will tell you why it is—as a subsidy, and they take their position against the bill on account of the fact that they say this is a subsidy.

I wonder how long it has been since they were so pronounced in their opposition to subsidies? Is it possible that they have forgotten the McKinley law, which went into effect in October, 1890, and which, as to sugar, went into effect in 1891? That law provided for a subsidy on sugar, a bounty of 2 cents a pound on all of the sugar produced in the State of Louisiana. Under that bounty and under that subsidy that law operated for three years. During that period of time in the State of Louisiana the Federal Government paid \$45 per long ton on all the sugar produced in that State, and during those three

years that the bill was in operation the Federal Government paid as a subsidy to the sugar producers there over \$11,000,000 a year. Yet they take the position now as being heroically opposed to this revolving fund, and I am going to call it a revolving fund, because that is exactly what it is. It revolves out of the Treasury, and it revolves back again into the Treasury because it restores the farmer's buying power. He struggles along now with an average income per year of \$750, and this, if it does anything, will give him more than that, and if he gets more than that, it will increase his buying power, and if it increases his buying power, he can take his family to entertainments and pay the tax for taking them there.

A REVOLVING FUND

This is a revolving fund. A great part of it will find its way back into the Treasury—all of it may find its way back into the Treasury. So much of it as may be taken out will be so expended as to increase the earnings of farmers, and when you increase their earnings you increase their buying power. If you can establish equality for farmers with industry they will be able to buy more new automobiles and fewer secondhand automobiles, and whenever they buy new automobiles they will be contributing, in the sales tax they pay, something to the Treasury of the United States. They will be able to take their families to more entertainments and places of amusement, and whenever they pay admission fees over 75 cents they are paying taxes also back into the Treasury of the United States. When they buy more goods upon which tariff taxes are levied, more tariff taxes finds a way back into the Treasury of the United States. Therefore this money is not taken out of the Treasury never to return, as a great many have stated on this floor.

The year the gentleman from Kansas [Mr. TINCHER] came to Congress only 49 banks failed. Last year 542 banks failed, most of them in agricultural districts, with liabilities nine times greater than the liabilities were in 1920. In 1920 the total value of farm property in the United States was \$80,000,000,000. Last year the total value of farm property was less than \$60,000,000,000. The gentleman from Kansas has been in Congress long enough to see the earnings of transportation workers stabilized at \$1,572 per year, and this was accomplished as the result of legislation. Since the gentleman from Kansas has come to Congress the wages of Government employees has been stabilized and increased by legislative enactment, for which he probably voted, until Government employees earn now an average of \$1,650 per annum. When the gentleman from Kansas came to Congress the value of farm property in his State was one-half billion dollars more than it is now. Eight years ago 41 per cent of the population of Kansas lived on farms, now only 31 per cent of the population of Kansas live on farms. Eight years ago the farmers of Kansas received 29 per cent of the total current income of that State. To-day they only receive 16 per cent, and may I call attention in this connection to the fact that the average earnings per year of the farmers of Kansas are now only \$730, and this is true also of other States, and this amount includes the fuel, food, and housing supplied by his farm and estimated at \$630 per year.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SWANK. Mr. Chairman, I yield to the gentleman from Missouri [Mr. HAWES].

Mr. HAWES. Mr. Chairman, Members of Congress understand that the work of this House—at least, the initial work—is done by its standing committees in conjunction with its Committee on Rules. The latter designates the time of debate, the length of time for discussion, the time of voting, and the day upon which discussion can be concluded.

It will not be disputed that standing committees and the Rules Committee may push legislation forward to final consideration or may throttle it and put it in the discard, to be killed and buried without even a decent funeral.

With more than 12,000 bills before the House, the average Member waits until a committee has completed its report before undertaking the special study of a problem that may never come before him for consideration and upon which he may never be called upon to vote.

Among other committees of the House is the Committee on Agriculture, which passes upon problems of agriculture and farming, and to which all farm measures are first referred.

It is composed of 21 members, and I for one have waited with some impatience for five years for that committee to agree upon a constructive program which might give aid and practical assistance to the sturdy men and women who till the soil of the fertile fields of the Mississippi, Missouri, and Ohio River Basins.

These farmers of the great Central West and South produce the wheat, the corn, the hogs, and the cattle that feed not

only our Nation but part of the world, and the cotton and wool that covers our backs.

If the daily toil on their farms should cease for 90 days, the vast population of our country would starve.

If they did not furnish the raw materials for work in the factories, the factories would close.

If the great transportation systems of the country lost their freight and the tonnage were cut down, the wheels of the railroads, having 2,000,000 employees and \$20,000,000,000 in invested capital, would be disastrously injured. A demand would be made for a reduction in wages and a curtailment of interest, depriving thousands of families from earning a livelihood.

Our merchant fleet, carrying the American flag over the seas of commerce, deprived of the product of agriculture, would lie idle at our ports.

The man who makes and sells shoes, the man who makes and sells hardware or clothing or manufactures of any kind, would lose 13,000,000 customers.

Only a slight reflection will cause the intelligent dweller in the big city to realize that the farmer can not be destroyed or crippled or injured without disaster coming ultimately to him.

The sheriff is now calling on the farmer with notice of foreclosure; the bankruptcy courts, for the first time in the history of our country, are controlling the bankrupt condition of farmers; rural banks are closing their doors; farms are being vacated; and the force that feeds the Nation is moving from the country to the city.

The sturdy, patriotic, hard-working farmer has been beset on every side. He buys in a highly protected market. He sells in a world market without protection.

Industry is organized, labor is organized, capital is organized, transportation is organized, all the vital factors of our economic life save one have their organizations and have been the beneficiaries of special national legislation.

The farmer alone has been left to struggle for himself.

For five years I have listened to his appeals, read the speeches in the Record, discussed reports, and waited with impatience for the Committee on Agriculture to act, knowing that until it did act, under the rules of the House, any individual action of a Member of the House would be futile.

After waiting for some five years, this committee has finally reported three bills, fundamentally different and conflicting.

At the conclusion of months of continuous debate, after listening to the arguments on all sides and giving the subject extensive consideration, a divided committee has, for the first time, thrown into the House three great agricultural measures, and Members of the House, for the first time in its entire legislative history, are confronted with the unusual situation of committee disagreement and failure to act in the usual, ordinary process of legislation through a majority and minority report on one single measure.

Confronted with this uncertainty and division and thoroughly satisfied that something practical must be done, I have decided to accept the judgment of the leaders and representatives of the farmers of the Central West, who have been here for months, and shall vote for the bill upon which they have openly united.

AN EMERGENCY

Making due allowance for possible exaggeration, I am convinced that a real emergency exists in the affairs of the farmer.

There is a crisis. The threatened insolvency of the farmer should force action. The time has arrived when technicalities must be temporarily set aside in the interest of practical assistance.

Men may be divided as to whether the emergency was created by natural conditions or by artificial legislation, but there is no disagreement on the fact that the emergency does exist.

For months representatives of the great Central West—earnest, sincere men—have been conferring. They have been willing to compromise; they have been willing to enter into practical agreement that might bring relief; they have finally evolved and presented a measure which, they claim, will work.

I know personally something of the farmer's trouble. Raised in a small town, more or less intimate with the farm, having served on the agricultural committee of my State legislature, and having been active in the development of the public-road problem as it affects the farmer, moving in groups that favor conservation of the "big outdoors," traveling through my State and conversing not only with the farmer but with the local merchant and the small banker, I am personally satisfied that the lamentable condition of the farmer has not been exaggerated. It is so bad that it is hardly possible to exaggerate it.

There are actually 13,500,000 farmers, including farm laborers, on the producing fields of our Nation, or about one-fourth

of the gainfully employed population of our country. This 13,500,000 estimated farm population, the Department of Agriculture estimates, declined by 479,000 in 1925. The farm exodus, including farm laborers, in 1925 totaled 900,000, but an offset in population loss is credited to an excess of 400,000 births over deaths during the year. One editor aptly remarks, however, it is to be hoped that farm relief may come before these infant farmers are old enough to take to the plow.

This exodus is not normal; it is unnatural. It began to grow shortly after the war.

When the gross income of agriculture dropped from \$15,800,000,000 in 1919 to \$9,500,000,000 in 1920, the movement from the farm took impetus, and it has not been checked.

Not since 1919 has the farmer been able to meet his debts.

Conditions are such as to be reflected in acreage, and it is estimated there are approximately 6,000,000 fewer acres of farm land in production to-day than in 1919.

This depression was not created merely by what are called "lean years"; it was largely created by postwar financial readjustment, principally because the farmer, unprotected by the same economic laws and conditions as industry found himself caught in an ebbing tide and unable to handle the readjustment.

Commercial industry, guarded by laws and organization, credits, and banking resources, has been able to adjust itself.

The farmer has not been able to do so. His loans were predicated on high land values. When these loans were called he could not refinance.

The readjustment of prices which industry through its bank credits was able to conduct in orderly fashion created a panic for the farmer. His was a world condition.

Industry alone faced a domestic market protected by a tariff wall. The tariff gave no protection to the farmer. He was advised that conditions would improve. He borrowed money to pay his interest and reborrowed to meet new interest payments.

Statistics of four agricultural States picked at random show that in 1919 there were but 111 bankrupt farmers, while in the same States in 1924 almost 2,000 farmers filed voluntary petitions in bankruptcy; and in 1925, 1,810 found their way to the courts of insolvency.

The following report of the Comptroller of the Currency on bank failures from 1916 to 1925, inclusive, speaks for itself:

	Total State and private institutions		National banks			
	Number	Assets	Liabilities	Number	Assets	Liabilities
1916	41	\$10,512,000	\$16,010,000	13	\$3,868,000	\$3,020,000
1917	35	6,752,000	11,300,000	7	6,895,000	5,282,000
1918	25	9,195,000	10,258,000	2	2,300,000	2,359,000
1919	42		9,611,000	1	553,000	496,000
1920	44		18,955,000	5	2,739,000	1,930,000
1921	330		96,124,000	28	18,806,000	17,301,000
1922	364		95,933,000	33	21,679,000	20,287,000
1923	237		64,550,000	37	21,602,000	20,076,000
1924	777		223,188	138	84,974,000	74,743,000
1925	440		119,728,000	102		53,315,000

Recently there was read to this House a most interesting table that has a direct bearing upon this situation. It represents the purchasing power of the farmer's dollar as compared with other dollars.

This table was originally prepared by the Joint Committee on Agriculture on index numbers running from 1890 to 1920. Former Secretary of Agriculture Wallace brought the table up to 1922, and the present Secretary of Agriculture furnished the figures, based on the same index numbers, for 1923, 1924, and 1925.

This table follows:

*The purchasing power of the farmer's dollar since 1890  
(Includes food and farm products with all other products)*

	Cents		Cents
1890	83	1908	93
1891	89	1909	100
1892	87	1910	96
1893	87	1911	97
1894	85	1912	101
1895	85	1913	100
1896	81	1914	105
1897	86	1915	103
1898	88	1916	97
1899	83	1917	107
1900	86	1918	112
1901	92	1919	112
1902	95	1920	96
1903	88	1921	84
1904	93	1922	89
1905	90	1923	61.3
1906	88	1924	62.4
1907	90	1925	60.3

#### THE SITUATION IN MISSOURI

I am particularly interested in this legislation because my own State, Missouri, is vitally concerned.

The Missouri farmer is calling on us for assistance. He not only demands the right to make his dollar worth what it is to the New England industrialist, but he wants to sell in a protected market if he has to buy there. He is entitled to that protection.

Forgetting, for the purpose of this discussion, the vast mineral resources of Missouri, and, of course, her many millions of dollars in industrial developments, and confining discussion strictly to the farm, no State in the Union boasts a wider range of productivity, a greater fertility of soil, a larger group of natural advantages and water power or greater diversity of farm interests than Missouri. Nor need Missouri be any less boastful of her place among the States in the total of her products of all kinds.

And yet the latest figures of the Department of Commerce show that there are 260,478 farms in Missouri, compared with 263,004 in 1920; that of these farms there are 174,385 owners and 86,093 tenants and managers, compared with 185,030 owners and 77,900 tenants and managers in 1920.

On January 1, 1926, the total farm acreage in Missouri was 32,637,043, compared with 34,774,679 in 1920, a decrease of more than 2,000,000 acres in six years. The average acreage per farm decreased similarly from 132 acres in 1920 to 125.3 acres in 1926.

Missouri's farm lands and buildings, valued in 1920 at \$3,063,967,700, are valued as of January 1, 1926, at \$2,013,565,747, a decrease in valuation of more than \$1,000,000,000 in six years.

Of this \$1,000,000,000 decrease, slightly less than \$28,000,000 is charged by the Department of Commerce to decrease in building valuations, leaving the total \$1,000,000,000 decrease practically confined to land.

The growth of the cotton industry in Missouri should not be overlooked by a student of agricultural economics, because, although cotton-crop acreage has increased, total crop land has decreased. In 1895 there were only 47,772 acres of cotton picked in the entire State, producing 11,816 bales of 500 gross pounds weight.

After the great reclamation work of southeast Missouri, when miles of former swamp land was turned into fertile farm soil at a cost of \$17,000,000, the growth increased.

In 1918 there were 148,000 acres of cotton picked, producing 62,000 bales.

By 1923, 350,000 acres of cotton were picked in Missouri, producing 126,280 bales.

In three counties in Missouri—Dunklin, New Madrid, and Pemiscot—more than 130,000 acres of cotton were picked in 1923, producing more than 75,000 bales.

Horses valued in 1920 at \$77,916,000 in Missouri are now valued at some \$35,000,000 less.

Swine valued in 1920 at \$64,168,000 are now listed at \$37,910,000, or some \$26,258,000 less, although the number of hogs increased in the same period by 574,000.

Corn, which in 1919 was produced on 5,567,079 acres in Missouri, is being produced on about 100,000 acres less in the latest department figures, and the crop fell from 146,300,000 bushels in 1919 to 128,761,000 bushels in 1924.

Figures of certain other products are:

		1924	1919
Oats	acres	1,195,453	1,707,000
	bushels	24,203,271	40,493,700
Wheat	acres	1,441,000	4,564,900
	bushels	19,174,888	65,210,000
Tobacco	pounds	3,925,833	4,057,753

During 1924, 55,000 men left Missouri farms and only 32,000 moved in, according to the annual report of the Missouri Board of Agriculture. The survey of the State sets the total "vacant farm houses" at 28,500, but this is probably high and includes some discarded houses not originally used for dwellings.

Of the 32,000 men who moved on the farms 23,000 were married men and 9,000 single. Of the 55,000 who moved out of the farm area 32,000 were married and 23,000 single.

The net loss of hired farm workers, according to the State agricultural board, was 23,000 men in 1924.

The report further shows that the regularly employed men on Missouri farms is approximately 26,000, or only 66 per cent of the former normal employment of 39,000 men, not including harvest transients.

The Missouri farmer has eliminated one-third of his help and is, presumably, shouldering the added labor on himself and family for economy.

Nor is the picture presented bettered by other pertinent facts. In Missouri in 1910 the total mortgage debt on farm lands was \$112,000,000 approximately. In 1920 it had increased to \$216,000,000. And while figures are not available with any detailed accuracy for the later years, the following statement from the Agricultural Yearbook of the United States Department of Agriculture for 1924 is significant:

Total farm-mortgage indebtedness in the United States has greatly increased since 1920. \* \* \* Most of it \* \* \* has unquestionably been assumed to refund short-time loans to pay interest, taxes, and current expenses.

There is much which might be done by the individual States in helping the farmer in his present plight.

In my own State, for instance, the situation is described by the St. Louis Star, as follows:

#### MISSOURI'S ABANDONED FARMS

Year by year the desertion of farms in Missouri by their owners goes on without any intelligent effort by the State government either to investigate the cause or to remedy it. Yet depopulation of the agricultural districts means depopulation of the State and loss of wealth, because many of those who abandon farming do not migrate to Missouri cities, but remove to other commonwealths. The growth of the cities scarcely more than offsets the decrease in rural population.

According to a report just issued by the State agricultural board, based on United States census figures, the number of farms in the State declined from 185,030 in 1920 to 174,385 in 1925, a decrease of more than 10,000 in five years. Empty farm houses, windowless and standing in jungles of weeds and brush, dot Missouri hills and are scattered over much of what once was regarded as arable land. The number of other farms operated by tenants and not by owners reached 32.6 per cent last year.

Missouri's farmers will continue to desert the fields and hills until the State points the way to a better use of much of Missouri's land. The State agricultural college, reinforced by the State board of agriculture, is doing good work, but something more is needed. Thousands of square miles of hill country, under intelligent State direction, ought to be raising merchantable timber, fruit, or other crops, instead of their present scrub oak and persimmon trees. Much of this land, according to experts, will raise nothing but hardwood timber. Other land is good for fruit and nothing else. It can be made, experts say, to raise these crops profitably.

The abandoned homes ought to be filled with a happy and prosperous population. Dairy farming and fruit growing should be developed under State direction, instead of being left to the help of industrial departments of a few enterprising railroads. When the Missouri State government takes up these problems scientifically and thoughtfully, as is being done elsewhere, Federal census figures will tell a different story.

In view of the fact that Missouri shared proportionately the increases and decreases of the previous 10 years with other agricultural States, it is reasonable to suppose that she has shared the "greatly increased" mortgage indebtedness of 1920 to 1924 and thereafter.

The Agriculture Department statement that a portion at least of this new indebtedness has gone for "current expenses" tells a story in itself. "Current expenses" might well be changed in this report to "living expenses," and be a more honest statement of fact.

The figures on taxation for the last few years are not available in detail for comparison purposes, but it is interesting to note also in the 1924 Yearbook of the Department of Agriculture the following:

Tax delinquency has increased. This is especially significant because farmers do not willingly delay tax payments, but when possible borrow money to meet them. In some western areas local taxes have been delinquent for several years. \* \* \* In most of the important farming regions of the country taxes on farm lands have gone up two to six times as rapidly as the value of the land. Taxes in the last few years have consumed from 10 to 50 per cent of the net farm income in large sections of the country. Tax burdens have been particularly heavy in the North and the West.

I have confined myself to basic figures and statements that have to do with farming in general and not a particular class of agricultural interests.

The Missouri farmer is threatened with complete financial paralysis.

In Missouri from 1918 to 1922 the largest number of bank failures in any one year was 11 and in one year there were only 2.

In 1922 there were 15. In 1923 there were 28. In 1924 the number jumped to 44, and in 1925 there were more than 35.

Since 1922 more than 100 banks have closed their doors in my own State, and the large majority of them by far were in

cities and towns doing business with the farmers of the State and lying wholly in agricultural sections.

All these financial troubles came to the farmer during a period of transition. He was endeavoring to progress toward a higher standard of living. His mud roads were being transformed into modern highways. His wagons were giving place to automobiles, and trucks and tractors were taking the place of the horse-drawn plow and harrow.

The farmer can not be charged with profligacy in turning to the motor vehicle. He is entitled to the same modern conveniences of any other man. And from a strictly business standpoint he was forced to discard his horse for a motor vehicle. It was an essential change in his method of farm operation.

The farmer, trying to keep pace with modern conditions, had to refinance his operations on the farm, and now, in the new management of things, he is confronted with expenses which he should be able to balance from increased prices. But his prices have not increased, so that the efficiency he sought is not reflected in his income.

#### THE TARIFF TAX

We need not discuss here the tariff as an issue politically. Let us see only what is its effect on the farmer or whether he is affected by it.

To dispose of either an ignorant or willfully false claim that the present tariff act does not place a tax upon the things the farmer needs, let us follow the farmer through one day of labor.

His head resting on a 25 per cent tariff-taxed pillow slip, he awakens with the dawn, throws off a 25 per cent tariff-taxed blanket, and arises from a 60 per cent tariff-taxed wooden bed, raises a tariff-taxed window curtain, and lets in the only untariff-taxed thing so far—the sunlight. He pulls on tariff-taxed socks after discarding a tariff-taxed nightshirt, washes his face in untariff-taxed water in a "protected" earthen bowl, dries with a tariff-taxed towel, and sits down at a "protected" breakfast table that is covered with a "protected" cloth.

With tariff-taxed kitchen utensils "protected" as high as 50 per cent and in tariff-taxed aluminum pans Mrs. Farmer has prepared the usual morning meal. They drink coffee sweetened by tariff-taxed sugar and stirred by a tariff-taxed spoon. They cut their ham with a tariff-taxed knife and eat it with a tariff-taxed fork.

Mr. Farmer glances at a tariff-taxed clock, notes that it is 5 a. m., grabs up a 60 per cent "protected" straw hat, dashes out a tariff-taxed door, and starts his daily toll.

Mrs. Farmer later sits down at a tariff-taxed sewing machine to sew on tariff-taxed aprons and shirts with tariff-taxed needles and "protected" thread. Her fingers all through the day hardly touch an untariff-taxed article.

Meanwhile, outside, Mr. Farmer may use a 15 per cent pound tariff-taxed nail pounded by a "protected" hammer; he may be cutting with a 30 per cent "protected" sickle or digging with a 30 per cent tariff-taxed spade or shovel.

His heavier implements are made of "protected" steel. His chicken coops are built of tariff-taxed wire.

He bundles his products in a 15 per cent ad valorem tariff-taxed bag of hemp or flax, tied with a "protected" twine, loads them on a 1-ton truck that runs on 10 per cent tariff-taxed tires, drives over a \$4 to \$15 per ton tariff-taxed cement road to town, and sells the fruits of his labor and his soil in an untariff-taxed and unprotected market at a price fixed probably in Liverpool!

And yet we are told that the tariff works no hardship on the farmer as it is operated to-day. Because there is no direct tariff on farm implements, we are asked to believe that the farmer is "free," when, as a matter of fact, from the condiments on his tariff-taxed kitchen-cabinet shelf to the tariff-taxed button on his shirt, he is "tariffed" for nearly every article that enters his daily life.

Whatever may be the political view of this tariff, from an economic standpoint with relation to industry and labor, the fact is unmistakable that the tariff does affect the farmer on every article except that which he raises or labors to raise, because he must sell in a market where the tariff is of little or no utility.

It is manifest that what the farmer buys is bought at a price fixed by economic conditions in his own country and protected by a tariff, whereas what he sells is sold at a price fixed by world conditions over which he has no control.

#### AGRICULTURAL AND COMMERCIAL INDUSTRY

Agricultural and commercial industry are interdependent. The destruction of either would mean the paralysis of the other. What is harmful, fundamentally, to the one is ultimately ruinous to the other.

The man who makes shoes must sell them to the man who raises corn. If the man who raises corn is bankrupt, then that portion of the market is annihilated for the shoe man. The shoe man must curtail his production if he loses a portion of his market.

If the merchant who sells clothing or furniture, or kitchen utensils, or kodaks, or radios has to eliminate from his clientele the men who raise cotton, wheat, cattle, hogs, or fruit, he will be forced to curtail his production.

If the farmer, who feeds the Nation, is broke, the industries which sell to the farmer will be crippled.

The country merchant is his first contact with commercial industry. The country merchant has his contact with the local bank. And so the chain of contact goes on, from the farm to every branch of industrial or commercial life.

There is a community spirit between the manufacturer and the distributor, the wholesaler and the retailer, the industrial plant and the sales counter.

Rotarians, Kiwanians, chambers of commerce, commercial clubs, Lions' clubs, and similar organizations have bred the spirit of cooperation and concentrated effort in the urban population; but a real, close, intimate, sincere mutuality between city and farm does not now exist.

There was a time in our more contented periods of development when the farm had its peerage, the plantation its aristocracy, and rural America a monopoly on statesmen, leaders, creators of thought, and delightful social life. That was before the day of centralized urban power in finance and labor.

But the 110,000,000 Americans of to-day seem unfortunately to have parted ways. Thirteen millions of them work behind the plow in the wide open spaces, and the other millions are huddled together in the congestion of the cities and towns.

These seem to be entirely oblivious to the problems and conditions of the 13,000,000 farmers.

Part of the actual farm problem grows out of the conditions whereby great metropolitan centers of millions pursue their daily course of life under rules, regulations, laws, and dictations that have in them little or no consideration for the important situation at the crossroads.

The farmer knows what goes on in the city; he is familiar with every economic condition of the urbanite. He understands every law under which the city operates and is conversant with every condition actuating every move in the industrial world.

While he is not part of it, he feels every change, and, having time to study and read, there is nothing in the world which escapes his attention.

Contrasting this general knowledge on the part of the farmer of conditions in the city, the city dweller's usual conception of a farm is limited.

#### POLITICALLY NEGLECTED

The Republican Party has been in control of both legislative branches of Congress for eight years and in control of the executive for six years.

Upon this party must rest the responsibility of failure to give heed and aid to the farmer during that period.

Legislating for the East, they have discriminated against the great Central West.

Some political flourishes have been made to help transportation on our great Mississippi River. The Missouri has had speeches made about it and its prospects. That ended the consideration of the problems of the Central West.

The East, dominating the Republican Party, has its mind fixed on ships and factories, on trade and commerce, on finance and big business.

During these last six years Congress has legislated for almost every interest but that of the farmer.

Laws for industry, in the form of the highest tariff schedule ever passed, have been put upon our statute books. Enactments have been approved in the interests of organized labor, as was proper. Extensive pensions have been granted and regulatory laws passed for various groups at their request.

We have legislated for banks, railroads, industry, labor, veterans, coast-wide trade, export commerce, manufactures, and shipping corporations.

The one single bill which came before Congress in a definite way that was heralded as for the benefit of the farmer—the Muscle Shoals project, which we were told would reduce the cost of fertilizer for the farm—had no sooner made its appearance that it became a vehicle for political logrolling, trading, and skirmishing.

A great deal of this other legislation has been wisely enacted. It has been supported by the Representatives of the great Central West, by the Representatives of the farm, and there is no intention to criticize it.

I voted for much of it, and my only criticism is that at the same time I have had no opportunity to cast a vote directly in behalf of the farmer, nor has any Member of this House.

The great Grain Corporation, which functioned during the war, made a profit of \$51,000,000. It has even been estimated as high as \$70,000,000. This was the profit of the American farmer, but a profit which went into the Treasury of the United States, because it was claimed there was no equitable way to redistribute it to the farmer.

So to-day, in discussing relief for the farmer, we should at least give him credit for the more than \$50,000,000 due him.

It has been stated that, in round numbers, farm-land values have shrunk almost \$20,000,000,000 since the war.

The war-labor scale of wages has been retained.

Immigration, furnishing much of the farm labor, has been curtailed.

The farmer's dollar, as we have seen, has lost its purchasing power and does not compare with the dollar of the industrial worker.

Labor can organize, manufacturers can organize, but the very character of his business and the magnitude of the undertaking prevent the farmer from organizing for his own protection.

He can not, for one thing, organize against the forces of nature, which change without his control and against which he can not make provision.

He is forced to meet world competition in selling price and buys his labor and farm supplies in an organized, protected market.

#### CONCLUSION

The farmer can not organize by himself. The Government, as an economic necessity, should help him organize.

The farmer can not control or modify price levels fixed at the Liverpool market.

The farmer is in distress, but he pays the full price of the tariff given to industry.

The farmer pays his full share of the new standard set for wages of labor and the cost of transportation.

The farmer pays taxes to meet the new cost of waterways and improved highways.

His are tangible assets; his property can not be concealed or hid away; and he is unable to escape any taxation. He has no income from tax-exempt securities.

The farmer contends not only against the artificial conditions and laws created by man but against the uncertain conditions created by nature, with sunshine, rain, snow, frost, drought, hurricane, insects, and disease, all great factors in his economic life.

The farmer gambles with nature; gambles with a controlled market; gambles with transportation costs; gambles with an artificial dollar; gambles with foreign competition; gambles with everything from the seed when planted until its product goes to the market. He gambles through all the months between planting and the harvest delivery.

The farmer's life is one continual gamble—sometimes he wins, sometimes he loses.

The farmer has never won in a gamble with national legislation; he has always lost, because the cards have been stacked against him.

If the farmer must gamble—and his situation demands it—the machinery should be provided for fair play and a square deal.

With the national administration facing the emergency without a policy, with our own House divided in opinion, after hearing four days' debate and reading hundreds of pages of conflicting testimony, I have decided to vote for H. R. 11603 because, so far as I can ascertain, it represents the united opinion of farm organizations and their accredited representatives, because it is their proposed solution, and I want to give a trial to their own suggestion.

The farmer has voted for commerce, industry, transportation, and labor with generous patriotism, wherever and whenever these elements in our economic life have required assistance.

We should now, in the face of his emergency, at this time of his peril, let him have some voice in the control of legislation which he believes will put him back on the road to political equality and prosperity. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield now to the gentleman from Iowa [Mr. ROBINSON].

Mr. ROBINSON of Iowa. Mr. Chairman and members of the committee, we are trying to find a way for a return of prosperity to agriculture, with considerable confusion both as to the direction and the road. I am supporting the Haugen bill because I believe that it, better than any other proposed legis-

lation, points the way. I ask unanimous consent to extend and revise my remarks in the RECORD.

THE CHAIRMAN. Is there objection?

There was no objection.

MR. ROBINSON of Iowa. Mr. Chairman and members of the committee, we are trying to find a way for the return of prosperity to agriculture, with some confusion as to the direction. Billy Sunday, the famous evangelist, left his hotel in a city where he was about to open services to post a letter. He inquired the direction of a newspaper boy. "You go one block to your left and two blocks to your right, and you'll see it," said the little fellow. "Thanks, sonny, you're a bright young man," said Billy. "Do you know where they have built the new tabernacle?" naming the streets. "Yes," replied the boy. "Well, come there and I'll show you the way to heaven," was Mr. Sunday's rejoinder. "Shucks," said the newsie, "you didn't even know the way to the post office."

The temptation to a man standing before an audience is to say things strongly that he may impress his hearers with his own earnestness and with the truth of the things he says, and the need for their utterance.

Our great business of agriculture is in trouble and when we tell about our troubles we often get enthusiastic and tell them strongly, but it is not my purpose to enter into too much detail regarding our troubles, for the discussion of the past few days has clearly demonstrated that there is an agricultural problem so definite and so certain that we all concede it and inquire not as to its existence, but as to the remedy and cure. We are indebted to our colleague from New York [Mr. Jacobstein] for a very clear and concise showing by means of charts and helpful explanation that must convince anyone of open mind that this national agricultural problem does exist in such acute form that it deserves and even demands our very best thought and attention.

I come from Iowa, the very center of the best agricultural district in America, and, so far as I know, in the world. Iowa, that ranks first in pretty much everything, and yet the farming business in Iowa is in a very unsatisfactory condition; and because it does not prosper our banks, our factories, our stores, our business and professional men do not prosper. All else in a business way is affected adversely. What is the trouble? It is a long story and I shall not here take time to repeat it more than to say it was started by the war inflation, overuse of our credit, boom in land prices, raising of a tremendous crop at the peak of expense, followed by an unwarranted and too rapid deflation before the crop could be marketed without a corresponding deflation in the price of products we buy and a continuation of the deflation and disparity of price values and purchasing ability. True it is that other lines of business and industry were deflated and suffered, although perhaps not to the extent of agriculture, but with this great difference; business and manufacture took their deflation and it was severe, but they soon adjusted themselves to the new conditions. They controlled their production and thereby, to a large extent, controlled and stabilized the price of their products, and soon they were once more doing business at a profit; but agriculture, from its very nature and because of the expansion brought about by the war, which was largely at the request of our Government, could not control its production. The war had ruined the world market. The world needed our surplus agricultural products but could not buy and pay for them at a price at which we could produce them, the result being that the low world price paid for our surplus products largely fixed and made the price paid for them at home; and so we have continued year after year to sell our farm products, with some few exceptions—in case of a crop shortage at home or abroad—at less than they cost us to produce, with the natural result—inability to pay our debts, severe decrease in the price of our farm land, banking institutions forced to take real estate in payment for obligations, inability to dispose of it at a fair price; consequently, failure in some instances and general discouragement to all engaged in agriculture.

Agriculture is the most important industry in America. More people are engaged in it and more capital is employed in it than in any other industry. The world could, if necessary, get along without many of the comforts, luxuries, and pleasures which we now have and enjoy. It is possible to think of a world without electricity, without steam power, without telephone, telegraph, or radio—even without gasoline, although this would be hard to endure—but we can not think of a living world without agricultural products. Continued prosperity in any line of business or profession in this country is to quite an extent dependent upon the success of agriculture, for if agriculture does not prosper to a reasonable extent, ultimately

all other lines of production, employment, and business will be adversely affected. Therefore, it becomes the more important that agriculture be given a fair chance for success.

We have two standards of living in this world. The American standard and the world standard. The American standard is higher than the world standard, and please God may it always remain so until the world standard advances to the American standard and ideal of living. We must not lower the American standard. We have at least two sets of prices in this world; the American price and the world price. It seems very clear to me that the world price, that is the exportable price, the price we receive for our surplus, should not necessarily determine the home or domestic price. We do not permit world prices to control American prices on other things. I can see no more reason for the American farmer selling his products on the American market at the foreign price than there is for the American manufacturer selling his products on the American market at the foreign price or for the American wage earner selling his services on the American market at the foreign price, and I am strongly opposed to this in both instances. Nor should the prosperity of agriculture depend upon a short crop either at home or abroad which compels a satisfactory world price.

The home price should be determined by the cost of production, plus a reasonable profit, just as is done in the case of manufacture, and, generally speaking, the law of supply and demand will do this provided we can have a system of orderly marketing and the surplus, if any, removed from competition with the home market. This is just what we are doing for the wage earner and for manufacture under our labor and immigration laws and the protective tariff. These laws are for the express purpose of giving our home labor and our home manufacture an advantage in the home market a preferential market. We recognize this and believe in it, for the American home market is the best market in all the world. The American consumer—the American wage earner—is the best paid labor in the world, and consequently the best able to buy, and so makes the best home market in the world. We now ask that the home market be just as favorable for the farm as it is for the factory and for labor. We approve of the latter and we insist on the former as simply fair, equal, and right. Has agriculture had this same protection? Only in part, because while our tariff law protects us against imports, it can not protect us to the full extent and becomes almost inoperative when we have a surplus that must be marketed abroad unless we have some method of retaining our preferential home market at the same standard, and this is just what we are proposing to bring about by the Haugen bill, which I am supporting. Under our present tariff law the world can not ship agricultural products to America without paying something for the privilege of our market, just as is true of many of the products of the foreign factory.

If we produced no surplus products from our farms, if the home market needed and used our entire production, it would be very easy under our protective-tariff system to give agriculture the same proportionate protection we give to manufacture, to labor; but we do normally in the average normal year have large surpluses of various farm products that must be sold on the world market, and here at once we come into competition with cheap foreign land, with cheap foreign labor, with cheaper world standard of living and all prices, and immediately our home market is influenced thereby and reduced to approximately what the world will pay us for our surplus, and we lose the benefit of our home market, our preferred preferential market, which we have provided for labor and for factory. The purchasing power of our farm products is reduced and is out of proportion to the price we must pay for the products we buy. We are selling on a low unprotected market; we are buying on a high protected market, and naturally we are on the road to business trouble and failure. The value of anything is comparative. In the main it matters not much what the price is; the real consideration is how much of what I need and must have will what I have to sell buy for me. How much will what I produce secure for me of the things I need and desire. This makes necessary that prices of all general commodities, of labor, and of agricultural products shall have a general fair relation to each other. That all shall have a protected market or none.

I do not wish to weary you with a repetition of figures; it has been very clearly shown by authentic statistics given in the course of this discussion, and I think it is conceded by all, that the purchasing power of the products of agriculture now range from 10 to 15 per cent below their correct standard on the average and with some farm products much lower in purchasing value than this.

What is it that we are proposing in the Haugen bill, which is the bill I am urging you to enact into law? Standardization of the price of agricultural products on a proper ratio to the price of other products. That is all. And how shall this be brought about? By setting up the machinery to handle crop surpluses so that a low depressed world market shall not necessarily mean a low depressed home market, and after a period of only two years during which time we may get an effective organization under way to do this entirely at our own expense, to charge directly to the commodity affected and benefited, the cost of the operation by an equalization fee directed to that particular commodity. What could be fairer? I am not saying to you that the Haugen bill suits me in every particular. I am saying that I believe it is the only bill before us that at all meets the present emergency; and if in its operation we shall find that it can be improved upon—and of what law of importance and general application has this not been true—succeeding Congresses will be here to amend, to correct, and to improve it. I will not for lack of time, and also because it has already been done, attempt to analyze or go into the details of the Haugen bill. I think there is a very general understanding of it. There are many good things in the Haugen bill. It is to my way of thinking so eminently fair. May I mention two outstanding qualities, both relating to the equalization fee?

First. Charging directly to the commodity benefited the cost of such benefit; that is to say, the commodity benefited pays its own bill. At the time it is first placed on the public market a deduction is made for the estimated cost of securing the better market; and if the charge made exceeds the cost, the balance is returned to the party from whom it was deducted when the operation period is completed. Could anything be fairer?

Second. Overproduction or increase of surplus is prevented by this very method, for all surplus in any commodity is a matter of expense to the producer of that commodity. His profit lies not in the surplus he produces but in the amount he produces that can be sold at a profit, consequently he has no incentive to overproduce, but every incentive to produce only a sufficient satisfactory amount that the home market and the world market will absorb at a price that makes his production profitable.

The gentleman from Kansas [Mr. TINCHER], for whose ability I have a very high regard, referred to the equalization fee as a tax on production and gave a very striking and beautiful illustration of his thought, by his reference to his visit to Jamaica, and its tax on production. It does not seem to me that the cases are parallel. As I view it, the equalization fee is not a tax. It is an expense of conducting the business. A contribution on the part of the producer of an agricultural product to the expense of marketing his product, and is only paid if he markets his product on the public market, and it is for the express and sole purpose of securing for him a better price for his product than he could otherwise receive, and so to me it seems like a contribution to his own personal business expense and not a tax.

Some things have been said regarding certain changes made by the committee in the provisions of the original Haugen bill, and the statement has been made that these changes were for the purpose of getting more votes or support for the bill. Undoubtedly it was done and for that purpose. Well, what of it? Surely nothing wrong. It is not a matter of moral principle; it is simply a matter of business procedure, and who shall say at this time in advance of experience with the law which is best, the bill as originally drawn or the bill as it now is?

I know which I prefer, and that is the bill before it was changed, the bill without the so-called subsidy provision and with the equalization fee working from the beginning. But did you ever know of a business transaction involving large and divergent interests in which the completed transaction was not the result of change in the original proposal; of compromise; of give and take; a partial change of views on the part of all parties to the transaction; and while I say freely, if I had my way some things in this bill would be different, I know that I can not have my way entirely. It may even prove that some other way is better, although I would like to risk my own. But I must consider other minds, other interests, other sections of the country, their thought and viewpoint, well knowing that if this proposed law, the Haugen bill, shall prove unsatisfactory, succeeding Congresses will be here to correct, to improve, to amend it as experience shall show to be wise.

It is said that the principal change—that of deferring the equalization fee for two years and providing for a revolving fund of \$375,000,000 in its place, which is limited to the first two years—is in the nature of a subsidy and I think it is, but

even if so it is a limited subsidy for a very limited time. I have consistently opposed subsidies by our Government, and I wish there were nothing in the nature of a subsidy in this bill, but there is and it has seemed best to those in charge of its formation in order to meet the wishes of certain divisions of agriculture whose market conditions are somewhat different than others to include this revolving fund or temporary subsidy for a period of two years.

Surely this can fairly be said: That to a greater or lesser extent subsidy has entered into many of our governmental dealings during the war and the reconstruction period. Do you know of any industry in our country that was as severely dealt with by the deflation and construction period brought about by our Government as was agriculture, in which production and inflation was first desired and secured by our Government and then abandoned without notice, help, or mercy? I think it can be clearly shown that the Government owes to agriculture if not a subsidy substantial assistance in overcoming the difficulties and problems which the Government had no small part in bringing about, and so I believe anyone can be entirely consistent in their general attitude of opposition to subsidies and yet support this revolving-fund plan as simply helping right a business wrong done at the close of a great emergency.

We are a great Nation, great in so many respects—great in our moral outlook; great in our altruism; great in our desire to assist others, especially those less fortunate than are we; great in our treatment of weaker nations; great in our desire to be and do right. We are also great in our vast size geographically, in our miles of territory, in our varied and divergent interests which this naturally causes; and right here we come to the condition that sometimes rightly and necessarily causes us to change our viewpoint, to give as well as to take, to modify our views and desires to meet those of others. It is only the folly of controversy that would set country against city, wage earner against capital, producer against consumer, and it should not be done. Rightly understood, the welfare of each is dependent upon that of the other. Advance and forward movement of every kind is dependent upon labor.

Without competent labor this country would be a wilderness instead of a place of happiness, and I hope always to see labor receiving its fair share of the good things of this world, which means labor well paid, as it now is in this wonderful country of ours. We need the business man—the banker, the merchant, the manufacturer. We need their genius and organizing ability. Much that we now have we would not have, much that we desire would be unobtainable, were it not for them. We need the professional man—the lawyer, the doctor, the educator, the minister—but we need the farmer most of all. The world can not live without his products. We are an interdependent people. We must not forget our need of each other. We must not become sectional. We must help each other and by so doing help ourselves. I love to think of America as one great family—Uncle Sam's family. The children are not all exactly alike. We see things from our individual viewpoint. We are interested in different affairs. We are engaged in various occupations, but we are one family, children of Uncle Sam—agriculture, business, commerce, labor, manufacture, profession—all children of Uncle Sam, under the same obligations, entitled to the same rights, to eat at the same table, to live in the same house, to the same fatherly protection of Uncle Sam, to the same preferential home market, with prices based on the same standards. Has agriculture had this? Only in part—and why? Because of that thing we call surplus, the part we produce more than is needed at home. Surplus—once a good term, now in disfavor! A nation's safety lies in its surplus. America has never known hunger or famine, but the world has; and it is a fearful thing. Our national food surplus makes for safety and should be encouraged to a reasonable extent. But the surplus should be cared for, and not permitted to destroy the industry that protects it; and we have found in our experience that a surplus of farm food products means depressed prices, hard times, and disaster to agriculture. We have found that a short crop may bring a larger return to the producer than a full crop. This should not be so. What is as important in a business way to a nation as its food supply? Why is it not very properly a function of the Government to protect itself in this regard? How can this be better done than by legislation that will at least give the food producer an equal chance with other producers and industries? We ask nothing more.

American labor, American industries are protected in the possession of the American home market for their products by our present laws. Extend this same degree of protection to agriculture. We ask nothing more. We believe in a preferential home market, a home market better than is afforded any-

where else in the world. We prove this by our treatment of manufacture, to which we have wisely given the large advantage of a protective tariff law. We prove this by our treatment of labor, to which we have given the most regular and steady employment at wages much better and higher than is afforded anywhere else in all the world by our labor, tariff, and immigration laws. We are proud of our record along these lines. What have we done for agriculture? We have attempted to give it somewhat the same protection by our tariff laws, but the surplus and the low world market combined have made this to a large extent inoperative.

We come now asking only one thing—that you make it operative; that you do in fact give us the protection you intended giving us under the tariff law now a part of the law of our nation. It is not class legislation; it is for the good of all. If there were now no tariff on the products of the factory, no labor or immigration laws, do you think we would have any trouble in passing this farm legislation for the farmer? Not a particle. Manufacturer, wage earner, and farmer would combine for their mutual interests, and legislation for all these members of Uncle Sam's family would undoubtedly be made into law. Should the fact that the farmer has acquiesced in this helpful legislation for his brothers now militate against him when he asks for help similar and like unto what he has assisted others in getting? Indeed it should not. Manufacturer and wage earner, consumer, should now welcome agriculture into the protected condition they enjoy and give to agriculture the same preferential or preferred home market they so much enjoy to the mutual benefit of all.

Do you realize what it may mean if the present unsatisfactory distressing condition of agriculture continues; what it may mean if the unrest, the dissatisfaction, the movement from the farm, the belief that agriculture is being unfairly treated and discriminated against; the further belief that the East and the great business interests are unwilling to give the farmer the same benefits of the tariff on his product which they claim and secure for themselves? What it may mean if it becomes the belief on the part of a great section of our country that they can not secure equal opportunity and justice and that only one course of action will produce results, that being that manufacturer, wage earner, producer, and consumer shall all go on the same basis as agriculture of disposing of their products on the home market, free from all benefit of tariff and other advantages with which our laws now surround them? I do not believe in this. I do not want to see this. Its possibility is worthy of your consideration.

Do you realize, on the other hand, what a contented, happy, profitable condition in agriculture would mean to this country? How every industry would be favorably affected, how the demand for products of labor and the factory would increase, how it would be to the advantage of every American citizen, business man, profession, and wage earner, how once again farm lands, the basis of all our national wealth, would again be in demand and ready sale.

I come from a family that love the soil. Ownership of it has always been a matter of pride. Improvement of it a real joy. I want to see the ownership of land desired and sought for, the operation of a farm regarded as equal in standing and opportunity to any business or profession, both as to chance for profit and its future. I wish everybody loved and owned a farm. The ownership of land promotes good citizenship, love of country and obedience to its laws.

The passage of the Haugen bill will help bring this about.

Mr. JONES. Mr. Chairman, I ask unanimous consent to have inserted in the RECORD at this point certain amendments which I propose to offer to the bill under consideration.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to insert at this point in the RECORD certain amendments which he proposes to offer to the bill under consideration. Is there objection?

There was no objection.

The amendments referred to are as follows:

Amendment offered by Mr. JONES: Page 9, line 25, strike out the word "cattle," and page 10, line 11, strike out the word "cattle."

Amendment offered by Mr. JONES: Page 10, line 4, after the word "finds" strike out the remainder of the paragraph and insert in lieu thereof the following: "That in the case of any or all of such basic agricultural commodities there is or may be during the ensuing year a surplus above the requirements for the orderly marketing of such commodity or commodities, and that a substantial number of cooperative associations or other organizations representing the producers thereof, are in favor of the commencement by the board of operations in such commodity or commodities, then the board shall declare its

findings and commence operations in respect thereof. Such operations shall continue until terminated by the board."

Amendment offered by Mr. JONES: Page 10, line 24, after the word "and" insert the following: "may in its discretion."

Amendment offered by Mr. JONES: Page 20, line 19, strike out the word "ginning" and insert the word "milling."

Amendment offered by Mr. JONES: Page 23, line 11, strike out all of section 18.

#### RECESS

The CHAIRMAN. Under the order of the House, the committee will now stand in recess until 8 o'clock p. m.

Accordingly (at 5 o'clock and 30 minutes p. m.) the committee stood in recess until 8 o'clock p. m.

#### EVENING SESSION

The recess having expired, the committee resumed its session.

Mr. TINCHER. Mr. Chairman, my understanding, and the understanding of the three gentlemen, is that regardless of the condition of time up to this time we will use one hour each between now and 11 o'clock.

The CHAIRMAN. That is the understanding of the gentlemen in regard to time.

Mr. TINCHER. Yes; that is the understanding, and I yield 10 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. TINCHER. I yield 10 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman and Members of the House, I would like to call your careful attention for a short time to the bill under consideration. Two years ago, standing in the same place, I discussed the McNary-Haugen bill presented by the same committee that has the floor to-night. The bill was on this same subject, and while it was a vicious and bad bill, in my opinion, it was much better than this. This bill is a bad imitation of the old McNary-Haugen bill. At that time I made a few remarks upon that bill entitled "Tell the farmers the truth."

But to-night I want to speak upon this bill under the subject "Do not try to fool the farmer." At that time I took my text from President Coolidge's first message to Congress, wherein he said:

No complicated scheme of relief, no plan for Government fixing of prices, no resort to the Public Treasury will be of any permanent value in establishing agriculture. Simple and direct methods put into operation by the farmer himself are the only real sources for restoration.

To-night I take my text from the same great President, from his last annual message to Congress, as follows:

The Government can not successfully insure prosperity or fix prices by legislative fiat. Every business has its risk and its times of depression. It is well known that in the long run there will be a more even prosperity and a more satisfactory range of prices under the natural working out of economic laws than when the Government undertakes the artificial support of markets and industries.

May I at the outset call your attention to some things which have happened in the past two years, since the first Haugen bill was defeated. Two years ago the farmers were in a very much worse condition than they are now, but the agitation for price fixing and Government subsidies and the attempt to put the Government of the United States into buying and selling products and into private business for the benefit of certain classes still goes on, and the same organizations and the same politicians that appeared two years ago in favor of the first Haugen bill are here to-day in defense of a worse bill than the former, if such a thing is possible.

The same old propaganda of socialism and price fixing, Government ownership, and so forth, has been sent to Members of Congress during the past few months as was sent two years ago.

#### CONDITION OF THE AMERICAN FARMERS TO-DAY

The Bureau of Agricultural Economics upon the agricultural outlook for 1926 in its report states the condition of agriculture in this country to-day as follows:

During the last year agriculture as a whole has made further progress toward normal stability. Apparently the heavy net movement of population away from the farms has declined. Farmers have paid off a substantial amount of indebtedness. Increased sales of fertilizers, machinery, fencing, and building materials indicate that the farm productive plant is being restored.

The gross income from agricultural production for the present 1925-26 season will about equal the \$12,000,000,000 figure of the previous year. The indicated purchasing power of farm products in terms of nonagricultural commodities averaged 89 for the year 1925 (the five years immediately preceding the war being considered as 100). This

index has risen about 5 points per year since the low 1921 average of 69. During the last three months, however, it has stood at 87.

The trend of total crop acreage has been slightly downward in recent years, while population has been steadily increasing. The production of the principal crops has been at approximately the 1919 level during the last three years. Marketings of meat animals, on the other hand, declined materially during 1925 and represent the turn from the peak of the animal production cycle, reached in 1924.

In short, agricultural production has been so readjusted that the farming industry as a whole is now in the best general position since 1920.

The Chicago Tribune in a late issue states the condition of the farmers to-day from the standpoint of a western newspaper and says:

Farming has been undergoing a more rapid industrialization than in preceding years. The whole structure of the industry is being altered at a greater rate than manufacturing. Country life has been changing more than city life.

In all such periods of rapid change there are many who fail to keep pace, and their misfortunes, added to the general distress caused by the price slumps, have intensified the rural situation and delayed recovery. Even in the areas where price recoveries have been so marked, as in the wheat and cotton belts, the restored purchasing power of the farmer has been to a very great degree devoted to the purchase of capital goods in order to reequip the farm plant to meet the new day.

The farm outlay for automobiles has increased from \$50,000,000 to over \$1,000,000,000 per year since 1913. About half the outlay for automobiles is figured as a business expenditure, so that there has been an increase of \$450,000,000 per year in this form of capital expenditure by the farmer.

As a result of the increased capital employed in the business and the increase of taxes the average fixed charges upon agriculture now amount to 17 per cent of the cash income of the business, against 10 per cent in pre-war days. Despite this enforced greater outlay for capital goods the purchasing capacity of the farmer for consumption goods is now practically equal to his pre-war ability to buy them.

The greatest living authority in America upon economic subjects, Roger W. Babson, in May, 1926, speaking of agriculture in the United States, says:

Since the war Europe has fast come back as a producer of both grains and commodities. As a result the demand for our food products has been greatly curtailed. Domestic wheat supplies are small, but there is plenty of wheat, taking the world as a whole. Moreover, the world's acreage is constantly being increased. We have an excess of corn in the United States. Corn in hogs is the most profitable in years, but the majority of farmers had previously sold most of their surplus hogs. Corn is now selling at about the five-year average price prior to the war. Considering the fact that farmers' costs are considerably higher than before the war, this is a serious matter. Rye, flaxseed, and other crops are in abundance. Hog prices are still high, but cattle prices are fairly low. Shrewd farmers can not now see higher prices immediately for any important farm products and fear even lower prices for some.

During the war the producing capacity of our plants in the United States and Canada was greatly increased above normal requirements. Hence immediately following the war there was a great decline in prices. This decline was checked with the Republican victory, which put heart into wholesale buyers of merchandise. Retail sales, however, have not come up to expectations. There has again developed among manufacturers and jobbers a hesitant attitude. Many leading industries are curtailing operations. Competition is becoming more severe every day. This competition is not only local, but Europe is becoming a real competitive factor, and each month is sending more and more manufactured goods into the United States and Canada.

#### FOREIGN COMPETITION HARMFUL

As to what Europe is doing is best expressed by the following estimated figures of our foreign trade during the first three months of 1926. (Computed in millions of dollars):

	Exports	Imports	Balance against us
January	397	417	20
February	353	388	35
March	375	445	70
Total	1,125	1,250	125

These figures are not important of themselves. We have so much gold on the American continent that we can well afford—even to our own well-being—to send more of it back to Europe in settlement of an unfavorable trade balance. The importance of these figures is largely in what they indicate, namely, that European manufacturers

are constantly selling more and more in the United States and Canada and will soon become serious competitors.

Business failures suggest that competition, both local and foreign, is beginning to hurt. The death rate among new concerns which have never been through a business depression is now increasing very rapidly. The truly successful captain of industry is he who can weather a hard gale. Anyone can sail a business ship when the seas are calm. Moreover, when prices are rising it is merely like sailing with the wind. From now on some careful "tacking" will be necessary, even if there are no storms. Overhead must be cut, expenses reduced and competition must be met by working hard and attending to business. Outside things must be cut out. Hand-to-mouth buying will continue for some time to come.

#### THE GOOD OLD DAYS!

I am often asked if the "good old days"—when prices were low and everyone worked—will ever return. It was not so many years ago that we could get a square meal for 25 cents, could buy a suit of clothes for \$15, could buy good shoes at \$3 per pair, could get board and room for \$7 a week, and when we paid only \$1.50 for the first-row seats in the best theaters. Then milk was 5 cents a quart, cigarettes were 5 cents a package with a picture thrown in; street-car fares were 5 cents per ride and ice-cream sodas were 5 cents per drink, and we all went to the nickelodeon or a 5-cent movie for our fun.

The doctor in those days charged only \$1.50 per visit, the dentist pulled a tooth for a quarter, steak was 25 cents per pound, sugar sold at 25 pounds for a dollar, and the butchers used to give us liver for the dog! Of course, wages were then much lower and everybody worked. People then bought washboards instead of ouija boards and developed farms instead of golf courses and subdivisions. Will this time ever again return? Frankly, I do not know; but surely there has been a tendency in this direction during the past few months. Living expenses must come down or 40 per cent of our families will wind up in the bankruptcy courts. Whether this decline in living costs will come about through declining prices or through getting on with less gasoline, less new clothes, and less amusements, only the future can tell. Something, however, is sure to happen. We can't continue long at the present pace with wasting, loafing, and speculating so prevalent.

There is to-day no great emergency, as has been claimed by the proponents of this bill. The farmer is gradually working himself out of the mistakes he has made since the war. His errors were honestly made as follows:

During the late World War the Government under its war powers entered upon a system of price fixing for the products of the farm whereby the normal wheat acreage, for illustration, through this price fixing increased from 52,000,000 to 76,000,000 acres.

After the war there necessarily came an end of price fixing, especially on wheat. The demands of foreign nations upon us during the war for food products diminished when peace was declared until to-day these nations are able to care for themselves, and our export trade in food products has greatly diminished.

The increased production of farm products has still been going on since the war, and the natural result has been an overproduction everywhere, especially in wheat. The well-known rule has become a settled maxim of economics—that the surplus fixes the price of goods; and it has proven true since the war. Two years ago wheat was selling at 90 cents a bushel, much below the cost of production, admitted then as being due to overproduction. There being no foreign market, it was suggested by the first Haugen bill two years ago that the United States buy up for five years all the surplus wheat of the farmer and sell it in Europe for what we could get and the whole Nation bear the loss, because it was argued that this buying up of the surplus would fix the price of wheat at \$1.50 per bushel during that five years. This vicious bill did not become a law, and it is everywhere agreed, except in certain sections of the wheat belt, so-called, in the West, that had this bill been enacted everybody to-day would be growing wheat in the United States and our Treasury would now be in a bankrupt condition.

I might illustrate the result of the surplus fixing the price by the situation in my home county to-day. For the last five years my home county, Aroostook, one of the largest potato-growing counties in the United States, has been growing potatoes in large quantities below the cost of production.

The farmers had devoted their whole attention to potato growing, and there being a large surplus in the Nation during that time this surplus fixed the price, and the price was well below the cost of production. To-day, due to a shortage, my farmers are getting a large price for potatoes, my home county having more than 39,000,000 bushels of potatoes last year, and

are now paying their debts and discharging the mortgages which were put on during these several lean years.

I hope they have learned the lesson not to devote their whole attention to one product of the farm, but to first grow on the farm their living and then if there is a surplus to dispose of it in the domestic market. There is no doubt but what certain Western States, called the Wheat and Corn Belt sections, have to-day an overproduction of wheat and corn, and the surplus having fixed the price no great profit has come to these farmers. They are here seeking legislation that will force the United States to take from its Treasury \$375,000,000 to buy up this surplus and thereby raise the price of wheat and corn.

Two years ago the western farmers had plenty of hogs and corn. Pork was cheap and they disposed of their hogs. To-day they have plenty of corn, and it is cheap, but they have no hogs, and they are asking the Government of the United States to fix the price of corn, because they have only a few hogs to feed.

Everything has been really taken from this bill except wheat. The Salem (Oreg.) Capital Journal states very briefly and correctly the logical end of price fixing of wheat when it says:

What would be the effect of a Government fixed price on wheat? The first effect would be an enormous increase in the production of wheat, with a lessened demand, because of the higher cost of wheat, breadstuffs, and mill feed. The farmers could not sell, because of the immense surplus, and the little export business remaining would be destroyed, increasing our surplus. Most farmers would be compelled to sell for what they could get or keep their wheat, and they would be still worse off. Then would come the demand that the Government establish a wheat monopoly and purchase all the wheat grown, storing or dumping the surplus, or reducing the acreage. Then the Nation would reenact Brazil's experience with coffee control, with a resultant financial crash that would bankrupt everyone. Having guaranteed the farmer profitable prices, it will be next in order for the Government to use its surplus wheat in supplying people who can not afford to pay Government prices, and eventually to feed everybody, just as Rome did during the period of her decadence. Then the idle will clamor for amusement, as they did in Rome, and free baseball, prize fights, and circuses be supplied instead of gladiatorial contests and triumphant parades, and the candidate that promises the best show will get the biggest majority.

The Washington Post, a great morning paper in this city, in speaking of this attempt to buy up the surplus and thereby raise the price of farm products, especially wheat, states the result of such price fixing in a nutshell when it says:

If the Government should fix the price of wheat to accommodate the wheat farmer, it should fix the price of corn for the corn farmer, the price of hogs for the hog raiser, the price of cotton for the cotton planter, the price of potatoes for the Maine and Idaho potato farmers, and so on. Then, having insured the farmers against loss, it would be only a fair deal to insure the workingman against loss by fixing wages throughout the manufacturing and transportation industries. This in turn would require the fixing of prices for manufactured articles and transportation, if the individuals investing in those industries are to be treated as well as the farmers and workers. Finally, in the granting of preferential treatment, the Government would reach salaried men, doctors, lawyers, etc., and guarantee them against loss by fluctuations beyond their control. That is the square deal, and of course the United States Government will never give more or less than the square deal to all citizens. If anybody is to get preferential treatment, all must have it, so that nobody will retain it.

If the Government is to go into the private business of buying and selling the products of the farm for the benefit of farm owners and producers who have a surplus and furnish the money and bear the losses due to dumping in foreign countries, where is to be the limit of such legislation? Are not the manufacturers of boots, shoes, textile goods, machinery, and every other product except that of the farm entitled to have the United States furnish the necessary funds from time to time to buy up their surplus goods and sell them in foreign markets and bear the losses so as to raise the price of goods in the domestic markets of the United States?

#### THE EVIL OF THE SURPLUS

We have never yet as a nation entered upon the policy of negotiating loans that would take from the United States Treasury a gift or subsidy and hand it over to any class engaged in any kind of employment to save that class from losses entailed by overproduction. Are we to do it now?

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. I have but very little time.

Mr. KNUTSON. How did my friend vote on the ship subsidy bill?

Mr. HERSEY. I think I voted for it. I was in favor of upbuilding the American merchant marine.

Mr. KNUTSON. How about agriculture?

Mr. HERSEY. I am for American agriculture but not for a subsidy for agriculture. My friend from Minnesota ought to see the difference between a subsidy fostered by the American Government to carry on its own business such as shipbuilding or operating railroads in time of war or carrying the mails and a subsidy for the farmers, which is a subsidy for a certain class of producers for private business and not Government business. If the gentleman can not see any difference it would be useless for me to continue that part of this discussion any further.

#### THE FARMER AND THE TARIFF

Certain political demagogues attempting to deceive the farmer for their own selfish purposes and certain fake farm publications have put forth the delusive argument that the farmers' ills can all be traced to the protective tariff—that the farmer is compelled to buy in the protected market and to sell his products in a free-trade market.

I regret that certain politicians in the minority party, seeking vainly for a campaign issue further on, have been attacking the present tariff and claiming that it is responsible for the low price of farm products such as wheat and corn. The Democratic whip of the House, the gentleman from Arkansas [Mr. OLDFIELD] was the keynote speaker at the late Democratic State convention in my State held last month. In his speech before that convention, he said:

I tell you that business is not good except in spots. Here in Maine and in the rest of New England many of your textile mills and shoe factories have been running only part time, while, on the other hand, the agricultural industry is being destroyed.

The outstanding issue of our party is the tariff. We advocate a downward revision of the Fordney-McCumber rates to a point where we will have a competitive-revenue tariff. We insist that in doing this we will not only aid agriculture, but will help business conditions generally.

As I understand it, the wheat and corn farmers do not want the high tariff taken off from their products but they have been told, and many of them have been led to believe, that if the tariff is taken off from the products of the textile manufactures in New England and the South that the farmers would greatly profit thereby by lower prices for those things which they have to buy.

It will be remembered that during the past year many of the textile mills and manufacturers in the East have been obliged to shut down for long periods on account of overproduction, and to-day there are many strikes in these mills. The present protective tariff keeps these mills alive and running a portion of the time. If that tariff was removed these mills and factories must go out of business. There is no question about that. Men would be thrown out of employment, and with these industries paralyzed by free trade European countries would flood our markets with foreign goods that had been manufactured by their own workmen.

In other words, they would have a monopoly, and having a monopoly the logical result would follow that they would fix the price, and having no competition they would fix the price to the farmer much higher than the price to-day. Such has been the history of the past in matters of free trade and such will be the history of the future should we abolish the tariff and make this a free-trade Nation.

I here append a table showing a list of products of the farmer admitted free of duty under the Underwood (Democratic) tariff of 1913 and the rates of duty of like farm products under the Republican tariff act of 1922:

FOREIGN PRODUCTS OF THE FARM ADMITTED FREE OF DUTY BY THE UNDERWOOD TARIFF OF 1913	RATES OF DUTY ON THE SAME FOREIGN FARM PRODUCTS UNDER THE TARIFF ACT OF 1922
Bacon.	Bacon, 2 cents per pound.
Beef.	Beef, 3 cents per pound.
Buckwheat.	Buckwheat, $\frac{1}{2}$ cent per pound.
Cattle.	Cattle, weighing less than 1,050 pounds each, $1\frac{1}{2}$ cents per pound.
	Cattle, weighing 1,050 pounds each or more, 2 cents per pound.
Corn.	Corn, 15 cents per bushel.
Corn meal.	Corn meal, 30 cents per 100 pounds.
Cream.	Cream, 20 cents per gallon.
Eggs of poultry.	Eggs of poultry, 8 cents per dozen.
Flax and hemp.	Flax and hemp: Hacked, 2 cents per pound; not hacked, 1 cent per pound; noils, $\frac{3}{4}$ cent per pound; straw, \$2 per ton.

FOREIGN PRODUCTS OF THE FARM ADMITTED FREE OF DUTY BY THE UNDERWOOD TARIFF OF 1913—CON.

RATES OF DUTY ON THE SAME FOREIGN FARM PRODUCTS UNDER THE TARIFF ACT OF 1922—CON.

Goats.	Tow, $\frac{3}{4}$ cent per pound.
Hams.	Goats, \$2 per head.
Lamb, fresh.	Hams, 2 cents per pound.
Milk.	Lamb, fresh, 4 cents per pound.
Mutton.	Milk, fresh, $2\frac{1}{2}$ cents per gallon.
Potatoes (white or Irish).	Mutton, fresh, 4 cents per pound.
Rye.	Potatoes, 50 cents per 100 pounds.
Seeds (grass).	Rye, 15 cents per bushel.
	Seeds (grass): Alfalfa, 4 cents per pound; alsike clover, 4 cents per pound; red clover, 4 cents per pound; timothy, 2 cents per pound; millet, 1 cent per pound.
	Sheep, \$2 per head.
Sheep.	Shoulders, 2 cents per pound.
Shoulders.	Swine, $\frac{1}{2}$ cent per pound.
Swine.	Veal, fresh, 3 cents per pound.
Veal.	Wheat, 42 cents per bushel.
Wheat.	Wool, 24 or 31 cents per pound, scoured basis.

The cry of the western farmer to-day is for a higher tariff to protect the farm from the foreign market, and an examination of this list will show that the farmer to-day does not want free trade applied to any of these articles.

Secretary Hoover, of the Department of Commerce, in a recent speech before the agricultural commission, appointed by the President, said:

As about 60 per cent of our commerce and industry revolves around the production of American farms, it is obvious that the welfare of our country is closely interlinked with the welfare of our agriculture. Every segment of our economic life is interdependent. The farmer is as much interested in the price of what he buys as he is in the price of what he sells. \* \* \*

Our present margin of exports is considerably less than 10 per cent of our total agricultural products.

On the other hand, we are large importers of foodstuffs, a large majority of which we could ourselves produce, and by such production we would be converting the land now given to export production into domestic production, and thus in this way also tend to free ourselves from dependence on the export market.

It seems to me that there are one or two deductions that can be made.

The first is the American farmer will never be upon a stable basis so long as he is dependent on the one side on competition with cheap foreign labor and lower standards of living in the export market; that he will never be on a stable basis so long as he is competing with imported foodstuffs likewise produced under lower standards of living in the import market. That our drive must be for a balanced agriculture, tuned to the domestic market, increasing in its productivity as the consumptive demand of our country requires.

Second, that any proposal or plan which will result in further unbalance by stimulation any given commodity for export is necessarily a negation of this whole conception, and therefore means, in the long run, a lesser return to American agriculture and implies certain national dangers in dependence upon foreign food supply.

There are two very definite directions in which these policies can be supported and in large measure accomplished. The first is to maintain a tariff on agricultural products on such a basis as will stimulate domestic production, and, I may add, this may be done at no consequential charge upon the consumer in proportion to his gains from a national policy of this character. The application of tariff principles should provide for agriculture the same value in stimulating domestic production as has been the case in industry.

The second direction must be the development of increased domestic consumption of agricultural products per capita of population. This can only take place through development of a higher general buying power. In other words, a higher standard of living of the whole population. In turn this can only be brought about by the elimination of waste and increase in efficiency in our whole production and distribution system. There is room for 20 per cent or 30 per cent increase in our standards of living to-day. This embraces the development of cooperative marketing of agricultural products, but cooperative marketing by farmers is only one sector of the whole battle against waste and for increase in efficiency.

Let us look for a moment at a few of the things the farmer buys that are on the free list. The farmer buys agricultural implements, all of which are on the free list under the Republican tariff. Not only agricultural implements in whole or part, but all repair parts of agricultural implements are on the free list.

The farmer buys binding twine. All binding twine is on the free list under the Republican tariff.

The farmer buys fertilizer. All bones, bone dust, bone meal, bone ash, and animal carbon suitable only for fertilizer purposes; guano, ground or unground, manures, and all other substances used chiefly for fertilizers; potash, potash salts, and phosphates, all of which are used in fertilizers—all these are on the free list under the Republican tariff.

The farmer buys building material. Building brick, cement, stone, shingles, pickets, palings, hoops, staves of wood of all kinds, logs, and timber, either in the rough or hewn, sanded, square, sawed, or planed on one side, sawed boards, planks, and other lumber used for building purposes are all on the free list under the Republican tariff.

The farmer uses leather gloves; he wears boots and shoes; he buys harness and saddles and leather fly nets. Gloves made wholly or in chief of leather, all leather used for harness or saddlery, leather for shoe uppers, shoe vamps, soles, leather shoelaces, boots, and shoes made wholly or in chief of leather, hides of cattle from which leather is made—all are admitted free under the Republican tariff.

The farmer uses whetstones and hones. They are admitted free under the Republican tariff.

The farmer uses horsepads. They are admitted under the Fordney-McCumber tariff. The farmer uses barbed wire in fencing and for other purposes. It is admitted free under the Republican tariff.

This free list eliminates a very large percentage of what the farmer buys. If prices of any of these articles have gone up it is not due to the tariff.

Coal, both hard and soft, slack, coke, and all compositions for fuel in which coal or coal dust is the principal material, are admitted free. Therefore, the tariff has not increased the farmer's fuel bill and is not responsible in any degree for the high price of coal.

Obviously, if wood and lumber are on the free list, any change in the cost of household furniture and other articles made of wood which the farmer buys can not be charged to the tariff.

After eliminating the farmer's building material, his agricultural implements, his barbed wire, his binding twine, his fuel, his fertilizer, his leather goods of all kinds, his household furniture, and whatever other commodities he purchases in which wood enters, what is there left to charge up against the Republican tariff?

To catch votes from the South this bill provides a subsidy of seventy-five millions to buy up the cotton surplus.

In the resolutions passed by the American Cotton Manufacturers' Association at its recent annual meeting in New Orleans that organization not only indorsed the policy of tariff protection, but also declared that it does not increase the cost of living. The resolutions follow:

Whereas tariff agitation constitutes one of the most disturbing influences in the dry-goods market, damaging alike to cotton producer, to mill employee, to manufacturer, to wholesaler, to retailer, and to consumer; and

Whereas importations have increased to the point of seriously interfering with the domestic production of many classes of finer goods in the depression which now exists in the textile industry; and

Whereas the hope of future increase of cotton manufacturing in the South must be along the lines of finer and more diversified products: Therefore be it

*Resolved*, That the American Cotton Manufacturers' Association reiterates its position that the tariff is an economic question and that it should not be treated as a political issue; and

*Resolved further*, That this association favors a tariff that will adequately protect agriculture, manufactures, and all other branches of industry in the United States; and

*Resolved further*, That attention of the President of the United States be called to the classes of goods in which importations are unduly increasing, with request that relief be given as soon as possible through the agency of the Treasury Department, the Tariff Commission, or legislation, as he may deem best; and

*Resolved further*, That in a highly competitive industry like the cotton manufacturing industry, the American Cotton Manufacturers' Association denies that in times of depression such as now exist tariff rates operate to increase the cost of living, for in many cases the manufacturers' selling prices are below the cost of production replacement; and the result of inadequate tariff rates is only to transfer the work to foreign mills, with corresponding loss of work to domestic industry and workers engaged therein, and with no corresponding benefit to anyone except the foreign producer and the importer.

I need not further pursue this matter, as it is very evident that much of this propaganda and the provisions of this bill are purely for political purposes and not to help the farmer.

You ask me what is the remedy, if any, for the losses that the farmer suffers from to-day? I answer that the American Fruit and Vegetable Shippers Association, before the Agricul-

tural Committee last February, stated the remedy in the following plain and simple language, that can be understood by all:

The greatest need now is to educate the farmers to the fact that raising more than can be consumed of any product is an economic waste. We believe when the farmer learns that he can secure larger returns by intensively cultivating 10 acres and producing a higher grade of commodity than by cultivating 20 acres in an indifferent way and securing a poor grade a long step will have been taken toward correcting some of the evils complained of.

The Government's connection with agriculture should end when it furnishes reports of acreage under cultivation, prospective production, market prices in trade centers, etc. When it takes upon itself the actual directing of distribution or sale of the commodities, either directly or indirectly, it approaches communism. If the Government attempts the marketing of wheat and cattle, why not attempt the marketing of cloth, shoes, or any other commodity? This country has been built up by its factories, mines, and merchants as well as by the farmers. Our governmental machine is so nicely balanced that each citizen is closely allied to every other citizen, and when you change the natural course of part of the organization you disorganize the whole and injure everyone in the country. You can not build up one class without taking from some other class. If left alone each class and section will work out its own problems without disturbing the whole. The law of supply and demand is as fixed as the law of gravitation, and is just as necessary. Disturb it and you will have chaos. It may be in a mild form, but it will be chaos just the same, and in the end we shall have to go back to natural laws or civilization will perish.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. ASWELL. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. RUTHERFORD].

The CHAIRMAN. The gentleman from Georgia is recognized for 15 minutes.

Mr. RUTHERFORD. Mr. Chairman, my time is so limited that I can not yield for a single question.

At the close of the Civil War the small remnant of Confederate soldiers, returned to their respective localities to begin anew to rehabilitate their section.

When they reached their homes, maimed and almost exhausted, they found their currency worthless, farms depleted, factories destroyed, labor completely demoralized, and more than \$2,000,000,000 worth of honestly acquired property confiscated.

The reconstruction legislature in one Southern State contracted indebtedness thirty-five times in excess of the public debt of that State in 1850.

From 1860 to 1890 the per capita wealth of the North more than doubled; whereas 6 of the 11 Southern States had not reached their 1860 average by 1900.

No proud and respected people ever faced a more difficult problem. Possessed with strong wills and undaunted courage, they responded to the requirements of the time and met the situation as best they could.

With practically no money and without the assistance of the other sections, they gathered together the remnant of livestock that had not been destroyed by the Union Army and undertook to plant and cultivate a crop in the spring and summer of 1865.

I have not mentioned these facts to revive past sectional differences, but to bring to your attention some of the difficulties that had to be met by my section of the country.

Growing out of what was termed the necessities of the time, our legislature passed a bill permitting a farmer to mortgage his growing crop to obtain advances to assist him in working and harvesting his crop.

As cotton required less skill to cultivate, and being the only safe and sure money crop, the supply merchant or banker insisted that the farmer asking for assistance should plant a definite number of acres of cotton, which was to be either delivered to the merchant and by him sold or delivered to a warehouse and sold and the proceeds applied on the mortgage.

Like all systems of this character, excessive rates were usually charged the debtor, which necessarily kept him in the clutches of the system.

Under a system like this it was practically impossible to urge and stimulate diversification of crops.

I have repeatedly seen our farmers buy what was needed on the farm during the spring at prices based upon cotton quoted at 10 cents per pound, but when they gathered their cotton and put in on the market in the fall of the year the price was from 2 to 5 cents per pound lower than when his indebtedness was contracted.

The cotton speculator knew that the farmers would have to sell the bulk of their cotton from the 1st of October to the 1st of December in order to pay their contract, the result of which almost invariably depressed the price.

In my opinion, it is almost impossible to maintain the price of any basic commodity where the bulk of it is forced on the market during two months of the year.

A story is told of an old negro who shipped his cotton to a factory in one of the cities of Georgia for safe-keeping. After a time he ordered his cotton sold. In the spring he applied to a supply merchant for assistance. The merchant knowing that the negro had shipped his cotton to the warehouse, naturally inquired of him what he had done with the proceeds of his previous crop. In reply to this question the old negro promptly answered, "De ducts got it."

While the southern man ordinarily understood negro phraseology, this was one time that he was not equal to the occasion, so he insisted that the old negro should explain what he meant by "de ducts got it."

The old negro, being equal to the emergency when he wanted credit, said:

When I hauls my cotton to de railroad, de railroad deduct; when it gets to de warehouse, de warehouse deduct; when I has it inshoired, da deduct; when I goes to have it weighed, da deduct; when I takes it out of de warehouse, da deduct; and, boss, when I goes to sell my cotton, de ducts done got it all.

The explanation being satisfactory to the supply merchant, he could not resist assisting the negro, so his mortgage was prepared and the credit extended.

As a result of this iniquitous system and the wide fluctuation of the cotton market, the indebtedness of the farmers of the South necessarily grew.

About this time another class of lenders came into Georgia and began to make loans on farm lands. The lenders, knowing that the farmers were burdened with debts, offered to place loans on their farms at an interest rate of 8 per cent, and in many cases charged as much as 20 per cent commission or fees for negotiating the loans.

While there has been improvement in this field as a result of the establishment of the Federal land banks, the number and aggregate indebtedness of farm loans has grown to an alarming extent.

From the organization of the Federal land banks and joint-stock land banks to March 31, 1926, they have closed 480,623 loans, for the sum total of \$1,875,756,575. In Georgia they have closed 11,583 loans, aggregating \$30,983. In Iowa, 17,484 loans, aggregating \$177,957. In Texas, 55,272 loans, aggregating \$200,673. In Mississippi, 25,349 loans, aggregating \$56,683.

I have submitted the number of loans made and the aggregate amount in the different States to show that farm indebtedness is growing throughout the Union.

In 1920 there were 6,448,343 farms or farm operators. In 1925 there were 6,371,617 farms or farm operators, showing that there were 76,726 farms either abandoned from 1920 to 1925, or that number of farmers had left the farm.

In 1920 there were 310,732 farms or farm operators in Georgia. In 1925 this number had been reduced to 249,104, showing a loss in five years of 61,628.

In 1920 there were 91,852,111 horses, mules, and cattle on the farms. In 1925 there were 83,838,119, showing a loss of 8,013,992 in five years.

In Georgia, in 1920, there were 1,663,592 horses, mules, and cattle on the farms. In 1925 there were 1,602,458, showing a loss of 361,134 in five years.

I am inserting a table sent me by the Department of Commerce, giving comparative number of horses, mules, cattle, swine, sheep, goats, poultry, and beehives on the farms in 1920 and 1925.

While I can not verify the accuracy of this statement I read some time ago a statement showing that the indebtedness of the farmers of America now aggregates more than \$14,000,000,000.

If you will calculate interest on this amount at 6 per cent you will see what a burden is being carried by the farmers. It is now generally conceded that we have an acute farm situation throughout the entire agricultural section of America.

I have not heard this fact denied by anyone who has spoken on either of the bills for agricultural relief. There seems to be considerable diversity of opinion as to the best solution.

Anyone can offer destructive criticism, but statesmen are needed to devise the rightful solution. This farm situation being national in its scope, a solution can not be made from a sectional viewpoint.

We should not even approach a solution of this vital and important question from either a sectional or a political angle. By increasing the purchasing power of the farmers in any section of our country, they are enabled to buy more of the finished products of the cotton crop of the South and vice versa.

I do not think that the cotton farmers of the South are asking for additional loans, as their indebtedness is entirely too large now. As only 10 to 12 per cent of the farmers of the South are members of the cooperative association, it is hardly possible for this small number to control a sufficient quantity of the surplus to enable a stabilization of the price of cotton.

In 1900-1901 the commercial crop of American cotton was 10,339,000 bales. Domestic mills consumed 3,604,000 bales, and 6,807,000 bales were exported. The world's consumption of American cotton then was 10,171,000 bales. While the world consumption covered the entire production, cotton was forced down as low as 8 cents per pound, and was never higher than 10 $\frac{1}{4}$  cents per pound.

In 1903-4 the commercial crop of American cotton was 10,000,000 bales. American mills consumed 3,981,000 bales, and around 6,000,000 bales were exported. The world's consumption of American cotton at that time was 10,083,000 bales. Cotton sold during that time from 9 cents per pound to 18 cents per pound.

In 1904-5 the commercial crop of American cotton was 13,654,000 bales. American mills consumed 4,523,000 bales, and 9,000,000 bales were exported. The world's consumption of American cotton was then 11,838,000 bales. Cotton during this period sold as low as 7 $\frac{3}{4}$  cents per pound and as high as 10 $\frac{1}{4}$  cents per pound.

In 1910-11 the commercial crop of American cotton was 12,000,000 bales. American mills consumed 4,705,000 bales, and 7,700,000 bales were exported. The world's consumption of American cotton at that time was 12,000,000 bales. Cotton sold then as low as 14 cents per pound and as high as 19 $\frac{1}{2}$  cents per pound.

The crop of 1913-14 never sold lower than 12 cents per pound and went as high as 14 $\frac{1}{4}$  cents per pound.

The crop of 1914-15, aggregating 15,000,000 bales, never sold higher than 10 $\frac{1}{2}$  cents per pound, when there was only one-half million bales of cotton more than there was the year before.

Beginning with the year 1915, the price of cotton climbed from the low price of 7 $\frac{1}{2}$  cents per pound to 44 cents per pound in 1919-20.

The commercial crop of 1919-20 was 12,443,000 bales and it sold as high as 44 cents per pound.

Although the commercial crop was only 11,300,000 bales in 1920-21, the price of cotton dropped to 11 cents per pound.

The total production of American cotton in 1920-21 was 13,270,000 bales; 1921-22, 7,978,000 bales; 1922-23, 9,729,000 bales; 1923-24, 10,171,000 bales; 1924-25, 13,639,000 bales.

The world's consumption of American cotton in 1920-21 was 10,330,000 bales; in 1921-22, 12,829,000 bales; in 1922-23, 12,631,000 bales; in 1923-24, 11,241,000 bales; and in 1924-25, 14,247,000 bales.

While the American commercial cotton crop has averaged in five years around 11,000,000 bales, the world consumption has averaged around 12,000,000 bales.

In the fall of 1925, when the bureau estimated the cotton crop at a little less than 14,000,000 bales of cotton, it was selling at around 24 cents per pound. When the next estimate came out, showing a probable crop of 15,000,000 bales of cotton, the price began to decline and is now around 17 cents per pound for middling cotton.

If cotton was worth 24 cents a pound in November, 1925, based upon an estimate of around 14,000,000 bales, why is it not worth 24 cents to-day?

I candidly believe that if some agency had existed, with sufficient funds to have gone into the market and bought the estimated surplus of cotton and withheld it from the market, the farmers would have continued to receive from 22 to 24 cents per pound for their cotton.

Legislation that does not provide a fund sufficiently large to buy the estimated surplus of any basic commodity and hold it for orderly marketing will not materially assist the farmers of this country.

Cotton is one commodity that is only affected by water and fire. It can be carried for 50 years without deterioration in quality, provided it is protected against water and fire.

You may picture for yourself the disaster that would befall the cotton industry of the world if there should be a total failure in cotton production.

It is related that the embargo on cotton during the Civil War so greatly affected the textile industry of New England that an appeal was made to President Lincoln to strive for a cessation of hostilities.

Coming from the cotton section of the South, I know from actual experience that no commodity requires as much hard

labor and longer hours to produce than does cotton. No class of our people is so poorly paid as are the farmers for their labor.

There was a time when but little skill and experience was required to make cotton, but the situation in this respect has entirely changed.

The appearance of the cotton-boll weevil has challenged the best thought and intelligence to provide a method of control of this pest, or ultimately the cotton farmers of the South will be forced to seek other fields for a livelihood. This pest has not only produced great uncertainty as to quantity production, but it has more than doubled the cost.

I do not believe that an equalization fee should be demanded of any class of our farmers, as this would only add another burden.

Under the terms of the Haugen bill, as I construe it, every bale of cotton made would be subject to an equalization fee, as all of our cotton is processed before it is marketed; whereas a large percentage of corn and wheat is not processed, thereby escaping an equalization fee.

Furthermore, as 60 per cent of our cotton is exported and sold on a world market without the benefits of protection, the only benefits the cotton farmer could possibly receive under the terms of the bill would be the hope of orderly marketing and stabilization.

This Congress should at least be as generous with the American farmers as it was in the settlement made with foreign debtors.

While a large portion of the indebtedness of Italy to the United States was for money loaned for rehabilitation after the armistice, under the terms of the settlement she was permitted to settle on a basis of 26 per cent of her total indebtedness, which was an indirect subsidy of about one and one-half billion dollars.

The Government has spent millions of dollars in providing for and maintaining our merchant marine, millions were advanced the railroads for stabilization, and large land grants were made to the promoters and builders of the western railroads.

I will quote from the report of Mr. HAUGEN, from the Committee on Agriculture:

Actual earnings of the farmer in 1924 in return for his labor are computed by the board at \$730 on the average as against average earnings of \$1,256 per wage earner in the manufacturing industries in the same year, average earnings of \$1,572 by transportation workers, \$2,141 earned by clerical workers, an average of \$1,678 earned by ministers, \$1,295 by teachers, about \$1,650 by Government employees, and an average of \$1,415 per worker in all groups other than farmers.

I will also quote from an editorial appearing in the Atlanta Constitution in answer to one appearing in the Philadelphia Public Ledger:

In view of the fact that the President is "against the bill" and will veto it if presented to him, the above recited charges are more windy than weighty. The southern Democrat may not be wise to hook up with the western bipartisan bloc behind the McNary-Haugen bill, and they may not be hundred per cent consistent with Democratic fundamentals in voting for a so-called subsidy, but let it not be forgotten that southern Democrats did not create the conditions that threaten the American farmer with eviction from his farm and homestead, and southern Democrats did not invent the Republican policy of bottle-feeding "infant industries" and "fostering the home market" for the manufacturing kings of the East. Whatever heresy affects southern Democrats in the matter of subsidies and appetite for Treasury treacle was taught to them by the doctrines and practices of Republican past masters.

The eastern journalists and publicists who have the same views as the Philadelphia newspaper do not explain why cotton should be treated as a pariah when Treasury aid may be portioned out to corn, cow, and hog. There should be no subsidies, pure and simple, to any of them, we agree; but whenever any party or administration, for reasons of political advantage or industrial salvation, goes forth to give largess from the public funds, we insist upon the square deal. Cotton has quite as much right to answer the "free feed" call as any of the mills of the East or the fields of the West.

While agriculture in my section of the South is languishing we are making wonderful strides in the development of the textile industry, in harnessing our water power, and in utilizing our inexhaustible clay products.

The Hightower cotton-mill interests of Thomaston, Ga., in my district, recently closed the largest single order for manufactured product that was ever consummated in the United States, namely, \$100,000,000.

We will never have general and lasting prosperity until the farmer's dollar is made equal to a dollar in industry.

We should cast aside all prejudices and work out some reasonable and sane solution of the agricultural situation before adjournment.

While I am generally averse to any legislation giving the National Government control over individual initiative, I do believe that assistance should be given at this time to put the farmers on an equality with industry. [Applause.]

*Number of farms and number and value of livestock, censuses of 1925 and 1920*

	United States		Georgia	
	1925 <sup>1</sup>	1920	1925 <sup>1</sup>	1920
Number of farms, or farm operators	6,371,617	6,448,343	249,104	310,732
Number of livestock on farms:				
Horses	16,535,739	19,767,161	55,785	100,503
Mules	5,730,608	5,432,391	337,984	406,351
Cattle	61,571,752	66,652,559	938,689	1,156,738
Swine	51,842,428	59,346,409	1,274,556	2,071,051
Sheep	(?)	35,033,516	72,173	
Goats	(?)	3,458,925		110,489
Poultry	(?)	372,825,264		7,621,158
Bees (hives)	(?)	3,467,396		136,698
Value of all livestock on farms	(?)	8,013,324,808		155,043,349

<sup>1</sup> Preliminary.

<sup>1</sup> Not available.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. RUTHERFORD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASWELL. Mr. Chairman, I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

The CHAIRMAN. The gentleman from Maryland is recognized for two minutes.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, when doctors disagree, who shall decide? The Agricultural Committee of this House have for weeks conducted hearings as to the best method of aiding the farmer and have not been able to agree upon any one bill. There are three bills, which, according to the rule, are under discussion—the Tincher bill, the Aswell bill, and the Haugen bill. Years ago, when I was able to guide the plow and lay off, perhaps, as straight a row as any man in this House, I was somewhat acquainted with farm operations and the welfare of the farmer in my section. I have, however, become an agriculturist in recent years and know very little of the problems of the real dirt farmer. An "agriculturist," you know, is one who earns his money in the city and spends it on the farm.

Now, when this Agricultural Committee can not agree, but bring forward three propositions, what is a Congressman from a city district, where the people are all consumers of farm products and not producers, to do but look out for the interest of his constituents and see that no hocus-pocus game or untried law is put over on them. The farmers of my State have certainly not asked me to support any one of these bills, and I am against them.

Speaking of the Tincher and Haugen bills reminds me of a little town where I stopped overnight. There were two hotels, and I asked a citizen where I had better stop. He said, "It makes no difference which you choose; you will wish you had stopped at the other." I think, in this case, I will take no chances and will oppose both.

It is proposed by the Tincher bill to take \$100,000,000 from the Treasury of the United States to loan to the farmers. It is proposed by the Haugen bill to take \$375,000,000 from the Treasury of the United States, or about \$5,000,000 more than the total reduction of taxes about which we boasted only a few months ago. It is proposed to bring the South to the support of this bill by allocating \$100,000,000 to stabilize cotton prices and the balance to stabilize prices of farm products primarily produced in the Central West.

The people of the East and the North pay most of the Nation's taxes, and if this Tincher or Haugen bill should happen to become a law it would be necessary for them to practically carry the farmers upon their backs. It is a subsidy pure and simple, and so admitted to be, and I am opposed to all subsidies. I do not blow hot and cold on such a proposition. I

was opposed to the proposed ship subsidy and voted against it. I was opposed to and am still opposed to the Fordney-McCumber tariff measure, which is nothing more nor less than a subsidy to the big interests of this country.

I can not blame the farmer for complaining about his dire situation and the low market for his products, but what I can not understand is why the farmers of the West continue to vote the Republican ticket and elect those who place upon their backs the burden of a high-protective tariff. This causes them to pay abnormal prices for everything they need outside of their own products, and is certainly one of the main reasons why they find themselves in their impoverished condition to-day. This is a proposition to establish in our own country what might be termed an internal protective tariff. The market of supply and demand is to be set aside, and whenever Providence through its bountiful blessing of sunshine and rains happens to produce a very large crop upon the self-same land, requiring no additional cultivation but some additional gathering expense, the great consuming public of the country is to receive no benefit nor participation from this God-given bounty. It is to be manipulated that the prices may be maintained and the poor and rich both deprived of this munificent gift in our own land while the surplus is to be sold abroad for what it will bring and at low prices.

If prices are rendered high for 1926, what is there to prevent the farmer from planting larger crops in 1927, and where, oh, where, will this great surplus be utilized in order to maintain the standard of prices desired? There is no way by which we can regulate nature, and there is no law, nor can there be one, which will prevent the farmer from increasing from time to time his farm products and thus overwhelm the provisions of this Haugen bill.

It has been said that the farm lands of this country have depreciated some \$20,000,000,000 and that farm products have depreciated some \$14,000,000,000. This may be very true taking war-time prices as the standard for former values of land and products and present prices for depreciation, but who has ever believed that war-time prices would be maintained forever? Certainly they have not been maintained in the vast majority of productions from either land or factory.

I should, indeed, like to know how to help the farmer, but I can not believe that a subsidy can ever give him permanent prosperity. I know so little about the real big farming operations that it is difficult for me to discuss the merits or demerits of these three bills; in fact, it has been so well done by others more familiar with the subject that it would be futile for me to attempt it, but I do know that all such wild-cat schemes as that proposed in the Haugen bill, which lifts from the Treasury of the United States more than the total reduction of taxes for last year in an effort to have the farmer raise himself from the adversities of the past two years to prosperity by his own bootstraps is both preposterous and chimerical indeed.

The real solution of this whole question is to adopt some measure which will bring the producer in closer touch with the consumer. There are too many middlemen. The consumers of my district pay all that any farmer or trucker could ask them to pay for what they consume. But when the farmer receives his price, it is so small that it is impossible for him to maintain his family and procure a livelihood, all because there are too many middlemen living upon the farmer.

There is another element that operates not alone against the farmer, but against the people of our country generally, and that is we are too little prone to work and too largely prone to expenditures for things we can do without. I sincerely hope the Agricultural Committee of this House can bring out a bill upon which they can agree and one which will be in the interests of the farmer, enabling him to help himself rather than to make his industry a subsidized branch of our great productive group. The farmers of my State are not mendicants and are not asking to be subsidized from the Federal Treasury.

No section of our country should be forced to stand and deliver a bonus to another, nor should that section expect it to be done. We should have no privileged classes either under the Haugen bill, the Tincher bill, or the Fordney-McCumber tariff act. Just so soon as we grant such privileges to one class of our citizens the other classes will be impoverished. I can not but believe that the high protective tariff is playing great havoc with the farming industry and bleeding the American consumer.

Mention has been made by my colleague, Mr. BLACK of New York, to the fact that prohibition has also cut into his prosperity, and the Farmers' Yearbook of 1923 is quoted to substantiate this declaration. Certainly it has largely limited the purchase of many farm products, but there are many reasons for his present condition. The tariff bill in addition

to compelling him to pay high prices for goods is also limiting him in his export trade, because "if you would bring the wealth of the Indies home, you must take the wealth of the Indies with you," as has been well said. If we would export farm products to Europe, we must expect to buy some goods in payment thereof from Europe. There has been too much agitation of these matters. It would be well to get busy and legislate to aid the farmer to help himself. You have tried to legislate the country dry, and failed; tried to enrich the farmer by a high protective tariff, and failed. Now it is proposed to enrich him by subsidy, which would fail. Give him a fair deal and a world market and watch him grow in grace, in stature, and prosperity. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield two minutes to the gentleman from Iowa [Mr. BOIES].

The CHAIRMAN. The gentleman from Iowa is recognized for two minutes.

Mr. BOIES. Mr. Chairman and gentlemen of the House of Representatives, I consider it a high honor to have represented the people of the eleventh congressional district of Iowa in this House during the past seven years. That district is composed of 13 counties, extending from the Minnesota line in a southerly direction more than half the length of the State from north to south, bounded on the west by the Big Sioux and the Missouri Rivers, and on the east by the Mississippi River. In fertility of soil I doubt if it is surpassed by any district in the United States. The people of the district are as intelligent, as industrious, and as honest as the inhabitants of any other district in the United States. The district is essentially an agricultural one, highly adapted to diversified farming. In the natural order of things, under a fair distribution of the favors of this Government, with an equal opportunity and concern for all the people of this Nation, the farmers of this district would be equally prosperous with the other great industries carried on in this country. That such condition does not exist in our district no one will attempt to deny.

In such a situation it necessarily follows that some classes, somewhere in the United States, are profiting at the expense and to the detriment of the people living in my district. That this situation is wrong can not be truthfully contradicted. I have not time to call attention to all the matters and things that conspire to bring about the situation that exists there, but there certainly is a combination of circumstances that has rendered the business of farming unprofitable in this district and that has so adversely affected the farmers' interest as that, speaking broadly and as generally applied, a very small per cent, probably not to exceed 2 per cent, has been the return based upon the fair and reasonable value of the land, allowing a fair and reasonable wage on account of the labor bestowed—in many, many instances an entire loss has resulted rather than the acquisition of any per cent gain.

It is true that we are far removed from the great central markets of the country. The transportation charges are way beyond what the farmer can afford to pay. If freight rates are as low as it is possible to impose them, then, if there is a remedy, it should be adopted. There is a remedy, and while I do not care to dwell upon the proposition, as it might not be considered germane, yet I will venture to call attention at this time to the fact of the existence of the great Mississippi and the Missouri Rivers, which are eternally flowing to the Gulf, touching Iowa upon the east its full length and a considerable portion of its length on the west. If these rivers were improved, as all wide-awake countries of the Old World have improved their waterways, transportation charges would not handicap the farmers of Iowa as they do to-day.

The improvement of these rivers would benefit from thirty to forty millions of people, and the transportation of the great annual products of the Middle West would render the plan a financial success. It is not only the question of the outgoings but of the incomings; it is not only the matter of the traffic north and south, but in conjunction with water transportation of magnificent proportions from the east as far as Pittsburgh, coal, iron, steel, and manufactured goods, of the character that does not call for hurried transportation, would flow in and out.

If there are those living in any part of the United States who prove to be objectors or jesters of and concerning the plan that is now under way, I warn them to give serious consideration to the question and be prepared for what is to come about. Carrying this hint no further, I will address my remarks to the real question before this body.

I believe in the protection system, protection that protects all alike, or that really protects all as equally as is humanly possible to provide.

I have heard it stated by some of the proponents of the Tincher bill that the farmers of this country receive more benefit on account of the tariff laws of this country than any other class of people. If a statement of that kind is entitled to a second thought, will these gentlemen tell us why prosperity generally prevails in this country with all the other big industries excepting the farming industry, and that standing alone conceded in a most unsatisfactory and helpless situation? So far as the general business of this country is concerned to-day optimism lends its influence, but so far as agriculture is concerned pessimism is an added discouragement to all the other handicaps with which the farmers of this country are confronted to-day.

The agriculture situation is at such a low ebb at this time as that the declaration is universal that something ought to be done by way of legislation to remove the inequality existing between the prices of agricultural commodities and the prices attaching to the other general commodities in trade. The price level is not important if equality prevails; the inequality obtaining to-day explains the farmers' trouble, and the search in this direction need not go further.

With regard to the remedy, we have dallied for some years and it seems to me that the time has arrived to provide a remedy now or admit to the country that we are not equal to the emergency. The most recent agitation was commenced last fall—the large meetings and small meetings held in various places throughout the country. Some months ago the Agricultural Committee began its investigation, and during the many weeks that the committee sat in these hearings a number of men of national reputation appeared before that committee ostensibly to assist the committee in the preparation of a bill to be framed that would help the farmers, such a one as would be likely to be approved by the Members of this House, and by the Senate, and one that would appeal to the judgment of the President. Instead of one comprehensive bill being reported from that committee we have before us for consideration three distinct bills, unlike in many particulars, and here submitted for the consideration of the Members of this House. In the history of all prior legislation three bills may have been reported from a committee all ostensibly aimed to the accomplishment of the same end. Not having had the opportunity or the time to search the records from time immemorial, I am not prepared to say that such procedure never occurred before, but I believe I can safely assert that the procedure is unusual and, in my humble judgment, was a mistake.

The question is presented: If 21 men could not come to an agreement upon a bill that should have been reported, after months of study and discussion, how can it be expected that a majority of 435 men may be brought to an agreement with complications multiplied by three? It is rather late to complain of the progress thus made, if it may be termed progress, and we are confronted with the situation as it now exists. It is certainly our duty to lend our best efforts to the perfection of a bill that will result in the most good—that will result in some improvement, some benefit to the agricultural interests of this country; before we surrender we ought to make every effort to agree, and I trust those who have pronounced themselves in favor of either of these bills have not driven their stakes so deeply as that they may not be induced to pull up and move to higher ground, if cool consideration may point that way. The important thing is not so much the consideration as to whose baby it is, but we should all be concerned with regard to the maturity of the infant—providing one fitted to develop and to be of service.

The need in this matter, the unquestioned necessity and demand is known of all men, there is one of two things in waiting at the other end of these proceedings—a legislative act that may be approved as helpful or what will amount to a surrender, an open declaration that this Congress does not possess the ability to discover a remedy or that it has not the disposition to afford a just and honest opportunity to all men living under this Government.

If we may not be able to raise the price of the farmers' products to the level of the prices that organized industry enjoys then let us bring the prices now paid organized industry to the level of the farmers' prices.

I believe I recognize the value of our home markets; I would not destroy that market, because it is a protection to labor and to capital, excepting that its benefits to the farmers do not equal the benefits derived by capital and labor. Apparently capital has always been able to take care of itself; organized labor, in late years, has been alive to its own interests and the laboring men in this country are receiving better pay than in any other place in the world to-day. I raise no question that he is receiving too much, but I am raising the

question that the labor that the farmer devotes to his business is not equally compensating.

I take an interest in the man that "carries the dinner pail," and that interest extends, as a matter of theory, to the men who carry the dinner pails no matter wheresoever it may lead. I want to know that there is reflected in that dinner pail a sufficient wage whereby a condition may be seen at home and in the family of the man who carries the dinner pail comparable to the improved conditions of living in the United States.

The man upon the farm, the members of his family, can not prosper under the rule of the short-hour day, nor can you in the operation of a farm divide the day into three equal parts. Some of you who know nothing about farming may not comprehend such a statement, but it is true nevertheless that you can not commence your chores at 8 o'clock in the morning nor at 7 o'clock; neither can you close your day's work with the chores in the evening at 5 or 6 o'clock. With an eye to prosperity stock must be fed and watered at regular hours, and those hours should not be crowded too closely; the dairy cow must be fed and milked at regular and stated hours, which occur before 7 o'clock in the morning and later than 6 o'clock in the evening. So that the labor that falls upon the farmer and his family is somewhat ruthlessly tied to the task beyond that of any other class of laborers; and yet for that labor to-day he receives the smallest compensation of any laboring man in this country.

Gentlemen, in this connection, there is greatest urge that the situation be remedied and improved beyond any other situation that touches the callouses upon the hands of labor anywhere in this country.

Organization and cooperation meets and overcomes, and can be made to meet and overcome many inequalities and injustices, but the farming industry is so large, comprehends so much, so many side issues that it is impossible within any reasonable time for organization or cooperation to place the farmer where he has a right to stand in relation to the economic machinery of this Government.

While I have not confined my remarks to the provisions of any of these bills presented for consideration, yet I have attempted to describe a situation, the relief from which should be of the serious concern of every Member of Congress and the Executive of this Nation.

This bill, as is the case with the others, will be subject to amendment, and I might be permitted to hazard the guess that if the bill when presented to the President for his signature will have to show an appropriation sufficient to cover all possible contingencies, or it will meet with a sudden veto upon that ground, if upon no other.

I approve of the policy of the individual and the Government paying their debts as soon as it is reasonably possible. I am in favor of a speedy reduction of the national debt, yet I would not object to a few years' extension of the time suggested by our Secretary of the Treasury for the extinguishment of the national debt when it is shown that a diversion of some of that money is applied to the best interests of all the people, as we here now on earth are moving along toward the end.

I entertain sympathy for the individual who makes a bad investment; prosperity everywhere brings joy and contentment. If it becomes necessary, in order to afford to the Middle West reasonable and just freight rates, then I say that bankrupt railroads should be placed in the hands of receivers, the assets liquidated, and the property sold, as is the property handled with the individual and the thousands of companies and corporations all over this land, in the regular way, and, upon the cost of the bankrupt railroads to the purchaser permit the Interstate Commerce Commission to fix fair rates based upon the cost price of the property. This may not be a popular doctrine, but it is one satisfactory to me, arrived at after no great study, but judged offhand from knowledge of the usual procedure—the things that happen naturally to any person, company, or corporation when they have ceased to be reliably solvent—incapable of going ahead under their own power.

I would curtail the extravagance in private and public affairs. It ought to be made known that the people will not approve of the conduct of any man, placed in official position to handle the people's money, who would deal with it other than he would with his own, and in a conservative and honest manner. The position of a guardian or a person standing in any fiduciary relation is a sacred one, and in all such matters the interested parties have a right to demand a square-toed and up-to-the-minute accounting.

I observe that some of the proponents of the Tincher bill pronounce the word "subsidy" as though it stood for a poisonous substance, withering and deadly. When all the forms of subsidy with which the business of this Government is affected

are brought to the open and counted, these wry faces look comical, indeed.

You gentlemen who have spent much time during the past week shouting "subsidy! subsidy!" have not encouraged the release of an ounce of oppression from the backs of the farmers of this country; you have sought to attach to the word some mysterious and damnable meaning which the dictionaries do not recognize. The real meaning of the word, and as given by authority, is expressed in a word of three letters, to wit, "aid." Aid is what the farmers are asking for, and it is what they are entitled to, and this by all the expressions that can be wrung from the words justice and right.

The people have no particular concern as to just how their money may be used, so long as they can be assured that the use is in aid of their enterprises. It is the business of the Government to aid in all good undertakings, and it has exercised that privilege many, many times.

The Government aided the business of manufacturing by the adoption of the protective policy (a subsidy). The Government aided many times the people of the West by establishing reclamation projects—by appropriating money right out of the Treasury that had been first taken from the pockets of all the people.

The Government aided the railroads by the adoption of the Esch-Cummins Act in more ways than one; especially on account of the \$300,000,000 revolving fund written into the law; by permitting the Interstate Commerce Commission to illegally take \$48,000,000 annually from the pockets of those who required sleeping-car accommodations and handing it over to the railroads without any consideration whatsoever; by millions of dollars loaned, at low rates of interest; by grants of land to the extent of an empire.

These instances hardly begin to tell the whole story. Some of the incidents cited are made use of for illustration rather than in criticism. In connection with the tariff, I insist that the farmer's markets are not benefited to the same extent that the manufacturer's markets are. The manufacturer sells in a protected market—the manufacturer is able to, and does, name the price to the purchaser.

The farmer is required to accept the prices that the purchaser names and is further handicapped on account of the world markets, also because he has no power, in his fight with the elements, to cause his supply to approximately meet the demand with such assurance as the manufacturer has. This fact alone places the farmer at the mercy of the world markets, and again he is told what he may receive.

We have heard it said more than once during the past debates of the week that "the farmers receive greater benefit on account of the tariff than any other class of people." I wonder how many believe the statement? If the consumer does not pay the tariff tax, what benefit does the manufacturer receive from the tariff laws?

These questions are not intended as a condemnation of the tariff system, but the contention is that new legislation is necessary to afford the farmer like advantages derived by the manufacturer on account of the "protection" afforded the manufacturer.

Back of the theory of protection has always lodged the thought of the benefit it would bring to the manufacturer directly, and without regard to the incidental benefit that the farmer may derive because of an improved home market, superior to that which might not exist but for a tariff law.

The history of the subject of the tariff in this country stands as proof of our assertion. We have the following from the American Economist of May 7, 1926:

The first general law passed by the First Congress was a protective tariff act, avowedly so. In the preamble it is stated that one of its purposes was "the encouragement and protection of manufacturers."

Naturally, the way exists to do the right thing in all matters pertaining to the human family; it has always been present, ever extending the invitation to humanity to travel by that route. Having in mind the best prosperity of all the people, and the best possible prosperity of our Government, there can be no more urgent question pressing for solution than that pertaining to the rehabilitation, the restoration of the very great and all-important business of agriculture; it is agreed on all hands that this is so. Is it possible that the brains of the American people are incapable of solving the question? Has ambition been directed in other channels, in this time of fast travel, to the extent that we are helpless in this great emergency? If so, then God pity us. If such is our mental condition, let us abandon the air and get back to earth.

In the Chicago Tribune of May 2, 1926, the following appears:

Nations are careful not to allow the solidity of their agricultural foundations to be weakened so that farming is not attractive and remu-

nerative to a large class of citizenship. The type of citizenship produced by agricultural occupation is regarded as essential in the social and political balance of a country.

The foregoing expresses a splendid sentiment, but I believe a practical improvement is possible by recasting the paragraph as follows:

Nations that desire that their government survive should not allow the solidity of their agricultural foundations to be weakened so that farming is not attractive and remunerative to a large class of citizenship. The type of citizenship produced by agricultural occupation is absolutely essential in the social and political balance of a country.

I shall vote for the Haugen bill, because I believe that it is the best one of the three presented. The membership of the farm bureaus of my district favor the Haugen bill, because they sincerely believe that it will result in substantial benefit to the agricultural interests of this country and to the general prosperity of all the people; that it will restore to the farmers again the ability to more ably purchase their normally required necessities.

Farm property in United States worth less than 1913 (dollars of 1913 purchasing power):	
Value of all farm property in United States—	
1913	\$45,227,000,000
1924-25	\$38,188,508,000
Per cent of 1913	84.4
Farm and manufacturing wealth compared (dollars of 1912 purchasing power):	
Manufacturing—	
1912	\$20,785,000,000
1922	\$29,447,109,000
Per cent of 1912	141.9
Agriculture—	
1912	\$12,846,000,000
1922	\$9,244,604,000
Per cent of 1912	71.8
Exchange value of farm lands below 1910 (dollars of 1910 purchasing power):	
1910	\$17,284,260,000
1920	\$14,904,561,000
1925	\$13,647,519,000
1925 compared with 1910—per cent	78.98

Bureau of Census figures for Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, Iowa, Kansas, Nebraska, North Dakota, and South Dakota.

Meantime farm debt grows:	
Total farm indebtedness—	
1910	\$4,320,000,000
1920	12,250,000,000
1925	12,250,000,000

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. RAMSEYER].

The CHAIRMAN. The gentleman from Iowa is recognized for 20 minutes.

Mr. RAMSEYER. Mr. Chairman and gentlemen of the committee, in the time allotted to me I shall devote myself exclusively to the constitutional questions that have been injected during the debate against the Haugen bill; and in the brief time at my disposal it will be impossible for me to yield to questions. If I should get through before my 20 minutes are up, I shall yield back the balance of my time, so that others here who are anxious to speak may have an opportunity to be heard.

#### THE FEDERAL FARM BOARD

Discussion of constitutional questions involved in a bill like this hardly ever arouses much interest. This bill is chiefly economic, and Members' votes for or against this bill will be determined on whether or not they approve or disapprove the purposes sought to be accomplished by the bill. I realize that the discussion on the constitutional phases of this bill will change very few, if any, votes.

Now, the first constitutional issue that has been raised against this bill is directed at the manner of selecting the Federal farm board. Inasmuch as Article II, section 2, paragraph 2, of the Constitution of the United States has been referred to I shall insert it in the RECORD at this place. It reads as follows:

He [the President] shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President's power to nominate, and by and with the advice and consent of the Senate, to appoint officers designated in the first part of the provision just quoted, and also the Presi-

dent's power to appoint officers in the latter part of said provision, have been restricted many times by acts of Congress.

I hold in my hand here a pamphlet which is a supplemental brief to a case now pending in the Supreme Court in which this issue is involved, showing 70 acts of Congress imposing qualifications for offices filled by presidential appointment, all of which are in fact restrictions on the appointing power of the President.

Inasmuch as this issue has been seriously raised by the gentleman from New Jersey [Mr. FORT], and also this afternoon by the gentleman from Ohio [Mr. BURTON], I shall have the titles and references to these acts placed in the RECORD. In passing, I simply want to call your attention to the character of these acts. There are 16 acts as to residence and citizenship requirements; 7 acts in regard to political affiliations; 18 acts requiring industrial, geographical, or governmental representation; 20 acts on professional ability; 4 acts on fitness to perform duties of office; 3 acts as to successful completion of examination or period of probation; and 2 acts as to selection from limited number of nominees, which includes the Railway Labor Board. This last act has been the law of the land for six years, and although that law has been assailed time and again and the board has been rather unpopular in various quarters, so far as I know the constitutionality of this provision of the act relative to the manner of making the appointments has never been called in question.

Then, too, the President has restricted himself by Executive order in making appointments of postmasters. Then, another thing about this is: If the President should sign this bill, it is reasonable to suppose that he will follow the law and select one of the three submitted to him and, of course, that would constitute the President's own selection. I do not see just how the constitutionality of this provision of the pending bill, if enacted into law, could be raised. If the President refuses to appoint one of these three to be named under the provision of this bill, or refuses to follow the provisions of the law in any one of these numerous statutes I have called to your attention, there is no way to compel him to do so. You can not mandamus the President to exercise his Executive discretion. If the President should refuse to follow the law in making nominations, the Senate would have something to say. The Senate must confirm; and the Senate might, if the President did not see fit to follow the provisions of these 70 statutes—71 when this bill goes into effect—refuse to confirm his nominations. In studying this subject I find that one court has held to restrict the appointive power to a single individual is unconstitutional. But on the other hand I think it is clear that the Congress is not deprived of all power to limit the field of selection.

Personally I can not regard very seriously the issue that has been raised here as to the constitutionality of the provision of this bill which prescribes the manner in which nomination of members of the Federal farm board shall be made. The provision for making nominations of members of the Federal farm board in the Haugen bill is practically the same as that in the Tincher bill, which was also reported to this House, and the Fort bill and the Dickinson bill carry practically the same provision. The latter two bills were not reported to this House.

I shall place in the RECORD at this place a paragraph from a very able opinion of Attorney General Akerman, back in the seventies, which is right in point. I shall not take the time to read this paragraph, as I must hasten to the other constitutional issue raised during the debates. The paragraph referred to reads as follows:

Congress could require that officers shall be of American citizenship, or of a certain age; that judges should be of the legal profession and of a certain standing in the profession, and still leave room to the appointing power for the exercise of its own judgment and will; and I am not prepared to affirm that to go further and require that the selection shall be made from persons found by an examining board to be qualified in such particulars as diligence, scholarship, integrity, good manners, and attachment to the Government would impose an unconstitutional limitation on the appointing power. It would still have a reasonable scope for its own judgment and will. But, it may be asked, at what point must the contracting process stop? I confess my inability to answer. But the difficulty of drawing a line between such limitations as are, and such as are not, allowed by the Constitution is no proof that both classes do not exist. In constitutional and legal inquiries right or wrong is often a question of degree. Yet it is impossible to tell precisely where in the scale right ceases and wrong begins. Questions of excessive bail, cruel punishments, excessive damages, and reasonable doubts are familiar instances.

At this place in the RECORD I shall have printed a list of the statutes imposing restrictions on presidential appointments:

## STATUTES IMPOSING RESTRICTIONS ON APPOINTMENTS

## A. RESIDENCE AND CITIZENSHIP REQUIREMENTS

## (a) General statutes

1. Consular clerks (sec. 1704 R. S.).
2. Federal Board for Vocational Education, appointed members (39 Stat. 932, sec. 6).
3. Federal Farm Loan Board, members (42 Stat. 1473, sec. 301).
4. Foreign Service officers (43 Stat. 141, sec. 5).
5. Postmasters (33 Stat. 441, sec. 8).
- (b) *Statutes applicable solely to a Territory or possession or to the District of Columbia*
  6. Circuit courts of Hawaii, judges (31 Stat. 157, sec. 80, Am. 42 Stat. 119).
  7. District Court for Hawaii, district attorney (42 Stat. 120, sec. 86 [b]).
  8. District Court for Hawaii, judge (42 Stat. 120, sec. 86 [b]).
  9. District Court for Hawaii, marshal (42 Stat. 120, sec. 86 [b]).
  10. District Court of the Virgin Islands, judges (32 Stat. 1132, Am. 42 Stat. 123).
  11. District of Columbia, civil commissioners (20 Stat. 103, sec. 2).
  12. Municipal court of the District of Columbia, judges (35 Stat. 623).
  13. Police court of the District of Columbia, judges (Pub. No. 561, 68th Cong., sec. 3 [a]).
  14. Supreme Court of Hawaii, judges (31 Stat. 157, sec. 80, Am. 42 Stat. 119).
- (c) *Statutes applicable solely to the Army or Navy*
  15. Army Reserve Corps, officers (41 Stat. 775, sec. 32).
  16. Naval Reserve Force, officers (39 Stat. 587).

## B. POLITICAL AFFILIATIONS

17. Board of General Appraisers, members (42 Stat. 972, sec. 518).
18. Civil Service Commission, commissioners (22 Stat. 403).
19. Federal Farm Loan Board, members (42 Stat. 1473, sec. 301).
20. Federal Trade Commission, commissioners (38 Stat. 718, sec. 1).
21. Interstate Commerce Commission, commissioners (41 Stat. 497, sec. 440).
22. United States Shipping Board, commissioners (41 Stat. 989, sec. 3 [a]).
23. United States Tariff Commission, commissioners (39 Stat. 795, sec. 700).

## C. INDUSTRIAL, GEOGRAPHICAL, OR GOVERNMENTAL REPRESENTATION

## (a) General statutes

24. Advisory Committee for Aeronautics, members (38 Stat. 930).
25. Aircraft Board, military and naval members (40 Stat. 296).
26. Bureau of Fisheries, commissioner (16 Stat. 594, sec. 1).
27. Capital Issues Committee, members (40 Stat. 512, sec. 200).
28. Consular Service, inspectors of consulates (34 Stat. 100, sec. 4).
29. Federal Board for Vocational Education, appointed members (39 Stat. 932, sec. 6).
30. Federal Reserve Board, appointed members (42 Stat. 620).
31. Internal revenue collectors (sec. 3142 R. S.).
32. Mississippi River Commission, commissioners (21 Stat. 37, sec. 2).
33. Railroad Labor Board, members (41 Stat. 470, sec. 304).
34. United States Shipping Board, commissioners (41 Stat. 989, sec. 3 [a]).
- (b) *Statutes applicable solely to a Territory or possession or to the District of Columbia*
  35. Rent Commission of the District of Columbia, commissioners (42 Stat. 544, sec. 4).
  36. Isthmian Canal Commission, members (32 Stat. 483, sec. 7).
  37. Municipal court of the District of Columbia, judges (35 Stat. 623).
  38. Police court of the District of Columbia, judges (Pub. No. 561, 68th Cong., sec. 3 [a]).
  39. Territorial district attorneys (sec. 1875 R. S.).
  40. United States Court for China, district attorney (84 Stat. 816, sec. 6).
  41. United States Court for China, judges (34 Stat. 816, sec. 6).

## D. PROFESSIONAL ABILITY

## (a) General statutes

42. Advisory Committee for Aeronautics, members (38 Stat. 930).
43. Bureau of Fisheries, commissioner (16 Stat. 594, sec. 1).
44. Bureau of Mines, director (37 Stat. 681, sec. 1).
45. California Débris Commission, members (27 Stat. 507).
46. Consular Service, inspectors of consulates (34 Stat. 100, sec. 4).
47. Mississippi River Commission, commissioners (21 Stat. 37, sec. 2).
48. Patent Office, examiners in chief (sec. 482 R. S.).
49. Public Printer (14 Stat. 398, Am. 18 Stat. 88).
50. Rio Grande Commission, commissioners (43 Stat. 118).
51. Solicitor General (sec. 847 R. S.).

52. Steamboat Inspection Service, supervising inspectors (sec. 4404 R. S., Am. 40 Stat. 740).
53. Superintendent of Indian schools (25 Stat. 1003, sec. 10).
54. United States district attorneys (sec. 767 R. S.).

(b) *Statutes applicable solely to the Army or Navy*

55. Department of the Navy, Chief of the Bureau of Economics (42 Stat. 140, sec. 8).
56. Department of the Navy, chiefs of bureaus (secs. 421-426 R. S.).
57. Marine Corps, Major General Commandant (39 Stat. 609).
58. National Guard, officers (on Federal service) (41 Stat. 784, sec. 49).

59. Navy, Judge Advocate General (21 Stat. 164).

60. Officers' Reserve Corps, Army (41 Stat. 775, sec. 32).

61. Regular Army, officers (41 Stat. 771, sec. 24).

## E. FITNESS TO PERFORM DUTIES OF OFFICE

62. Board of Tax Appeals, members (43 Stat. 336, sec. 900 [b]).
63. Steamboat Inspection Service, Supervising Inspector General (40 Stat. 730).
64. Interstate Commerce Commission, chief and assistant chief inspectors of locomotive boilers (36 Stat. 913, sec. 3).
65. United States Shipping Board, commissioners (41 Stat. 989).

## F. SUCCESSFUL COMPLETION OF EXAMINATION OR PERIOD OF PROBATION

66. Civil-service appointees (22 Stat. 403).

67. Consular clerks (sec. 1705 R. S.).

68. Foreign Service officers (43 Stat. 141, sec. 5).

## G. SELECTION FROM LIMITED NUMBER OF NOMINEES

69. Civil-service appointees (22 Stat. 403).

70. Railroad Labor Board (41 Stat. 470, secs. 304, 305).

## THE EQUALIZATION FEE

Now, I come to the constitutionality of the equalization fee. I want to take a few minutes to point out what is sought to be accomplished in the Haugen bill. We have the system of protection in this country. We have had it for over 60 years, and it will probably be the policy of this country for that many more years. The yardstick which we administer to determine the amount of tariff duties to be imposed is the difference between the cost of production here and abroad. This is supposed to apply to agriculture as well as to the industries. Both the ineffectiveness of the tariff on agricultural commodities, in which there is a surplus, and the continued distress of agriculture are conceded.

The last Republican national platform concedes the distressful condition of agriculture and makes a pledge that that condition will be remedied. I read the following paragraph:

We recognize that agricultural activities are still struggling with adverse conditions that have brought deep distress. We pledge the party to take whatever steps are necessary to bring back a balanced condition between agriculture, industry, and labor, which was destroyed by the Democratic Party through an unfortunate administration of legislation passed as war measures.

The pledge of our party reads as follows:

The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industry to insure its prosperity and success.

The last national Democratic platform goes even further and specifically promises the establishment of an export corporation.

What are the objects to be attained by the Haugen bill?

First. In the language of the national Republican platform of 1924, "to bring back a balanced condition between agriculture, industry, and labor."

Second. To make the tariff effective on agricultural commodities.

Third. To stabilize prices on agricultural commodities by the control of the surplus, which on the basic commodities is a national and not a local problem.

Fourth. To regulate the sales of basic agricultural commodities in interstate and foreign commerce and the sales of and transactions in such commodities in intrastate commerce which, if unregulated, would cast a direct burden on interstate and foreign commerce in such commodities.

Fifth. To bring about the orderly marketing of agricultural commodities.

Sixth. To promote the general welfare.

In the machinery set up to carry out the purposes of the Haugen bill there is an equalization fee which may be charged against certain agricultural commodities denominated in the bill as "basic agricultural commodities" whenever the Federal Farm Board shall declare an operating period in any one or more of such commodities.

The gentleman from Ohio [Mr. BURTON] this afternoon assailed this equalization fee as a tax, and because it is a tax he declares it unconstitutional. The gentleman from New Jersey [Mr. FOWLER] quotes a witness before the Committee on Agriculture as admitting that the equalization fee is a tax and, therefore, the gentleman from New Jersey says it is a tax. The gentleman from Kansas, [Mr. TINCHER] relates that when he was down in Jamaica he saw a sign "Pay your production tax here" and then he jumps at the conclusion that the equalization fee in this bill is a production tax and he is against it. These three gentlemen all assert that the equalization fee is a tax, and as a tax it is unconstitutional. I am not admitting that as a tax the equalization fee is unconstitutional. I shall not undertake to defend the constitutionality of the equalization fee as a tax.

In order to promote clear thinking and to arrive at logical conclusions we should first get clearly into our own minds just what a tax is. What is a tax? My answer is: A tax is a pecuniary burden laid upon individuals and property to support the Government. First, a tax is a pecuniary burden, and second, a tax is imposed to get money to support the Government. Every tax is a pecuniary burden, but not every pecuniary burden is a tax. A tax is imposed to raise money to support the Government. As I intimated before, I shall not undertake to show that the equalization fee is imposed under the taxing power of the Constitution. No part of the equalization fee to be collected under the provisions of the Haugen bill is going to be used for the support of the Government. It will be used only to carry out the purposes of the bill.

On the other hand, I think the equalization fee is valid and its constitutionality can be defended under the commerce clause of the Constitution.

I concede this is a new proposition. No court has ever had occasion to pass on a question such as is presented by the equalization fee, or anything like it. It is impossible to cite any court decisions directly in point. I have before you here volumes containing Supreme Court decisions, and I intend to read a few sentences from each of them. I want to make it clear that I am not trying to convey the impression that these cases are on all fours with the case before us.

My object in reading a few sentences here and there from these decisions is to give you the mental processes of the court when the court has before it cases involving transactions in both interstate and intrastate commerce. The transactions in intrastate commerce being so related to those in interstate commerce that if left unregulated would cast an undue burden upon interstate commerce. The question is, How far can Congress go in regulating interstate commerce when the regulation of such interstate commerce will of necessity directly or indirectly involve the regulation of intrastate commerce? The first case is the one involving the "recapture clause" in the transportation act of 1920, *Dayton-Goose Creek Railway Co. v. United States* (263 U. S. 456). In this case intrastate commerce was involved. I quote two sentences on page 474:

The *Dayton-Goose Creek Railway Co.* is a corporation of Texas, engaged in intrastate, interstate, and foreign commerce. Its volume of intrastate traffic exceeds that of its interstate and foreign traffic.

On page 477 I quote the following:

This court has recently had occasion to construe the transportation act. In *Wisconsin Railroad Commission v. Chicago, Burlington & Quincy Railroad Co.* (257 U. S. 563) it was held that the act in seeking to render the interstate commerce railway system adequate to the country's needs had by paragraphs 418 and 422 conferred on the commission valid power and duty to raise the level of intrastate rates when it found that they were so low as to discriminate against interstate commerce and unduly to burden it.

On page 485 the court says:

The third question for our consideration is whether the recapture clause, by reducing the net income from intrastate rates, invades the reserved power of the States and is in conflict with the tenth amendment. In solving the problem of maintaining the efficiency of an interstate commerce railway system which serves both the States and the Nation, Congress is dealing with a unit in which State and interstate operations are often inextricably commingled. When the adequate maintenance of interstate commerce involves and makes necessary on this account the incidental and partial control of intrastate commerce, the power of Congress to exercise such control has been clearly established.

The next case to which I call your attention is the Wisconsin rate case, found in Two hundred and fifty-seventh United States, page 563. To get the issues involved in that case I read on page 579:

First. Do the intrastate passenger fares work undue prejudice against persons in interstate commerce, such as to justify a horizontal increase of them all?

Second. Are these intrastate fares an undue discrimination against interstate commerce as a whole which it is the duty of the commission to remove?

To get more clearly before you how the court regards questions involving transactions in both interstate and intrastate commerce, I read the following on page 588:

Commerce is a unit and does not regard State lines, and while, under the Constitution, interstate and intrastate commerce are ordinarily subject to regulation by different sovereignties, yet when they are so mingled together that the supreme authority, the Nation, can not exercise complete effective control over interstate commerce without incidental regulation of intrastate commerce, such incidental regulation is not an invasion of State authority or a violation of the proviso.

Further, as throwing light upon the question before us, I shall insert in the *Record* without reading the paragraph on page 590, as follows:

In Minnesota Rate cases (230 U. S. 352), where relevant cases were carefully reviewed, it was said, page 399: "The authority of Congress extends to every part of interstate commerce, and to every instrumentality or agency by which it is carried on; and the full control by Congress of the subjects committed to its regulation is not to be denied or thwarted by the commingling of interstate and intrastate operations. This is not to say that the Nation may deal with the internal concerns of the State, as such, but that the execution by Congress of its constitutional power to regulate interstate commerce is not limited by the fact that intrastate transactions may have become so interwoven therewith that the effective government of the former incidentally controls the latter. This conclusion necessarily results from the supremacy of the national power within its appointed sphere."

There is another case to which I wish to call your attention briefly. I can not comment on it, as my time is rapidly coming to a close. This is the case of *Board of Trade v. Olsen* (262 U. S. 1), involving the constitutionality of the grain futures act of September 21, 1922. Prior to this decision the Supreme Court had held unconstitutional the future trading act in *Hill v. Wallace* (259 U. S. 44), holding that local dealings on boards of trade in grain for future delivery could not constitutionally be brought under Federal control by means of the taxing power.

The court in the *Olsen* case, on page 32, quotes the following from page 68 in *Hill against Wallace*:

A reading of the act makes it quite clear that Congress sought to use the taxing power to give validity to the act. It did not have the exercise of its power under the commerce clause in mind and so did not introduce into the act the limitations which certainly would accompany and mark an exercise of the power under the latter clause.

And again quoting from *Hill against Wallace*, page 69, the court said:

It follows that sales for future delivery on the board of trade are not in and of themselves interstate commerce. They can not come within the regulatory power of Congress as such unless they are regarded by Congress, from the evidence before it, as directly interfering with interstate commerce so as to be an obstruction or a burden thereon.

You will note from this last quotation that the court gives some weight to what Congress regards as necessary from the evidence before it.

Further, as giving the attitude of the court involving mixed transactions of interstate and intrastate commerce, I read the following from page 35:

This case was but the necessary consequence of the conclusions reached in the case of *Swift & Co. v. United States* (196 U. S. 375). That case was a milestone in the interpretation of the commerce clause of the Constitution. It recognized the great changes and development in the business of this vast country and drew again the dividing line between interstate and intrastate commerce where the Constitution intended it to be. It refused to permit local incidents of great interstate movement, which taken alone were intrastate, to characterize the movement as such. The *Swift* case merely fitted the commerce clause to the real and practical essence of modern business growth. It applies to the case before us just as it did in *Stafford against Wallace*.

The last reading is on page 37. The point I want you to get here is that the court leaves something to the judgment of Congress in determining the extent to which intrastate commerce should be burdened whenever Congress decides to exercise its undisputed power to regulate interstate commerce.

I read on page 37. First, I read a paragraph quoted by the court from *Stafford against Wallace*:

Whatever amounts to more or less constant practice, and threatens to obstruct or unduly to burden the freedom of interstate commerce, is within the regulatory power of Congress under the commerce clause, and it is primarily for Congress to consider and decide the fact of the danger and meet it. This court will certainly not substitute its judgment for that of Congress in such a matter unless the relation of the subject to interstate commerce and its effect upon it are clearly nonexistent.

The court further says:

In the act we are considering, Congress has expressly declared that transactions and prices of grain in dealing in futures are susceptible to speculation, manipulation, and control, which are detrimental to the producer and consumer and persons handling grain in interstate commerce and render regulation imperative for the protection of such commerce and the national public interest therein.

As I have said before, I am simply undertaking by the few quotations I have given you from court decisions to get before you the mental processes of the court when the court has before it questions involving mixed transactions of both interstate and intrastate commerce. I shall not undertake to explain just to what extent the equalization fee, if placed into operation, would affect intrastate transactions or to what extent the intrastate transactions in basic agricultural commodities will, if unregulated, cast an undue burden on interstate transactions in such commodities. Conceding the right of Congress to regulate interstate transactions in the basic agricultural commodities, it appears to me clear that a law to include the regulation of intrastate transactions in such commodities, which, if unregulated, would cast an undue burden on the interstate transactions in such commodities, would be valid and constitutional.

There are many more cases along the same line. I have made no attempt to brief all the cases along the line of the cases that I have cited you. In the report accompanying the McNary-Haugen bill of two years ago is a very exhaustive brief on this subject prepared by the legislative council of the House of Representatives in support of the constitutionality of the equalization fee in that bill. When the McNary-Haugen bill was under discussion two years ago I do not recall that anyone seriously questioned the constitutionality of the equalization fee in that bill. The equalization fee provision in that bill was practically the same as the equalization fee provision in this bill. After a rather exhaustive and careful study of the constitutionality of the equalization fee provision in the present Haugen bill I give it as my opinion that its constitutionality can be successfully defended under the commerce clause of the Constitution. [Applause.]

THE CHAIRMAN. The time of the gentleman from Iowa has expired.

MR. HAUGEN. Mr. Chairman, I yield to the gentleman from Missouri [MR. DICKINSON].

MR. DICKINSON of Missouri. Mr. Chairman, of the three pending agricultural bills, I shall support the Haugen bill, which is so earnestly favored by the farm organizations of Missouri and of the country. It seeks to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities. It is named the Haugen bill after the chairman of the Agricultural Committee.

Its declaration of policy is set forth in section 1 of the bill, reading as follows:

SECTION 1. It is hereby declared to be the policy of Congress to enable producers of agricultural commodities to control a supply of such commodities sufficient to stabilize their markets against undue and excessive fluctuations and to distribute the benefits and costs thereof to all producers of such commodities; to minimize speculation and waste in marketing; to encourage the organization of producers of agricultural commodities into cooperative associations; to protect domestic markets against world prices and assure the maximum benefits of the tariff upon agricultural commodities; and to provide for the control and disposition of the surpluses of agricultural commodities, for the purpose of promoting the orderly marketing of agricultural commodities in interstate and foreign commerce.

It provides for a Federal farm board, for a revolving fund, and an equalization fee. It is not only supported by the farm organizations of the country but is indorsed by the American Federation of Labor.

It should have generous support from all classes and all sections of the country, with no pending opposition bills to thwart its enactment into law.

The Tincher bill, called the administration bill, does not seem to meet the situation. It seeks to furnish credit rather than a constructive program for real relief. So far, the administration has shown little interest in farm legislation.

The Aswell bill has much of merit in it, but apparently provides for no present relief. The advocates, however, of all proposed legislation admit the serious condition of agriculture, and the need of helpful legislation. It is to be regretted that the great agricultural committee was not able by a majority vote to report out one bill, instead of three.

MR. B. F. Yoakum, chairman of the Frisco Railroad, one of the best posted men in the United States on agriculture, and co-author of the Aswell agricultural bill, one of the three reported from the Agricultural Committee of the House, says:

The American farmer is in a worse situation to-day than at any time in his history. Primarily he is the victim of the worst system of distributing and marketing in the world. (B. F. Yoakum, chairman, Frisco Railroad.)

The Kansas City Star, which widely circulates in Missouri and Kansas, in a recent issue says:

There is no question as to the seriousness of the farm problem presented by the farm surplus. Every farmer knows it by hard experience. The country knows it as well. When agriculture is depressed the country can not be prosperous.

It has been well stated by a Missouri farmer in a letter addressed to me on May 7, 1926, of which I quote a part here:

DEAR MR. DICKINSON: Agriculture is the basic industry of the country. Every other business depends upon it, but the farmers as a class receive less benefits from legislation than any other group. Industry has its tariff that increases the price of manufactured articles above the world level. Labor has its immigration law that keeps out competition and the Adamson law that regulates its hours. The railroads have the Interstate Commerce Commission, "a Government agency that fixes the price of transportation, and the Esch-Cummins law that keeps rates high enough to give them interest on their investment. The banks have the Federal Reserve Board, "a Government agency," that fixes the price of credit, and the Federal reserve banks that protect them in times of need.

Before the war the Tincher bill might have served, for at that time we were a debtor nation. We owed billions of dollars to Europe and each year paid our interest, our shipping charges, and other debts by exporting large quantities of farm products. Since the war, however, we have become a creditor nation and the postwar reversal of trade balances, the passage of the Adamson law, the immigration law, the Esch-Cummins law, etc., have placed the farmers at such a tremendous disadvantage with other economic groups that it will not solve their problems or give them the desired relief.

It is said the farmer tills the soil that plants may grow that man may live. The farmer is nature's agent in promoting life by cultivating the soil for the growth of plants for food for animals and man.

Why should the great basic industry, agriculture, be told to work out its own salvation, and that it needs no legislation, when the other great industries are cared for by Federal legislation? Manufacturers, railroads, great banking interests, labor, and mines are all cared for. The depression on the farm is due largely to the fact that the favored classes want to buy the products of agriculture at low prices while they have been able to force up their prices by legislation demanded in their interest.

The tax upon the farming interest is too heavy and depression results. He is demanding relief and fair and equal treatment before the law. He must be raised to the high level of other industries or the tariff wall must be lowered and more reasonable freight rates granted and encouragement given to the farmer to cultivate the soil, so that profit may result, and his heavy burden lessened, else bankruptcy will continue and increase until agriculture will cease to be profitable.

Some measure of relief must come without delay. Taxation direct and indirect must be lowered. The products of the farm should reach the market, foreign and domestic, with a reasonable net profit to the producer, so he may be encouraged to produce again. The middleman, the profiteer, the transportation agency, should not be permitted to reap so largely the benefits and profits due to those who have created the very necessities of life. Agriculture needs encouragement. Digress here for a moment the States should cease levying taxes on farm lands for State purposes.

The farmers produce a surplus in almost every line—grain, meat, and raw material for clothing and other purposes—and should be permitted to reach the world market and have a reasonable net profit as a result, else depression will continue and ability to make ends meet be lessened. Banks continue to fail because of frozen assets, farm mortgages increase, foreclosures multiply, abandonment of farm for city life, less travel on railroads, decrease in freight and passenger travel, and further abandonment of short-line railroads, with increasing charges for shipments and travel on long lines, with discrimi-

nation between sections of the country. Class legislation for favored interests is transferring the wealth of the country from the many into the hands and pockets of the few. It is an unhealthy condition when 2 per cent of the people own over one-half of the wealth of the Nation. Governments are not created for the benefit of the few but for the helpful concern of all the people.

A great difficulty about farm relief by legislation has been the greedy desire of the specially protected interests to save themselves at the expense of the producing masses. And now these same interests are insisting that they be not disturbed by any legislation enacted for agriculture; that they must have their level of prices, insuring large profits, while they must know that excessive profits wrung by law from the many for the benefit of the few will ultimately react to their damage, while the many are impoverished and thereby unable to buy from the protected few. No country can live and perpetuate its prosperity by transferring the wealth of the country into the hands of the few. Nor can it prosper by impoverishing the farmer, and he is entitled to the fostering care of Congress as much as any other prime industry and he should not be compelled to feed the world at a sacrifice.

The manufacturers can control their production and fix prices by aid of tariff laws and controlled output, making contracts for sales in advance of production. Not so with the farmer. His production depends largely upon natural conditions that he can not control and upon the uncertain yield that determines largely the supply to meet the demands for food products and changes in prices according to supply and demand.

Following the war our national wealth had jumped from \$186,000,000,000 in 1912 to \$320,000,000,000 in 1920, and the values of farm products were up. Then came deflation, higher tariffs, and increased freight and passenger rates, and values of farm lands and their products fell, loans were called, bankruptcy and foreclosures followed, frozen credits brought bank failures, while prices of protected interests were upheld by favored laws.

As a result of the war the United States became the great creditor nation of the world. It ceased to be a debtor to the European nations, and so broken were these nations by the destruction of life and property by a cruel World War that their ability to purchase our surplus products was reduced; their gold was gone, transferred to the United States. High tariff walls have shut out their products from the United States. They could not pay their indebtedness, but had to make long time settlements. Trade and commerce fell down, their power to purchase our surplus farm products lessened, and suffering resulted in these countries, and depression of farm values in our country, and the farm problem is brought to Congress. Legislation is demanded.

Manufacturing concerns have reported more than \$10,000,000,000 for income taxes during the last three years. Their values increased from below \$25,000,000,000 to more than \$50,000,000,000, while in contrast farm-land values declined 27 per cent since 1920, and the farmer is \$25,000,000,000 worse off now than he was in 1920 and his indebtedness aggregating \$12,000,000,000, with no incomes to report.

The existing tariffs hurt the American farmer by increasing his production costs, his cost of living, his transportation rates, decreasing his foreign markets and his exports and decreasing his property values.

We note that the March income tax approximates \$500,000,000. This represents in part the toll taken from American production. The increase in incomes and resulting increased revenue from taxation is due to the energy and industrious effort of the toiling masses in every line of endeavor. The real wealth of the country rests in and is evidenced by the improved condition of the multitude who toil and by their labor produce wealth, in their struggle for existence and the betterment of their condition. And in their well-being and prosperity rests the real wealth of the country, and not the concentration of the money and property in the hands, possession, and control of a very small per cent of the people, while the many struggle to produce and to meet the demands of life.

Big business with large net profits have doubtless contributed largely to the big showing for March receipts from incomes. It does not necessarily mean increased prosperity for the masses. It is stated that in 1925 the American Telephone & Telegraph Co. made \$107,000,000 net; General Motors, \$106,000,000; Ford Motor Co., \$115,000,000; United States Steel, \$90,000,000; Standard Oil, \$100,000,000; the rubber barons, \$100,000,000, of net profits in 1925.

Ninety-four industrial corporations last year each made over \$100,000,000 in net earnings.

Never a year in the history of the Government when so many industrial and transportation companies made record profits as in 1925. Not even during the war, as stated by Mr. SHALLENBERGER in the House in a recent speech. And yet during the last five years agriculture has lost \$25,000,000,000. So revenues from large incomes can increase, and yet the basic industry of agriculture suffers heavy loss. A few, 2 per cent owning over one-half of the wealth of the country, can swell income revenues on profits exacted from the toiling millions who have no net incomes upon which to pay income taxes.

The fundamental thought of true democracy is "Equal rights to all and special privileges to none." How far removed from this righteous doctrine did our Republican friends in control take us by the enactment of the Payne-Aldrich tariff law, repudiated on direct issue by the people, and later by enactment of the Fordney-McCumber Tariff Act, the present law, destroying equal rights for all by the guaranty of special benefits by excessive tariff rates to a class that largely dominates the Republican party by contributions of large sums of money to fill its partisan treasury in exchange for the enactment into law of tariff benefits that enable the manufacturers to levy excessive tributes upon the consuming masses. Strange indeed is the fact that the political philosophy of Lincoln and Jefferson were the same. One the patron saint of the Republican Party, the other the father of the Democratic Party. Each resting his faith upon the rights of man, to equal rights. How far afield has the Republican Party wandered from the faith of Lincoln in its blind allegiance to special interests, the antithesis of the teachings of Lincoln, who would have spurned such alliance. The latter-day Republican is far removed from the teachings of the Great Liberator, who followed the teachings of Jefferson.

No wonder that millions of Republicans, still believing in the teachings of Lincoln, are breaking away from standpat Republicanism, tied up with special interests. No wonder that the western farmer, discriminated against in legislation, has become restless and is breaking away from party control. No wonder that labor everywhere is dissatisfied as it struggles for existence, while the wealth of the country, produced by those who toil, is owned by a few, who reap where they have not sown. These high tariffs do not create prosperity; they do not prevent bankruptcy, and bank failures, and strikes, and unrest.

A brief editorial, clipped from the Warrensburg (Mo.) Star-Journal says:

#### SOME PLAIN FACTS

The Jefferson City Capital-News discusses one of the most important questions before Congress as follows:

It was brought out in the congressional hearings on farm relief measures that the shrinkage in values of farm property in five years amounted approximately to \$25,000,000,000, or over five billions more than the estimated valuation of all the railroads in the United States. When the present transportation act was passed, the stocks and bonds of the railroads were worth on the market a little over \$12,000,000,000, but the act provided machinery for its execution, and this machinery determined upon \$19,000,000,000 as the basic value of railroad properties, with an authorized return of nearly 6 per cent. The railroads since then have been producing a gross revenue of \$6,250,000,000 annually, or one-third of their estimated value. Meanwhile the farmers of the country, with an estimated investment of \$60,000,000,000, deducting the shrinkage of values, produced a gross return of only about \$12,000,000,000, although 11,000,000 of our people are engaged in agricultural pursuits.

The railroads have been going forward through virtual subsidies from the public, guaranteed by law, while the farmers, denied even ordinary credits, have been slipping backward. The railroads have been transacting their business, thanks to the favor of the Government, in a rising market. The farmer has been selling in a falling market, and buying in a dear one. Through the system of Government regulation, which prescribes rates and thus insures adequate return to the railroads, the railroads have nearly ceased to be competitive. The farmer must patronize the roads, with competition eliminated, and must pay the rates thus designated by law, but when his product reaches the market he must compete with all the world.

According to the school of political thought which devised the transportation act, it is legitimate to insure to the railroads a fair return upon capital invested, but it is paternalistic to finance the farmer in the disposition of his surplus, or, in fact, to help him in any way. There never was such inconsistency since the world began.

When surplus manufactured articles are shipped abroad and sold to foreigners at reduced prices the price of the same articles sold in this country to farmers and other consumers is not reduced but held at high prices by reason of the Fordney-McCumber high tariff law, that shuts out competition from abroad and enables the tariff-protected manufacturer of the United States to have a monopoly of the domestic market here,

and to charge excessive prices to the American consumer, who is at the mercy of the robber tariff.

This condition can not continue without continuing the hard struggle of the farmer, while the special interests will continue to fatten by reason of favored laws written in their interest.

Agriculture not only needs protection from high and exorbitant tariff rates, but it has a right to demand and to receive reasonable freight rates for the shipment of its surplus products, and it is also entitled to the full benefits of a credit system which will give equality of opportunity with other industries.

We want no monopoly of money, but we need a democracy of credit, with reasonable interest rates secured by property values.

We must preserve and retain our confidence in the superiority of the public will over the selfishness of others, who are not willing to trust the general public and refuse to record their wishes as expressed by the ballot. Legitimate business will thrive best when all the people are contented and reasonably prosperous.

It is admitted that "agriculture is in a bad fix; that it is unfair to compel the farmer to accept the low world price for his wheat, pork, beef, and cotton, while his production costs are fixed in the most highly protected market in the world, and under generous wage scales and increased tariffs, which reflect themselves in the cost of merchandise and freight rates." The claim that the farm problem is working out its own solution is asserted by those who set up no such claim when they were seeking helpful and favorable legislation for manufacturers, railroads, banking interests, and labor.

The provisions of the Haugen bill, to my mind, more nearly meet the emergency under existing conditions, and should be enacted into law, so that the surplus products of the farm may bring to the producers a fair return. As to corn, comparatively little is shipped abroad, but it is fed into cattle and hogs, and as beef and pork are helped so will corn likewise be helped. It is believed that the passage of the Haugen bill will lead to a great national farm reorganization, adjusted to the needs of agriculture in all sections.

Both parties in their national platforms have promised relief and helpful legislation for agriculture. The Republican Party is in full control of both branches of Congress and every committee having charge of legislation, as well as in control of the Executive department, and no legislation for the farmer can come without the consent of the dominant party, which is responsible for high-tariff rates and increased freight rates.

A reduction of both is demanded by agriculture and the Democratic party. Bring this relief and the producers and consumers will be largely helped.

The importance of this great basic industry is shown by the fact that at the peak of prices in 1919, the investment in agriculture in this country was given out as \$79,000,000,000, and \$86,000,000,000, in round numbers, for business and industry; neither so large now, because values have dropped.

The President of the United States, in his speech before the American Farm Bureau Federation at Chicago, was unfortunate in declaring that agriculture is substantially on a free-trade basis in respect of the things it buys, when it is well known that high-protection tariff rates have imposed enormously increased prices upon the consumers of the country and exacts heavy tariff tribute upon practically every manufactured article that the farmer is compelled to buy, and under and by virtue of the existing Fordney-McCumber Act staggers under an enormous load by reason of the exaction of the increased prices of the things that the farmer must buy. It is no answer to say that farm implements are on the free lists, when the steel and other products that go into the manufacture of these implements are highly protected, thereby forcing up the prices of the implements, the purchase of which must be made or the cultivation of the farm abandoned.

There would be less urgent necessity for farm legislation if there were no discrimination in favor of the other great industries against agriculture.

The majority in control should by united action permit legislation to lower those high tariff and freight rates so hurtful to agriculture.

It is stated that wheat reaches the seaboard in Canada at half the freight rate that wheat grown in the United States is permitted by our railroads to reach the seaboard for shipment abroad; as reasonable rates should be for our surplus as for Canada.

The farmer can not limit his production like the manufacturer. He must cultivate to the extent of his ability. He must raise a surplus for sale.

The suggestion to limit production means no surplus with which to purchase necessities he must have and must procure

by sale or exchange of his surplus. The price of his surplus is reduced by the freight charges, and what he purchases is enhanced in price likewise by the added freight charges. So he pays both ways. While he buys in a protected domestic market and sells in a world free market, transportation and the tariff and the middleman's charges absorb the value of his surplus products.

There is a trend of labor in this country, which apparently can not be checked, from agriculture to industry, because industry pays more than agriculture can afford to pay. But industry can not continue to prosper and employ labor unless agriculture can buy, for lay-offs, with fewer days of work or reduced wages, and idleness, and strikes result.

Twenty years ago 60 per cent of our population was agricultural and 40 per cent urban. Ten years ago the urban figure stood at more than 51 per cent. In the meantime, of course, a more general use of farm machinery resulted in greater production for workers, so that the percentages do not indicate accurately the productive position of the agricultural area. Farm production is increasing, but not as fast as the population. The total value of farm crops and livestock in 1923 was estimated at \$16,000,000,000. The value of industrial products that year was about \$65,000,000,000. Compare these figures with the value of farm products in this country in 1914, estimated to be ten billions, and the value of manufactures, about twenty-four billions. Note the comparative increase between the products of the farm and of manufacture.

This whole question of agricultural and industrial production, urban and country population, and relationship between agriculture and industry are tremendously important and requires the best thought of Congress, to the end that relief come to agriculture.

The high-tariff manufacturers of the United States took autocratic control of the Republican organization, financed it, controlled the Metropolitan Press, and dominated the policies of the Republican Party, forced it to enact high-tariff legislation in their own interest, increased freight and passenger rates, and invited by their action other countries to do likewise in self-defense, thereby depressing commerce between nations and lowering the price of our surplus products of farm and factory when sold abroad, crippling especially the farming class by depreciating the price of their products while protected industry held a monopoly of the home market and could sell at lower prices the surplus from their own factories. Our foreign trade is lessening by reason of such policy, as stated by Mr. HULL in his discussion of the tariff:

Perhaps the most striking features of the Fordney-McCumber Act were the new and high rates for the iron and steel schedule. Iron and steel products constitute the major cost in almost every industry in the United States. Coal and iron are the two great basic commodities that underlie all industry. Carnegie and his associates boasted 25 years ago that they could produce the cheapest steel in the world and would soon control the world's markets.

The United States has the richest and greatest iron-ore reserves, the largest coal reserves, best skilled labor, and best business management.

In the face of all these facts and conditions new and uncall-for higher tariffs are given the steel industries, so that their enormous profits can be further increased and higher prices exacted from all people compelled to buy the products of steel and iron. The cutlery tariffs averaged 107 per cent, pocket knives 146 per cent, the cheaper grades 179 per cent, scissors and shears 185 per cent. These amazing rates cost the people \$50,000,000 annually.

The railroads consumed 22% 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 the shippers in the form of higher freight rates. The farmer not only pays his share of this, but he is also a consumer of iron and steel products in the amount of nearly 20 per cent of the entire output. So he falls heir to this additional tariff burden. The building and bridge trades consume 18 per cent, thereby unduly enhancing the cost of building.

The American people are penalized by the woolen tariff schedule to the extent of \$250,000,000 to \$300,000,000 annually. Is it any wonder that these great protected industries grow enormously wealthy and enjoy exorbitant profits and incomes? Is it any wonder that through favored protection laws more than half of the wealth of the United States is held and owned by 2 per cent of the people, while 98 per cent toil and struggle for existence and for reasonable profits? Is it any wonder that agriculture is demanding consideration at the hands of Congress?

I again quote here from Hon. CORDELL HULL, a recognized tariff and revenue expert:

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 in retaliation for our high tariffs. Farm failures during past years increased 1,000 per cent in contrast with commercial failures. Nearly \$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.

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 production cost of the farmer as it is in his living costs. There is scarcely an article which 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 other 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 agriculture 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 comprised \$620,000,000 of food imports in 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 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 worth of hides in 1925.

Some complain of the heavy cost of the Haugen plan. It is stated that new corporate financing in the United States during April reached a total of \$438,299,000, which is far in excess of the amount provided in the Haugen bill—\$375,000,000—as a revolving fund for a period of two years for the great basic industry of agriculture—which may be reduced by amendment.

I quote here some figures relating to industries other than agriculture:

#### PRIVATE INVESTMENTS

New corporate financing in the United States during April reached a total of \$438,299,000. With the exception of last January, when the total of new corporate investments reached \$545,870,000, the total for April is the high mark. The total of new corporate investments for the first quarter of this year reached a level of more than \$1,640,000,000. Industrial financing and investment thus far this year has reached a total of more than \$1,462,000,000.

Few persons realize the enormous amount of new American capital issues offered in American and foreign investments since 1920. It is

estimated at more than \$27,700,000,000, of which about \$24,000,000,000 was in domestic corporations or enterprises and about \$3,700,000,000 in foreign corporations.

These offerings cover only five years, whereas the total American investments in foreign government and industrial securities on January 1, 1926, amounted to approximately \$10,500,000,000. This is something like one-sixth of the total estimated national income.

And yet with this object lesson, of great corporate investments, seeking to gather into their coffers the benefits largely flowing from agricultural efforts, they hold up their heads and cry aloud, subsidy, subsidy. Billions appropriated for every conceivable project, but when you talk of lending a helping hand to the farmer the cry of subsidy and economy is raised. You have more than doubled over 1913 the cost for military purposes, appropriated by this Congress, in the aggregate nearly a billion dollars. All other great industries cared for, the farmer now asks for consideration.

Let not the consumer be disturbed. He will not suffer by fair treatment of the farmer producer. It is the middleman, the distributing agent, the transportation from the farm to the consumer that is responsible for the high prices paid by the consumer. Your loaf of bread, your charges for meats, do not change with the rise and fall of prices for wheat and beef and pork. The charges made to you remain at a high level.

I have said so much about tariff and freight charges so as to stress the evil from which so much of the trouble comes. But the farmer must sell his surplus and reach the markets of the world at reasonable expense, and for that he needs the helping hand of legislation and should not be told by the powers in control to work out his own salvation, nor be told to raise no surplus, for he must have a surplus to sell in order to buy for his needs and to pay his taxes and other burdens. Without surplus on the farm for sale our foreign commerce will decrease, and our prosperity end. We must have a surplus of farm as well as factory to buy the needed surplus products of other countries.

I want to insert here the purchasing power of the farmer's dollar from 1912 to 1925, inclusive:

	Cents		Cents
1912	101	1919	112
1913	100	1920	96
1914	105	1921	84
1915	103	1922	89
1916	97	1923	61.3
1917	107	1924	62.4
1918	112	1925	60.3

These figures, as furnished by Secretaries of Agriculture Wallace and Jardine, show the low purchasing power of the farmer's dollar since the enactment of the Fordney-McCumber tariff law, showing that it has been a strong agency in depreciating the value of the farmer's dollar.

I also insert here a table of comparative prices of farm implements in 1914 under Democratic tariff laws and in 1924 under Republican tariff laws:

Implements	1914	1924
Hand corn sheller	\$8.00	\$17.50
Walking cultivator	18.00	38.00
Riding cultivator	25.00	62.00
1-row lister	36.00	89.50
Sulky plow	40.00	75.00
3-section harrow	18.00	41.00
Corn planter	50.00	83.50
Mowing machine	45.00	95.00
Self-dump hay rake	28.00	55.00
Wagon box	16.00	36.00
Farm wagon	85.00	150.00
Grain drill	85.00	165.00
2-row stalk cutter	45.00	110.00
Grain binder	150.00	225.00
2-row corn disk	38.00	95.00
Walking plow, 14-inch	14.00	28.00
Harness, per set	46.00	75.00

I desire to give here the agricultural situation as shown by the North Central States agricultural conference executive committee of 22:

#### The agricultural situation

##### BUYING POWER CUT IN HALF

[National Industrial Conference Board]

[Four years, 1920-1923. 1914=100]

Beef cattle	52
Swine	62
Wheat	45
Corn	57
Oats	48.5
Barley	49

FARM SHARE OF CURRENT INCOME LOW  
[National Bureau of Economic Research]

Farm population, per cent of total current income	29.9
Per cent of total:	
1919	17.7
1920	13.4
1921	9.9

## AGRICULTURE'S SHARE OF NATIONAL WEALTH DECLINING

[Bureau of Historical and Statistical Research, Department of Agriculture]

	1900	1912	1923
Total wealth... billions of dollars..	88.5	186.3	320.8
Farm wealth... do.	22.1	49.8	64.3
Farm share of total... per cent	25	26.7	20

ALL FARM PROPERTY IN UNITED STATES WORTH LESS THAN 1913  
[Figures from National Bureau of Economic Research and Department of Agriculture]

[Dollars of 1913 purchasing power]

Value of all farm property in United States:	
1913	\$45,227,000,000
1924-25	\$38,188,508,000
Per cent of 1913	84.4

## FARM AND MANUFACTURING WEALTH COMPARED

[Bureau of Census figures reported in February bulletin National City Bank of New York]

[Dollars of 1912 purchasing power]

Manufacturing:	
1912	\$20,785,000,000
1922	\$29,447,100,000
Per cent of 1912	141.9
Agriculture:	
1912	\$12,846,000,000
1922	\$9,244,604,000
Per cent of 1912	71.8

EXCHANGE VALUE OF FARM LANDS BELOW 1910  
[Bureau of Census figures for North Central States used—Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, Iowa, Kansas, Nebraska, North Dakota, South Dakota]

[Dollars of 1910 purchasing power]

Exchange value:	
1910	\$17,284,260,000
1920	\$14,904,561,000
1925	\$13,647,519,000
1925 compared with 1910 per cent	78.98

## MEANTIME FARM DEBT GROWS

Total farm indebtedness:	
1910	\$4,320,000,000
1920	12,250,000,000
1925	12,250,000,000

A large crop is a national blessing to be fed more largely when cheap and surplus sold when prices justify.

The Haugen bill provides the machinery for our surplus production to move to the markets of the world in an orderly way.

The condition of agriculture is not disputed. The difference of opinion is over the remedy. The Haugen plan is proposed by the farm organizations. Why not test it out until a better plan is devised? No other apparently workable or worthwhile plan has been proposed. If defective, let it be amended after trial. Do not cry subsidy, when Congress came to the aid of the railroads after the World War and appropriated \$2,000,000,000 for their aid. If the railroads broke down and needed aid, is not agriculture entitled to helpful legislation? Railroads are now in better condition than ever before, stabilized as they are by the Esch-Cummins law. This agricultural measure will help every other great industry while it stabilizes the products of the farm. Let it have a fair trial.

Agriculture asks to be put on an equality with other industries. It will not be satisfied with less. This Government has no right to relegate agriculture to a position of comparative inferiority with industry. Or by discrimination compel agriculture in the future to be used merely for supplying cheap food and cheap raw material to industry. The defeat of fair legislation for agriculture makes an issue that will be settled in the forum where the voter records his will.

If the Haugen bill fails of passage or enactment into law, I am ready to vote for any measure helpful to agriculture.

The agricultural district which I represent and the great State of Missouri, so largely agricultural, is vitally interested in this proposed legislation and deeply concerned about the purchasing power of the farmer's dollar.

During my term in Congress I have always given first concern to agriculture, the basic industry in my district, and shall continue by my vote to try to represent its best interest as long as I am trusted to serve them here. And while the Haugen

measure may not be perfect, it is the one bill that seems to best represent agricultural thought and wishes, and I shall cheerfully support it. If it has defects, they will appear on trial and can be amended. No comprehensive bill for any great measure is ever perfect. It has to be tried out.

No one can predict with certainty the result of legislation. Our duty is to represent as best we can the thought and wishes and needs of our district and of the country as far as we can. No general law is perfect when first enacted; after trial it may need amendment.

My first duty is to agriculture. The cities and towns in my district are dependent upon the prosperity of the farm, and this duty it has been my endeavor and pleasure to always recognize by every vote I have cast and every speech I have made since I have been a Representative in Congress.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Missouri [Mr. MAJOR].

Mr. MAJOR. Mr. Chairman and gentlemen of the House, as a Representative from a great agricultural State and of a district where agriculture is one of the chief industries, I desire to make a few observations on the legislation now before our body.

I have been waiting with much solicitude for the report of the Agricultural Committee of this House on what that body would recommend to us in the way of farm legislation, and at last, after many weeks of hearings and deliberations, that committee, whose special province is to consider and report on legislation affecting agriculture, has presented us not with a bill which a majority had agreed upon, but with three distinct and separate measures, namely, the Haugen, the Aswell, and the Tincher bills. We have now had five days and two nights of debate on these proposed measures, and much has been said for and against each. There seems to be a unanimity of opinion that agriculture is in sore straits and something should be done to give relief to this great industry—the diagnosis has been as varied as have been the remedies offered for the cure of its ills. Agriculture is entitled to a square deal at the hands of the Government and should be treated fairly. There should be no governmental favorites. No business or industry should be placed in a position where it can be preyed upon by any other business or industry. Agriculture is sick and the question is, What can we do to relieve the situation? Just look into conditions and see what the trouble is and what has happened and is happening to the farmers.

In 1900 the farm lands and property in the United States were valued at approximately \$20,000,000,000; in 1910 this value had increased to \$40,000,000,000; in 1920 to \$77,000,000,000. These returns show that the farm lands and property of this country had steadily increased in value in times of peace and in times of war until 1920, when they reached the high point. Now, what of the past three years—what has been the condition of the farmer during this time, and apparently without any obvious reason? While everyone around him has prospered, his prosperity has gone; his land has depreciated in value, as well as everything else he owns, while what he has to buy has kept up in price, if not actually increased. His dollar has been reduced to about half in purchasing power, while his State, county, and local taxes, as well as his debts, have doubled. His freight rates have steadily increased, until they have reached the point where they at times equal the price he receives for his products. Approximately 25 per cent of the farmers in the great West and Central West are bankrupt, and are only saved from eviction and actual bankruptcy by the leniency of their creditors. Farm lands have decreased in value from one-third to one-half.

The National Industrial Conference Board, with headquarters in New York, has submitted to the American people its profound conclusion after one year of continued and earnest study that the average income of the American farmer for the year 1924 was \$736, as contrasted with the average income for transportation workers of \$1,570, of \$1,250 for manufacturing wage earners, of nearly \$1,700 for ministers, of over \$2,100 for clerical workers, of \$1,650 for Government employees, and even of \$1,300 for teachers.

The following table will show the depreciation in the purchasing power of the farmer's dollar from the year 1913 down to and including 1925:

	Cents		Cents
1913	100	1920	96
1914	105	1921	84
1915	103	1922	89
1916	97	1923	61.3
1917	107	1924	62.4
1918	112	1925	60.3
1919	112		

My colleague, Congressman STRONG, a Republican from the State of Kansas, had inserted in the RECORD sometime ago a

table showing the difference in the cost of farm implements in the year 1914, when the Underwood Tariff Act (a Democratic law) was in force, and in 1924, under the Fordney-McCumber Tariff Act (a Republican law). The table follows:

Implements	1914	1924
Hand corn sheller	\$8.00	\$17.50
Walking cultivator	18.00	38.00
Riding cultivator	25.00	62.00
1-row lister	36.00	89.50
Sulky plow	40.00	75.00
3-section harrow	18.00	41.00
Corn planter	50.00	83.50
Mowing machine	45.00	95.00
Self-dump hay rake	28.00	55.00
Wagon box	16.00	36.00
Farm wagon	85.00	150.00
Grain drill	85.00	165.00
2-row stalk cutter	45.00	110.00
Grain binder	150.00	225.00
2-row corn disk	38.00	95.00
Walking plow, 14-inch	14.00	28.00
Harness, per set	46.00	75.00

Most all of these implements have at least doubled in price.

The farmer's products, stock, and other property have fallen in value, while farm implements, building material, fertilizer, fencing, fuel, clothing, boots and shoes, and everything else he has had to buy, as well as freight rates, have remained at wartime prices. There is no just relation between the price he gets for his wheat and the price the consumer pays for the flour; between his beef on the hoof and the beef on the block; between the price he receives for his hogs and the price the consumer pays for pork and its products; between the price he receives for his hides and the price he has to pay for his shoes. There can be no question but what there is something wrong between the price the farmer is paid for his products and the price at which they are sold to the consumer. This difference between what the farmer receives and the price paid by the consumer for the products of the farm is an outrage and should not be tolerated or permitted in an enlightened country. What is this difference? Of approximately \$22,500,000,000, representing the total value of the farm products produced and sold in this country last year, the farmer received approximately \$7,500,000,000, while the speculators, middlemen, and transportation companies exacted the exorbitant toll of \$15,000,000,000—the farmers receiving one-third, the speculators, middlemen, and transportation companies two-thirds, a tribute out of all proportion of right and justice, and something which should not be allowed or tolerated by the lawmaking power of this or any other nation. But this is exactly what we are permitting to take place in this country and making no effort to prevent. We are sitting by and permitting this enormous toll to be taken from the farmers.

Instead of receiving but 35 cents of the consumer's dollar, as he does under the system now in vogue, he should receive the 65 cents now taken from him by the speculators, middlemen, and transportation companies. Instead of receiving the one-third he should receive the two-thirds, and in this way he would receive a fair return on his investment and labor, and compensatory prices for his products. Just look a little further: He is compelled to take what is offered him for what he has to sell, and is compelled to pay what is asked him for what he has to buy. He has no part in fixing the price of his own products or anything to say as to the price he is charged for what he has to buy. Under the present system he pays tribute to all other industries, but is denied any part in establishing the price of his own products. He must sell for what he is offered and in purchasing pay the price asked. It is heads they win and tails he loses. I submit that he should have the same say and influence in conducting his business as other businesses have in conducting theirs. His business should be placed on an equal footing with other industries. While he is asking no special privileges or special favors, we should see that he is given equal protection, equal privileges, and accorded fair treatment to the end that other industries shall not be permitted to prey upon his business to his detriment and utter ruin.

I assert that other industries of this country have been favored with special legislation at the expense of the farmer; and this policy should, must, and will be changed. By legislation he is compelled to purchase his farming implements, tools, fuel, building material, fertilizer, fencing, clothing, boots and shoes, and everything else he uses in a protected market, and must dispose of his products in the market of the world in competition with the world. He has witnessed the manufacturers of this country given the benefit of the highest protective tariff law in our history; the railroads given laws which en-

able them to fix compensatory rates that they may operate at a profit; virtually every business the recipient of beneficial legislation except his, and his the one business more entitled to the fostering care and protection of the Government than any other.

That the farmers are in distress and greatly in need of beneficial legislation admits of no argument. While the past few years, according to statistics, have been prosperous years for many forms of business, such has not been true of the farmer. He is getting the worst of it and is being hard hit on all sides. He labors from sunrise to sunset; he gambles with the elements, the drought, the flood, the storm, the winds, the heat, and the cold; he battles with the devastations of crawling and flying insects and the ravages of disease, and for all his work, his risks, his worries, and his troubles, he finds himself getting deeper and deeper in debt as he struggles for a livelihood. Out of the six and one-half million farms owned in the United States by individual farmers a few years ago, by reason of failures and foreclosures these farms are now owned by less than 3,000,000 farmers.

What are we going to do about it? What can we do that will relieve the situation and bring back prosperity to this great industry? In April, 1924, when this same subject was before us, I made the following suggestions, which I now repeat, for conditions have not changed:

First of all we should work on the Fordney-McCumber Tariff Act, the schedules of which were fixed at the command and behest of the predatory interests of this country without regard to the difference in the cost of production at home and abroad. Its purpose was to shut out all competition from abroad, and its effect is to foster, encourage, and permit the formation of trusts and trade combinations in this country to the end that the farmer is compelled to do his buying in a market where there is no competition and in this way pay tribute to the manufacturers of this country far beyond a fair and reasonable profit. He is forced to sell in competition with the world and to buy in a protected market where there is no competition. Congress has simply "hog tied" him, and the manufacturers are permitted to take from him what they decree. Shall we permit these conditions to continue? This Congress probably will, but the farmers of this country have awakened and will not much longer submit to this kind of treatment. There will be a Congress elected that will do what should be done in his behalf.

Second. We should do something to reduce the excessive freight rates which the farmer is compelled to pay and with which he is confronted in both buying and selling. Excessive transportation charges increase the price of everything he has to buy and decrease the price of everything he has to sell, the transportation charges in many instances equaling the price that the farmer receives for his products. Legislation perfecting the inland waterways of the country would do much to bring down the excessive transportation charges he is now compelled to pay.

Third. Taxes should be reduced, expenses curtailed, and economy practiced as well as preached.

Fourth. We should devise and put into effect some intelligent and comprehensive agricultural policy or plan whereby the farmer will be able to receive from the consumer compensatory prices for his products; legislation that will improve, stabilize, and make permanent our markets abroad.

These are a few of the suggestions that I would make for the relief and betterment of the great agricultural interests of this country. There may be others and I will gladly support any plan in which I believe there is merit and which will improve the situation.

In this Congress there are in the Senate 56 Republicans, 39 Democrats, and 1 Farmer-Labor; in the House 247 Republicans, 183 Democrats, 2 Socialists, 2 Farmer-Labor, and 1 Independent. So it can readily be seen that the Republicans at least have the votes to enact any legislation that their leaders might devise for the relief of agriculture. But will they do anything? If not, why not? Is it possible they do not know what to do? Do you believe that this is the *one* question on which their leaders are unable to agree upon any plan of relief? Can it be possible that effective relief would interfere with some other interest that stands closer to the "powers that be" than agriculture? There are individual Members who would not only be willing but would take pleasure in assisting in the enactment of legislation that would relieve the situation, but such legislation will not be forthcoming from this administration.

No man can serve two masters, and neither can a political party. No surer way could be devised, in my opinion, to block effective agricultural relief than that which we are now witnessing on the floor of this House. A great committee of 21 members, 13 of whom belong to the majority party of this House, supposedly selected because of their knowledge of and interest in the problems of agriculture, after weeks of assid-

uous labor have presented the House with triplets—HAUGEN, ASWELL, and TINCHER—all three of which are now cavorting in the House, muddying the waters and befuddling the issues to the end that this much-needed relief will be denied, and with the hope that the responsibility can not be fixed. So we witness the spectacle of a great party either unwilling or unable to devise, work out, or agree upon some plan to solve this, what I consider the most important and far-reaching problem before this Congress. The party now in control had no difficulty agreeing upon the provisions or the enactment into law of the Fordney-McCumber tariff bill for the manufacturers, the Esch-Cummins railroad bill for the railroads, the immigration bill for labor, and the Mellon tax bill and all other measures in which the interests and big businesses were interested. Can it be that the great manufacturing centers of New England are interested in seeing that the prices of the products produced by the great agricultural interests are kept as low as possible, and that these interests have the ear of the administration? The answer to this question is the key to the situation that now confronts us. The agricultural industry is entitled to just consideration and fair treatment at our hands and we should do something to the end that it no longer is permitted to remain the prey of the great manufacturing interests of New England. Congress, the greatest legislative body in the world, ought to be able to solve this problem. The reason for which government exists is that one man, if stronger than another, will take from him whatever that other possesses and he desires, and what is true of the individual is true of industries and businesses.

A great industry in dire distress, crippled and bleeding, is knocking at our door and imploring us for help, relief, justice, and fair treatment. To this they are entitled and I, as a Member of this House, am going to do my best to see that it is accorded them. While the Haugen bill is not perfect, I can not but feel that it would come nearer giving relief and meeting the situation than either of the other bills. It is the measure asked for by the great farm organizations—and they ought to know what they want—and I will support this bill in the hope that it will bring relief to agriculture—an industry in which approximately 40,000,000 people are engaged; in which there is invested approximately \$65,000,000,000; which annually buys \$6,000,000,000 worth of the goods and services of our other industries and supplies the materials upon which depend industries giving employment to nearly half of our industrial workers; and which supplies about one-fifth of the tonnage of freight carried by the railroads. Its products constitute nearly half of the total value of our exports; it pays in taxes one-fifth of the total cost of our Government, and farms and farm property represent more than one-fifth of the total national tangible wealth, and contributes, normally, about one-sixth of the total national income.

The Aswell bill has many good features, but, in my judgment, does not reach the situation or furnish the immediate relief that is necessary; while the enactment of the Tincher, or administration bill, would be giving to the farmers a present very much like the one given the good wife by her indulgent and generous husband who, after looking for several hours for an appropriate Christmas present, finally compromised with his conscience and presented her with a new axe.

I want to state here and now that if the Representatives of this House, regardless of political affiliations, who represent agricultural districts will be just as loyal, just as interested, and just as alert to the interests of the farmers of their districts as the Representatives of the manufacturing sections are to the manufacturers' interests, we will then get for the farmer what is due him and what he is entitled to and not until then. And in conclusion I want to say to the farmers of this country that when they realize that the leadership of the Republican Party, as constituted and controlled, is more interested in the manufacturers, big business, and the wealth of the country than in what concerns them and their business and is beneficial to them and their interests and bear that fact in mind in selecting the men they send to Congress to look after their interests, then and not until then will they be able to secure legislation which is necessary for their well-being and prosperity and to which they are so justly entitled.

Mr. TINCHER. Mr. Chairman, I yield to the gentleman from Michigan, a member of the Committee on Agriculture [Mr. KETCHAM], 20 minutes.

Mr. KETCHAM. Mr. Chairman and members of the committee, the Committee on Agriculture has been subjected to considerable good-natured banter for having presented three bills to the House of Representatives seeking to improve the agricultural situation of the country. In a few instances this good-natured banter has given way to actual criticism. After dis-

cussion of nearly a week, during which time it has been frequently observed that a number of speeches on this subject have been of an unusually high order, I think we will all agree that the whole problem has been somewhat clarified and that the judgment of the House upon this vital matter will be much sounder by reason of the fact that under the action of the committee full freedom has been given Members to present their views as to the merits of the respective plans.

After such complete discussion there is practically no new ground for one to cover in the closing hours of the debate, and I shall not therefore attempt to cover the field of discussion in relation to all the bills, but simply rise to offer a few observations as to the course my own mind has been taking during the weeks and months we have had farm relief under consideration.

In the first place, Mr. Chairman, I place myself squarely with all those who believe that no permanent prosperity can come to the United States unless the millions of our people who are engaged in the great fundamental business of providing our food supply and a large proportion of our raw materials for industrial processes are placed and maintained on a plane of economic equality. It is intolerable to me to think of any permanent classification of the people of the United States into different economic grades. Every effort must be made to make the rewards for equal effort, equal investment of money, and equal brain power in various callings and occupations fairly comparable. Particularly must we be mindful of the important part the farmers play not only in the maintenance of our economic structure but also our social and governmental organization. He is indeed blind to the best interests of his country who can not see the value of a contented, prosperous, and progressive agricultural population. Among the people on the farm is to be found the highest percentage of home ownership. Here, also, we find the highest percentage of native-born citizens. Here we find a strong backbone of constructive, conservative thought that is especially essential to our steadiness in times of distress, uncertainty, or panic. Therefore, it seems clear to me, Mr. Chairman, that from the purely personal standpoint, as well as from that of the responsibility which we bear as Representatives in the greatest legislative body, the world knows that the sentiment in this Chamber should be nearly unanimous in striving to work out any legislative enactments that may be needed to improve the economic situation of the American farmer. I have been highly gratified to receive personal assurances of a desire to measure up to this opportunity and responsibility from every section of the country represented in this body.

We may differ widely as to the extent to which we think legislation can be helpful, but in my judgment there is an overwhelming majority of this House on both sides of the aisle that would vote within an hour for any constructive plan that could be proposed to improve our present agricultural situation. Believing, therefore, that there is a real agricultural maladjustment that can be met partially by legislation, and that this House is ready and anxious for a constructive suggestion, I am presenting my views upon the question briefly in the feeling that not since I have been a Member of this body have we faced a weightier responsibility than that immediately confronting us.

In the first place I desire to present what I regard as a fair statement of the present condition of agriculture. We speak of the buying power of the farmer's dollar as an indication of his situation. We also speak of the purchasing power of the farmer's product in relation to the same subject. The purchasing power of the farmer's income is also used as a standard of measurement. Owing to the fact that all three of these expressions are frequently used interchangeably by public speakers and have indeed so been used by various Members in the discussion of pending bills, an attempt to clarify the meaning of these expressions may not be untimely. In the course of his eloquent and forceful speech last Friday the gentleman from Kentucky [Mr. KINCHELOE] made this statement during the course of a sharp attack on the Fordney-McCumber tariff law:

You have decreased the purchasing power of his dollar of \$1.01 when that bill became a law to \$0.60.

The fact is that when the Fordney-McCumber law became effective, in September, 1922, the purchasing power of the farmer's dollar was approximately 56, and in March, 1926, it was 62. Still others have stated that the purchasing power of the farmer's dollar is at its lowest point in the history of the country. The fact is that the lowest point in said purchasing power in the 15-year period between 1910 and 1925 was 40, which was reached about March of 1920. It is further true that the present purchasing power of the farmer's dollar is as high as it has been since 1916. Only in 1924 did

it reach 62, where it is at the present time. If you are describing the present situation of the farmer in terms of the purchasing power of his production, it is likewise untrue to say that he is in the worst position he has ever been. The facts are that in 1922, when the Fordney-McCumber tariff bill was enacted, the purchasing power of the farmer's product was 69. It has steadily increased from that point upward to 1925, when it reached 89. For the last six months it has remained stationary at 87. Still another measure of the farmer's situation is found in terms of the purchasing power of his income. Beginning with 1922, both gross and net income of the farmers of the country have increased. The exact figures are 1922, \$543; 1923, \$701; 1924, \$764; and 1925, \$876. Mr. Chairman, my purpose in submitting these figures, which are official and authentic, is twofold: First, to answer the oft-repeated and emphasized charge that the protective tariff is directly responsible for the present situation of the farmer; and, second, that there has been no improvement in recent years, but that the situation is continuously growing worse. When judged by the buying power of his dollar, the buying power of his products, or his net income, he has improved his position perceptibly since September, 1922.

Expressed in terms of percentage, the purchasing power of his dollar has increased nearly 11 per cent, the purchasing power of his product 26 per cent, and his net income 61 per cent.

The following index comparisons between the prices the farmer receives on four of his principal commodities in contrast with the prices paid for four groups of articles that make up the largest share of his purchases are submitted in the hope that they will be helpful in the consideration of proposed farm legislation.

The same periods, 1911-1914, and 1921-1924, have been used in preparing each table, and 1913 is taken as the base at 100 per cent, with the exception of the agricultural and nonagricultural table where 1910-1914 is used as the base:

*Sales*  
[Farm prices]

	Wheat	Corn	Hogs	Cattle
1911	109	92	84	76
1912	112	110	90	87
1913	100	100	100	100
1914	110	115	102	106
1921	147	90	105	91
1922	130	95	113	92
1923	123	127	95	96
1924	139	145	100	98

Wheat constitutes 11.56 per cent on farm commodities sold, corn 4.46 per cent, hogs 12.46 per cent, and cattle 15½ per cent.

*Purchases*  
[Wholesale prices]

	Cloths and clothing	Building materials	House furnishings	Metals
1911	95.8	97.6	93.5	89
1912	97.2	98.5	94	98.6
1913	100	100	100	100
1914	98	97	99	87
1921	179.5	165.4	195.1	120
1922	180.8	188.4	175.8	122
1923	200.1	189.1	183.1	144.4
1924	190.9	175.1	172.8	134.5

Cloths and clothing make up 9.8 per cent of our purchases; building materials, 5.37 per cent; house furnishings, 3.34 per cent; and metal products, 8.35 per cent. Purchases are not made at wholesale by the farmer, and the figures given in this table would need to be increased by the percentage that the retail price bears to the wholesale price in each classification.

[Farm price index]

	Agricultural	Nonagricultural
1911	95	95.5
1912	99	100.3
1913	100	104.5
1914	102	97.4
1921	116	167.4
1922	124	168
1923	135	171.3
1924	134	161

Three other factors that have largely contributed to the unequal situation the farmer faces are shown in the following table:

	Union wages	Farm labor	Freight rates
1911	96	93	100
1912	97.6	97	100
1913	100	100	100
1914	101.9	97	100
1921	205	144	191.6
1922	193.1	140	191.6
1923	210.6	159	172.5
1924	228.1	159	172.5

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield? Mr. KETCHAM. Yes.

Mr. JACOBSTEIN. The gentleman does not seem to maintain that the farmer's position is normal?

Mr. KETCHAM. I do not.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield now?

Mr. KETCHAM. I really ought to yield to the genial gentleman from Kentucky.

Mr. KINCHELOE. The figures that I used I got from Secretary Wallace, who is now dead. They gave the purchasing power of the farmer's dollar up to 1922. I wrote to Secretary Jardine to give me the purchasing power of the farmer's dollar for 1923, 1924, and 1925, and he gave it, and it went up in 1925 to 60½ cents. The gentleman may dispute that, but that is my authority.

Mr. KETCHAM. I think the authority is very good, but I think the gentleman from Kentucky, and I say this in all kindness, did not interpret the figures correctly.

Mr. KINCHELOE. And I say that I did interpret them correctly.

Mr. BURTNESSE rose.

Mr. KETCHAM. I shall have to refuse to yield.

Mr. BURTNESSE. Is not the difference to be found in the purchasing power of the dollar and the purchasing power of the products?

Mr. KETCHAM. So far as our present problem is concerned, stated in terms of agricultural and nonagricultural indices, the problem before the American farmer and the country is to devise ways and means whereby a nonagricultural index may be increased approximately 13 per cent. Question, "How shall it be done?" Three legislative remedies are submitted for your consideration: The Aswell bill is predicated upon the assumption that the spread between the consumer and the producer is altogether too wide and that if better marketing machinery could be set up to lessen the number and the expense of the intermediate transactions, the net result would be a large increase in the price of the product to the original producer without at the same time affecting the cost to the ultimate consumer. The Tincher bill attacks the problem from the standpoint of better merchandising. Secretary Jardine states the proposition in these words, "My own conviction is that the central problem in this whole matter is one of merchandising." His point is well illustrated in the case of wheat. The high point in marketing this important grain crop so far as quantity is concerned is September. Conversely, this month represents almost the low point of the year so far as price is concerned, and the farmer is primarily interested in the price that prevails at the time he markets his wheat.

The theory of the Tincher bill is this, that cooperative agencies are rapidly developing, and in view of the fact that their capital is ordinarily so limited that they can not store any considerable quantities of wheat, they must take the crop as it comes and in turn pass it on to those who have storage and capital facilities for handling it until the consumptive demands require it to be fed into the food stream. Looking at the problem in a broad way there seems to be no reason why the wheat price in September should be essentially different than at later periods in the year, and yet it is well understood that under normal crop conditions the low point in the annual wheat price corresponds almost exactly with the point of greatest marketing. The Tincher bill is built upon the theory that this price inequality which directly limits the income of the American farmer, and therefore affects the prosperity of not only the farmer himself but of all other groups as well because it decreases his buying power—is a matter of public interest, and it proposes that loans shall be made at low rates of interest and for long periods of time, not to individual farmers but to cooperative organizations to enable them to carry these seasonal surpluses along until they can be fed into the food stream without a depression of price. The purpose of the bill, as stated by the Secretary, is to stabilize prices, and if prices are stabilized, I think all would agree that it would certainly

be at a higher level for the farmer than at the present time, because so large a per cent of his grain is marketed at the low price period. Neither the Aswell bill nor the Tincher bill propose to change radically the marketing systems which have been built up in the country through so many years of conscientious effort. They are designed to supplement and improve the present marketing agencies and to that extent are not revolutionary.

The proponents of the Haugen bill maintain that the chief element in the farm relief program is the question of our exportable surpluses, and evidently are not only enthusiastically committed to the proposition of eliminating these surpluses from their depressing effect upon prices, but are unwilling that any other plan may be tried. With reference to these three bills, I can make my position clear. Two years ago I supported the McNary-Haugen bill, not because of its so-called price fixing nor its government in business, but solely upon the theory that it was designed to make the protective tariff, in which I am a firm believer, fully operative upon those crops in which we have an exportable surplus through the device known as equalization fee. This plan has been described so many times and is so thoroughly understood that I will not refer to it further at this time. At the hearings before the committee, my questions to the various witnesses will show that I was willing to go along with the Haugen bill as it was originally drafted, incorporating the principles of an equalization fee. I am less convinced now than I ever have been as to the practicability of the equalization fee. I think it but fair to say that I have now passed fully into the state of mind described by the judge on the bench as that of a reasonable doubt. I had further concluded to support the original Haugen bill because there was no doubt in my mind but that it represented a very substantial and well-considered group of farmers in the country, whose chief agricultural interest is centered in the basic commodities of the bill. However, I have now deliberately reached the conclusion that I can not support the Haugen bill for the following reasons:

First. Because it embodies the subsidy idea, against which every farm leader spoke before the committee, and against which every farm organization has gone on record in its great annual meeting, where the well-considered views of the membership are expressed in resolutions and where mere expediency in securing votes is not a controlling factor. When the motion was presented by the gentleman from Minnesota [Mr. ANDRESEN] deferring the equalization fee for two years and providing the subsidy of \$350,000,000 to care for the losses that might be sustained pending the establishment of the equalization fee, I announced that I would have to part company. I can not support the idea of a subsidy and I can not conceive the Haugen bill to be successful at all with the equalization fee eliminated. I know full well that the proponents of the bill say that the equalization fee is still retained, but I do not believe any considerable number of the Members of this House believe in their hearts that if the bill were enacted with the subsidy feature in it that there would be any great chance of ever establishing the equalization fee or production tax in its place. A simple test of the truth of this assumption is to be found in the attitude of the representatives of the cotton growers of the country. With the subsidy in the bill, a considerable block of votes would be cast for the bill. Without such a subsidy I believe that the vote against the bill would be as nearly unanimous as it was from the cotton growers in the case of the McNary-Haugen bill of two years ago. The outstanding defect in the Haugen bill as it now appears is that, in my opinion, it would defeat the very purpose it seeks to correct, namely, that of control and handling of surpluses. Just a moment's consideration will make this point clear I feel sure.

The farmer in the last analysis is an individualist. He must meet his own bills, both of a public and private nature. He must pay off his own mortgage. He must strive in every possible way to increase his income and to limit his expenditures within that income if he is to succeed. Should the Haugen bill pass and the news go to the various sections of the country that specialize in the basic commodities enumerated in the bill, I can not conceive that any farmer who saw in it an opportunity to get a greatly increased price for his products would not immediately make plans to greatly increase his acreage, because the restraining influence of the equalization fee would be lost and he would know that the losses on all the excesses that he might produce would be made up out of the Public Treasury. Just what this would mean in the way of defeating the purpose of the bill can easily be seen by a glance at the variations in acreage and yield in wheat. We have gone from the extremes of 54,000 to 75,000 in acreage of wheat and from 636,000,000 to 1,000,000,000 bushels in yield, and the inevitable result is shown in the net results of such operations.

In 1915 we produced a billion bushels of wheat, for which we received approximately \$950,000,000. The following year we produced 636,000,000 bushels, and received nearly \$100,000,000 more for it than we did for the crop of the preceding year, which was 400,000,000 bushels greater. Speaking of deferring the equalization fee for two years and then putting it in operation, can anyone imagine a more difficult situation than would be created in the operation of this bill under the circumstances I have described? If ever a surplus would be produced, it would be next year, and I think every level-headed man will recognize the insurmountable difficulty of placing an equalization fee on wheat in the face of a tremendous carry over such as, in my opinion, would be inevitable under the inspiration of a direct subsidy from the Treasury of the United States.

Mr. Chairman, as Members of this body we are confronted in the last analysis then with this situation: Shall we discard the marketing systems and market agencies that have been built up through long years of painstaking effort and substitute a new governmental agency that of necessity must to a large degree completely change all that we have set up, or shall we encourage the organization already set up by farmers themselves to work out their own problem? The cooperatives of various kinds to-day are estimated to handle one-fifth of the products of the farm. With sufficient capital, and with the governmental encouragement offered under the terms of the Tincher bill, it is reasonable to suppose that they will grow rapidly and will overcome many of the difficulties that have prevented their proper development up to this time. My choice has been determined, and I shall do what I can by my voice and vote to take this forward step in the solution of the great farm problem. Our discussions have been very earnest, not to say heated, at many times, and personalities have been occasionally indulged in, but this question is too big for considerations of such character to influence our judgment. I am further convinced of the practicability of the step I have decided to take, because, in my opinion, this legislation will be the only kind that can receive Executive approval if enacted. I have no sympathy for the attitude of mind that suggests reprisals upon other groups of our citizens if his own wants are not met. I do not believe the American farmer wishes any advantage for himself that means a detriment to any other particular group. All that he is asking for is that so far as legislation is concerned you will give him an opportunity to place himself upon an equal footing with other citizens. Believing that the terms of the Tincher bill will enable him to take the necessary steps by eliminating the seasonal surpluses, which after all are the largest factor in their effect upon the price to the individual farmer, I sincerely hope that the measure may receive your favorable consideration. It is an immediately practical and sensible step to be taken, and it should be given a fair trial.

The gentleman from New York [Mr. JACOBSTEIN] has summarized my views aptly in a closing sentence from his brilliant analysis of the agricultural situation, given last Thursday, in the course of his remarks on this bill. I quote:

It is my belief that the farmer can profit in the solution of his problems by more effective and more extensive cooperation, by the application of larger use of long-time loans for capital expenditures, and for the building up of a sinking or reserve fund to be used in financing the carry over of the surplus in such a manner as to exercise a restraining influence not only on immediate market prices but on future prices through a regulation of production.

[Applause.]

Mr. ASWELL. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. ALLGOOD].

Mr. ALLGOOD. Mr. Chairman, I regret that the great Agricultural Committee of this House can not agree, and therefore have reported three agricultural bills instead of getting behind one bill with all their might and main and passing it. With three bills there is absolutely no hope of any of them passing; therefore I doubt very seriously if there will be any farm relief measure passed at this session. If 11 men on a committee of 21 members can not agree on a measure, they can not expect a majority of 435 Members of this House and a majority of 96 Members of the Senate to agree on a bill which will be accepted by the President, whose attitude seems to be that the farmer must work out his own salvation. But the farmers of this Nation know that they have not had a square deal from Congress, and it is my opinion they will charge this up to President Coolidge and his administration when voting time comes.

This bill seeks to equalize and stabilize the price of corn, wheat, livestock, butter, and cotton, and provides an appropriation to be known as a revolving fund for this purpose. It also provides for an equalization fee for each of these products.

However, in the case of cotton, the equalization fee is not to be applied for two years from date of passage.

AGAINST TAX ON COTTON

I can not and will not vote for this measure unless it is amended. If it is amended so that a majority of the cotton farmers can by direct vote pass on this matter of equalization fee, then I would be willing to give them the opportunity to do so. I am interested directly in the protection that this bill, if amended, gives to cotton and the cotton farmer. It provides \$75,000,000 for the purpose of buying cotton when there is a temporary surplus and the price slumps below the cost of production. Statistics show there has not been more cotton produced than has been consumed during any five-year period in the last 25 years; therefore if the Government will provide a fund to remove the temporary surplus and hold this surplus until a year of low production comes and feed it back into the market, it certainly will help regulate the price of cotton; and if, in addition to this, the majority of the cotton farmers of the South want to vote an additional \$2 per bale to add to the revolving fund, they should have the right to do so. There is no damage to cotton that is properly stored and insured, but there were millions of dollars of loss to cotton farmers and merchants in the South last year by a temporary surplus. If this bill had been in operation, I honestly believe that we could have maintained the price throughout the season at 25 cents a pound, whereas several million bales were forced on the market at 18 cents per pound, causing losses of hundreds of millions of dollars.

Agriculture is the basic industry of this Nation and is as much entitled to protection as are the railroads, the manufacturers, and the moneyed interests. The railroads are guaranteed a profit by the Esch-Cummins law. The manufacturers are protected by a high tariff law passed by Congress. The bankers are protected by a great Federal reserve system, authorized by Congress. Industrial laborers are protected by a strict immigration law, passed by Congress. The farmer has to sell his products in the open markets of the world without laws favorable to the carrying on of his business.

The farmers throughout this Nation have lost multiplied millions on account of unstable conditions growing out of the war, and they have made their appeals to Congress and to the President, and instead of hearing their appeals this Congress has heard the appeals of the foreign nations and have voted to cancel more than \$6,000,000,000 due our Government by these nations. The President and his advisers preach economy but practice profligacy by appropriating almost \$700,000,000 a year for the Army and Navy, which is almost double the amount appropriated before the war.

This bill, if amended, will help take the panic out of the cotton farmers' life. The cotton farmer has been crushed to earth by panics oftener than any other class of farmers in America. The panic of 1860 and 1865 was produced by the Civil War, in which 4,000,000 slaves were freed, valued at \$2,000,000,000. These former slaves went to producing cotton in competition with the white men, women, and children of the Southland, who were forced to grow cotton in competition with negro labor, which is the cheapest labor in this country. They live in cabins, with few of the necessities of life, and on a low order, but can produce as much cotton as the white man, and therefore they have helped swell the production, which in turn has caused cotton to be sold at a low price.

Our people had to produce cotton, because it is their only money crop. They owed debts, and they believe in paying their debts. By growing cotton from year to year it has run down the fertility of the soil, and as a result we have had to resort to commercial fertilizers. In the year 1925 the southern cotton farmers bought 4,000,000 tons of commercial fertilizers, which at \$30 a ton would cost \$120,000,000. The operation of Muscle Shoals as a fertilizer plant would help reduce this burden on the farmer. The Fertilizer Trust does not want this competition, and their friends have been able to hold up and defeat legislation seeking to operate Muscle Shoals for fertilizer purposes, notwithstanding the fact that the original act of Congress providing for the development of Muscle Shoals specifically states that these properties must be used for the production of fertilizer in time of peace. Our cotton farmers have been crushed by panic after panic. In 1908 there was what was known as a money panic. A few big financiers called their loans, and as a result a panic came with the banks of the Nation full of money. This was the panic in which scrip was issued and used for money.

There was a big slump in the price of cotton at this time which cost the people of the South many millions of dollars. Again, in 1914 the cotton farmers were struck to the earth by a panic produced by the outbreak of war in Europe. In the

years 1915 to 1920 we of the South saw the boll weevil spread almost entirely over the Cotton Belt, and its ravages left bankruptcy and desolation upon thousands of cotton farms. In 1920 a world cotton convention was held in New Orleans in which the representatives of cotton manufacturers from 23 countries participated. This conference caused our newspapers to be filled with propaganda to the effect that there was a worldwide cotton shortage and that the world could consume 15,000,000 bales of American cotton at good prices. War prices still prevailed on all commodities which the farmers had to buy. Our cotton farmers, in order to produce this crop, bought on credit high-priced mules, farming implements, fertilizer, and labor; but after the cotton crop was planted and before it could be marketed the price fell from \$200 a bale to \$60 a bale, thereby bringing to bankruptcy thousands of farmers, merchants, mule dealers, men of varied business interests, and many banking institutions.

PROHIBITION AND THE FARMER

I have heard many reasons given for the farmers' troubles. However, the least plausible one that I have heard argued here was mentioned by the gentleman from New York [Mr. BLACK]. He states that prohibition is responsible for the hard times of the farmer. I know from a southern standpoint his argument will not hold, because cotton is a dry plant; it does better in a dry climate and under dry conditions than any other plant. [Laughter.] Everybody knows that from an economic standpoint if people spend money for whisky they thereby have less money with which to buy the necessities of life, among which necessities are many things manufactured from cotton. The business people of this Nation realize that whisky and business will not mix. The railroads do not employ men who drink to run their trains; it is not safe business. Henry Ford is the outstanding business man of this age and employs thousands of men. He absolutely will not employ a man who drinks. Even Germany prohibited liquor during the war because they realized their soldiers could not stand against the sober Americans [Applause.]

Farming is a scientific business and it takes a clear head and steady muscles to succeed, and even with these attributes there are still those who are not able to hold their own in the unequal struggle in which the farmer finds himself to-day.

But I must get back to the subject of farm relief. Gentlemen, if the Members of this House and the Senators and the President of the United States were forced to leave their places to-morrow to go into the fields of this country, if they were forced to go on the lands that are under mortgage to produce crops for the next three years under the conditions that the farmers are facing to-day, then if you could be returned to Congress you would give relief to agriculture in more ways than one. You Republicans would reduce the tariff taxes which are filling the coffers of the tariff barons. The debt of the farmers of this country is more than \$12,000,000,000 and the interest they pay each year approximates \$100,000,000. The farmers should have their interest rates reduced so that they can borrow money at the same rates as does big business. If you men could be returned to this Congress after farming for three years you would be in favor of helping reduce railroad rates. You would not depend on the Committee of Agriculture to bring forth all the agricultural relief needed. It can not be done. The other committees of this House must help in order to bring relief.

I see that the time allotted me is about consumed, and in conclusion I want to appeal to you to amend this bill, striking out the tax on cotton so that we of the South can vote for it, thereby giving relief to our people and also help you western Congressmen to give relief to your people. If you do not amend this bill and give relief to agriculture, gentlemen, you can rest assured that the distress of our farmers will rise up day by day like Banquo's ghost to haunt you, not only in this Congress but in the Congresses to come. As one friend of the farmer I want to say the battle is on and we will never turn back. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. WEFALD].

Mr. WEFALD. Mr. Chairman, there is a good deal of truth in the assertions made in this debate that much politics is wrapped up in the movement that has presented the Haugen bill to Congress and that now asks for its passage. If there were no politics in it this bill would not be here. It has also been charged that the Haugen bill originates out in the radical part of the Northwest, in Minnesota. That is also true if the thing of getting one's eyes opened makes a person a radical, for the farmers of Minnesota and North Dakota have had their eyes opened and the eye opening process is spreading to Iowa and other great agricultural States.

## MINNESOTA FARMERS FIRST TO WAKE UP

I had the honor to be a member of the Legislature of Minnesota in 1913. A few of the country members undertook to investigate the practices of the Chamber of Commerce of Minneapolis. Due to a mistake in the choice of the leaders who handled the investigation no real result was accomplished in that session although much crookedness and many evil practices of the grain trade were discovered. The same fight was taken up in the next legislature, but the farmer leaders persisted in making a fiasco out of the investigation due to political rivalry, but the light of day was thrown further into the dark corners of the secret chambers of the chamber of commerce.

## "GO HOME AND SLOP YOUR HOGS"

The farmers of North Dakota had to market their grain in Minnesota, and in view of the revelations made by the Minnesota Legislature a representative committee of farmers called on the North Dakota Legislature to ask certain wrongs redressed and to have certain things done, but received as an answer, "Go home and slop your hogs." The statesman who uttered these kind words caused the Nonpartisan Political League to spring into existence, which washed back over into Minnesota and threatened to overrun the whole West. The gruesome after-war deflation of the farmers caused both Republican and Democratic politicians in the Northwest to adopt the Nonpartisan League method of proselyting and organizing, and they were soon more radical than the original radicals. They stole the thunder of the supposed radicals and have now, I believe, honestly come to believe that the farmer must have a square deal at the hands of the Government. Many of the men who come down here to agitate for the Haugen bill and whom you call radicals are good stand-pat Republicans or Democrats at home, who in their home precincts thunder at the radicals and assure the merchants and the bankers that the East would gladly do what the farmers asked them to do if only such men as they were in Congress.

## ON THE FIRING LINE SINCE 1913

Personally I have seen the farmers' movement in the Northwest develop ever since 1913, and have since that time to some extent had a hand in it at nearly every stage of the game. I was drafted for Congress by the farmers and laborers of my district. I came here and gave the McNary-Haugen bill unstinted support in the first session of the Sixty-eighth Congress, and sat on the mourners' bench when the good stand-pat Republicans and Democrats most rudely killed it.

## PLAYING POLITICS WITH FARM LEGISLATION

The gentleman from Iowa would not even give me five minutes' time to discuss his bill, "for," said he, "you are for it anyway, and we must give time to those whom we can hold in line by letting them talk." I acquiesced, bit my lip, and voted for the bill. But in the following campaign, lo, and behold! the gentleman from Iowa turned up in my district and put in two weeks campaigning for my Republican opponent, and I had to do much explaining, because people believed that I had been against the McNary-Haugen bill when the author of the bill came out to campaign against me. The biggest newspaper in the district opposed me and valiantly supported my Republican opponent, playing up all the time his pledge to support a reintroduced McNary-Haugen bill, which the paper itself did not believe in. After election this newspaper played up the fact that the ninth Minnesota district had repudiated the McNary-Haugen bill because WEFALD's opponent had supported it and had been overwhelmingly beaten. One of the candidates for the Republican nomination for Congress in my district this year has recently telegraphed the gentleman from Iowa that he is for the Haugen bill now, first, last, and all the time, and asked the gentleman from Iowa, if possible, to have his telegram read on the floor—which I hope he will do. It might pass the bill. Yes; there is enough politics connected with the Haugen bill to make your head swim. Mr. HAUGEN, I suppose, will come out in my district again and campaign for my Republican opponent. Yet I am for the Haugen bill, although not one single farmer has instructed me or asked me to vote for it. My farmers leave it to me to act as I think best.

## CONGRESS VOTES "TAX SUBSIDY" FOR THE RICH AND INCREASES THE FARMERS' BURDENS

I am for the Haugen bill, because, under the circumstances, it will give us the only possible method of getting anywhere near a square deal alongside of capital and industry. If the Haugen bill is a subsidy, then those who now fight it should be for it, for they have been strongly in favor of subsidy for the railroads and for industry. They have given special privilege legislation to the banking interests. They were willing to vote a subsidy outright from the Treasury to shipowners and were willing to make the shipping magnates a present of the fleet of

ships owned by the Government. In the 1924 Congress a bounty of 25 per cent of the taxes due were voted income taxpayers—a clear gratuity. This Congress voted a subsidy, amounting to \$375,000,000, to taxpayers, most of it going into the pockets of the rich. In the passage of the tax bill 42 men received a tax subsidy of \$20,000,000, and the whole Federal inheritance-tax scheme was wrecked in favor of 213 men. There is no difference between letting some men keep in their pockets money that they otherwise were obliged to pay out and putting a little money in the pockets of some other man. You must either call the tax bill a subsidy measure or you should call the Haugen bill a tax-reduction measure likewise, because, if passed, it will ease the indirect tax burden of the farmer.

This House has passed the Parker-Watson railroad labor bill. Under that bill occasion might arise by which the laboring men may increase their income in wages away and beyond the amount of money asked in the Haugen bill to set up a marketing machinery. This bill passed practically unanimously. The Mills bill asks for payment of \$250,000,000 to American citizens who suffered losses caused during the war by German submarines. This is nothing but a subsidy.

## POLITICS! POLITICS! POLITICS!

Talk about politics! Was there no politics back of the tax bill and all the other measures, past and pending? Is there no politics back of the other two farm bills before the House? Do not those who support the Aswell bill rattle the dead bones of Jefferson and Jackson and beckon us back to the dead past? It is inconceivable, however, how Jefferson, had he lived now, who gambled big in the Louisiana Purchase, should begrudge the farmers a paltry sum like that asked for here to put their business of marketing in shape, and it is past my understanding how Jackson, should he come storming back, should line up with the money devil against the farmers.

## REPUBLICANS FILLED THE FARMERS' SILO WITH PROMISES

Talk about politics! What about the Tincher bill? Is TINCHER too innocent to play politics, he the Rollo of the Coolidge administration, who, like Rollo of old, no horse can carry? He the chevalier of the high-protective tariff, whose tariff arguments flash like he was swinging three swords at one time with one sword in the air always, has he passed beyond the stage of politics? I remember at the close of the first session of the Sixty-eighth Congress, when the Republican leaders were filling the farmers' silos with promises for the coming campaign, he was in the silo and "tramped her down" with puffs and snorts; he put on a very clever performance.

Give the Republicans a clear majority—

He said—

and we will show you what we will do for the farmer.

Of course, the Tincher bill is a political bill, and it is a better bill than the other farm bills that have been written at the White House breakfast table. It has a pancake flavor, but previous administration measures did not even have that. But I am sorry to say that even what little flavor it has will be taken out of it if it should become the bill that will displace the Haugen bill and come up for final action.

## THE WHIP SEES THE PRESIDENT

The Washington Star for May 7 carried a story in which the Republican whip, Mr. VESTAL, gives the views of President Coolidge on the pending farm bills. It reads in part:

The President is understood, however, to have given Mr. VESTAL the impression that his approval of the Tincher bill depends to a large extent upon the elimination of anything that might have a smack of Government price fixing or control.

The story stated that Mr. VESTAL's impression of the meeting with the President was that the President was against the Haugen bill and for the Tincher bill, with the proviso I have quoted.

Talk about political or nonpolitical farm-relief bill. I quote from the Star article:

Mr. VESTAL declared the discussion of farm-relief legislation in the House has reached the point where the party leadership must take a hand in lining up the faithful. Inasmuch as this task falls upon the party "whip," Mr. VESTAL explained that his first step was to learn first hand from the President his opinions regarding this legislation and to hear him personally discuss the several bills.

## REPUBLICANS ALLOWED TO "INSURGE" ON FARM BILLS

Whatever farm bill is finally written, if any, it will be written at the crack of the whip. The faithful must be true to their faith. The sheep must follow the shepherd. But the whip did not say that a farm-relief bill had to be written.

The tax bill had to be written, and that was written at the crack of the whip. The tax bill was a test of party regularity; upon the vote on the tax bill depended the Members' committee assignments and patronage. Had a Republican Congressman jumped over the traces on the tax bill, he would have been an outcast, to be classed with the Wisconsin insurgents.

There is one issue before Congress, however, where the average Republican Congressman will be allowed to insurge, provided that his insurgency does not help to pass a real farmers' bill, the Haugen bill, for instance. The stage is set so that now any and every Republican Member of this House can vote on farm relief so as to square himself with his constituents. Of course, they must all go back to their constituents and admit that no bill was passed, but each and every one can say, "I voted right, and when there are more brave men like me in Congress everything will be O. K."

#### REPUBLICAN LEADERS "KIDDED" WESTERN REPUBLICANS

The Republican leadership of this House has been able to put anything over that the occupant of the White House ordered them to put over. The contempt in which farm relief legislation is held by that leadership is best attested to by the fact that neither the Speaker, the floor leader, nor the chairman of the Rules Committee have ever given out anything relating to the President's wishes on farm relief, nor does it appear that any of these gentlemen have made a trip to the White House to see about what can be done for the farmer, while the whip, a subordinate official of the organization, is sent down to see just how many lashes shall be administered if danger should arise. This action on the part of the House leadership is perhaps the reaction on the ultimatum delivered by the Minnesota rural Republican Members of this House, as reported in the Washington Post a little while ago, that "they were tired of fooling" and "sick and tired of being kidded." Lucky for these men that the stage is set so that they are allowed to insurge, for the time being allowed to be as radical as the Farmer-Labor Members from their State.

#### FARMERS NEED MORE THAN THE HAUGEN BILL

I admit that the Haugen bill is not all that the farmer needs. What he does need is a "Dawes plan," by which he could be rid of half of his debts at least. Then he would need no special legislation, providing that the Federal reserve act, the Esch-Cummins law, and the Fordney-McCumber tariff law were rewritten in favor of all the people and not allowed to stand on the statute books as they are now, special interest acts pure and simple. But as long as this can not be accomplished the wisest political move on the part of any leader in Congress is that of the gentleman from Arkansas [Mr. OLDFIELD], who, while opposed to the Republican Party, and an outstanding and outspoken Democrat, offers the farmer his hand to help him out of the Republican mess right now, knowing that the Democrats could at the best not get into complete control of the Governmental machinery until three years from now. He knows that each year under the present arrangement takes billions of dollars out of the farmers' pockets or, rather, keeps the farmers' pockets empty.

#### SURPLUSES GOOD FOR ALL BUT THE FARMERS

Under the present system of distribution and financial arrangement for the farmer his surplus crop eats him up. The Haugen bill, it is hoped, will help him take care of his surplus in the right manner. A surplus is a good thing for everybody but the farmer. A national favorable balance of trade is nothing but a surplus, but a surplus in the farmer's granary sends him to the poorhouse. The farmers who raise wheat, corn, or cattle have had their eyes opened to this fact. Eventually the cotton growers will also become wise to it, and then perhaps something can be done.

Were the farming sections of the South fully aroused as to the situation and would they join hands with the West, the Haugen bill could be passed and any kind of other proper legislation could be written.

#### NEW YORKER MAKES A FARMER-LABOR SPEECH

The gentleman from New York [Mr. JACOBSTEIN] made a convincing speech the other day, illustrated with charts prepared in the Department of Agriculture, showing the disparity between prices on agricultural and industrial products, and made the deduction that the farmers of the United States by reason thereof had lost \$13,000,000,000 during the last five years. It was a good farmer-labor speech and was a surprise coming from New York. When the fact is borne in mind that the farmer sells his products in a wholesale market and buys all he needs in a retail market, I think it can be stated that the farmer's loss is considerably bigger than the gentleman calculated it to be.

#### FARMERS ADVISED TO DEATH

What the farmers have lost in this manner is not the full farm loss. Increase in the tax and interest loads has also become almost unbearable. This has come about to a great extent by the farmer accepting bad advice. The same powerful forces in this land that now cry out against Government assistance to the farmer have in the last decade or two advised the farmer to do this, that, and the other that would help him stimulate production, and this advice has included almost everything imaginable from county agents and good roads to consolidated schools, and there has been an orgy of expenditure of money in all such fields of activity.

#### THE FARMER HAS PAID THE FIDDLER

This advice has in a roundabout and well concealed way come from the big financial interests that have fattened and thrived and grown prosperous on every step of advance the country has taken. All these things cost money that had to be raised by taxes. In every case, from that of county agents and good roads to schoolhouses, a small subsidy was granted from State or Federal Treasury, but the farmer had to furnish the bulk of the funds, borrowed in the money markets, for which he pays interest and for the upkeep of every kind of public institution he pays taxes that are increasing by leaps and bounds. The situation now is that with the advent of county agents, good roads, and improved schools the farm conditions have retrogressed so that the farmers are on the point of sinking to the level of peasantry.

#### SMALL TOWNS DOOMED UNLESS FARM RELIEF

The intermediary between big business and the farmer, in putting over this pre-war farmer uplift program that has cost the farmer so much money—the small-town business men—are now also facing extinction. In the Northwest these people are waking up, they sense the danger to some extent. The New York Commercial in an editorial of December 31, 1925, says:

Ten years ago the small-town market absorbed 21½ per cent of the retail volume in the United States. To-day the same stores are absorbing approximately 14 per cent—a loss of 33 per cent in 10 years.

The small town is part of the rural country. The decline in small town business and profit again increases the tax load of the already overburdened farmer. The situation is so serious that it is a question in many places how long other than trunk highways can be kept up and schoolhouses be kept open. Some places schools are now virtually eating up the whole community.

There is only one remedy; farming must be made a profitable and paying business again. With farm income robbed of more than \$13,000,000,000 in the last five years, it is very easy to understand how village trade has decreased 33 per cent in 10 years.

#### FARMER BLED TO DEATH WITH TAXES

The report of the Secretary of Agriculture for 1923 says: In most farming States taxes on farms have more than doubled.

The same report, speaking of farms in Ohio, Indiana, and Wisconsin, which in 1913 averaged income of \$1,147 and paid taxes of \$112, or 9.8 per cent of the income. The same farms in 1921 had an average income of \$771 per farm and paid a tax of \$253, or about one-third of the farm income. The Secretary's report for 1923, speaking of taxes and interest, says:

Our investigations lead us to estimate the property taxes and interest combined paid by agriculture in the year 1920 at about \$1,457,000,000, in 1921 at \$1,684,000,000, and in the year of 1922 at \$1,749,000,000.

These staggering amounts steadily growing, but the report of the Secretary for 1924 does not estimate the amount of taxes and interest paid. It would make sad reading. But speaking of taxes it says:

Tax delinquency has increased. This is especially significant because farmers do not willingly delay their tax payments, but when possible borrow money to meet them. In some western areas local taxes have been delinquent for several years. An increase in taxes coincided with a decline in the means of payment. In most of the important farming regions of the country taxes on farm lands have gone up two to six times as rapidly as the value of the land. Taxes in the last few years have consumed from 10 to 50 per cent of the net farm income in large sections of the country. Tax burdens have been particularly heavy in the North and the West.

#### INTEREST SUCKS THE FARMERS' LIFE BLOOD

The 1924 Agriculture Yearbook, speaking of the matter of interest paid by farmers, giving the result of a survey, says:

The interest paid in 1923 by these farmers ranged from \$90 in the North Atlantic States to \$390 in the Western States. A large per-

centage of the net cash farm receipts in all sections, ranging from 10.1 per cent in the North Atlantic to 38.4 per cent in the West North Central States, was used in the payment of interest.

PASS THIS BILL AND CALL IT TAX REDUCTION

If the Haugen bill can not be passed because it is called a subsidy, give it another name—call it a tax-reduction measure for the farmers and pass it. Do something to enable the farmers to pay their delinquent taxes, you men who passed the tax bill of 1926, by which the tax burden was lifted off the shoulders of those who were strong and who could bear them. This Congress almost lifted all tax burdens from the shoulders of the automobile industry. The tax on Ford touring cars—such cars as the farmers use—was reduced about \$10 per car, and Mr. Ford turns around and increases the price on that particular kind of car about \$30.

I am in favor of the passage of the Haugen bill, and I will gladly vote a tax to raise the \$375,000,000 called for in the Haugen bill, or any other amount of money that may be needed to put agriculture on its feet. And at that I have, perhaps, voted against more appropriations than almost any man in this House in the time that I have been here.

IF THE FARMER "STRIKES"—GOD HELP US!

Much silly talk has been indulged in in this debate pointing to the lesson to be learned from the strike now shaking England to its very foundations. It is pointed out that the strike is the result of the payment of a subsidy to the miners that eventually had to be withdrawn. The lesson to be drawn from the English strike is that we must not let our farmers get into such an economic condition as were and are the coal miners of England, for should our farmers be forced to strike, and should God send a poor year besides, God help this country! Your heaps of gold in the United States Treasury, your stocks and your bonds, and your devilishly cunning schemes of bartering will not save you.

MR. MADDEN HOLDS THE PURSE STRINGS—HE SAYS, NO!

One of the most astounding speeches ever made in this House was made by the gentleman from Illinois [Mr. MADDEN] on Saturday last, when he served notice that he will turn the key in the doors of the United States Treasury against the farmer. The record shows that after a heated controversy it was accepted that he only spoke for himself in his capacity as chairman of the powerful Appropriations Committee, but that is sufficient; we know what it means.

It is a sad commentary upon the state of affairs in this House that a gentleman holding such views as he sways such tremendous powers. He said in his speech on Saturday that what we seek to be done under the Haugen bill can be done, but only through private capital. He said—

and you can get private capital if the men who are interested in the prosperity of agriculture will devote their energy and genius to create a sentiment among those people in the country who have money to invest instead of trying to invade the Treasury of the United States.

That a speech like this in the Congress of the United States can be made in full earnestness and be called the words of a statesman! Mark these words—

create a sentiment among those people in the country who have money to invest.

My God! That such a gentleman holds in his hands the purse strings in this House. I like the gentleman personally, but his advice will be about as inviting to the farmers as if he should invite me to jump in and take a bath in the inkiest stream in and outside of Christendom that winds through his home city, the Chicago Drainage Canal.

MR. MADDEN KNOWS A LOT, BUT HE DOES NOT KNOW THE FARMER

The gentleman from Illinois must know that loans to farmers are not considered good loans any more. Farming is a hazardous business; farming does not pay; farmers are behind on payments on interest and taxes, and those "who have money to invest" invest money in order to collect the interest. All farm credit is based upon the security that a mortgage on his farm and his chattels afford. The acts of Congress during this Republican administration have shifted the tax burdens from the strong to the weak, from the money lender to the borrower. The greatest borrower in the land is the farmer. The saving in taxes in our big industry is reflected in increased profits and earnings. Our money masters have loaned to the farmers what they consider it safe to loan him and have for the time since the war turned their eyes to the European money-lending market with two things in view—first, to loan more money to safeguard their previous loans there; secondly, with an eye to high interest rates. Our bankers are too busily engaged now loaning money to farmers in Europe to bother about loaning more

money to American farmers, who have already been advanced the limit. The proposal of the gentleman from Illinois is more astounding when I read further on in his speech the following statement:

I want to tell you that I know, as the result of conversations with men who have money and who have interest in the country's welfare and who really believe, as I believe, that unless we do something more to recognize the rights of agriculture than we have been doing in the past, the fortunes that have been derived from other sources and are now existing are not as secure as they might be.

GERMAN FARM LOANS LOOK BETTER TO WALL STREET THAN AMERICAN ONES

When he senses the danger how can he make such a proposal as he makes? Indeed, no fortunes in the world, however derived, are now as secure as they might be. But money loaners play their old game, according to their old rules.

I wish to quote a high financial authority to show how hopeless is the suggestion of the gentleman from Illinois. An editorial in the *Journal of Commerce*, of New York, for September 12, 1925, discusses the "Cost of mortgage credits." It announces that a leading New York institution had arranged a loan for Germany's new central agrarian bank, the Rentenbank Credit-Anstalt. It speaks about the German situation and then speaks about the method of making the loan and the security for the loan, as follows:

Foreigners who would hesitate or refuse to lend directly to farmer borrowers on the basis of mortgage security may even be eager to obtain the bond issues of a central institution like the Rentenbank, since they are trebly guaranteed. First, they are secured by the State subsidized central bank itself, which has a large capital and must, in accordance with the law, restrict its bond issues to six times the amount of its capital. In addition to this protection, further guarantees are given by the subsidiary mortgage banks, which are the customers of the central institution, and finally there are the actual mortgaged properties themselves.

The editorial states that the interest on the American loan is said to be—

slightly above 7 per cent—

It is not known what interest the German farmers will have to pay, but, it continues—

in any case even if the German agriculturist is forced to pay 8 or 9 or even higher percentages for long-term mortgage accommodation, he is really no worse off than many American farmers who pay similarly high rates of interest on mortgages. The Department of Agriculture, for instance, in a recent survey of farm credits says that interest rates on first-mortgage farm loans made by commercial banks (still the primary sources of farm credit) were found to range from 5.3 per cent in New Hampshire to 9.6 per cent in New Mexico. Over extensive areas in the West and South interest rates on farm mortgages actually averaged 8 per cent or more in 1920.

Then the editorial continues:

If German agrarian politicians (mark that agrarians trying to better their conditions are politicians) were familiar with these facts they might wonder that more American capital does not seek outlet in our own farming regions instead of being used to bring down continental-mortgage rates.

AMERICAN STATESMEN SHOULD READ THE JOURNAL OF COMMERCE

These quotations are not from any Bolshevik source, but, in light of what was said in that editorial, how in heaven's name does the gentleman from Illinois expect these farm agitators, representing bankrupt farmers, to have genius enough to charm American capitalists to further extend investments in a field that is overexploited and from which they turn for further investments to prostrate Germany, even though such investments have the tendency to "bring down continental-mortgage rates"?

The easing of interest rates for European farmers is added competition for the American farmer. Private capital will not be more extensively loaned on American farms until farming pays better than it does now. Having showed you that farm interest rates run as high as about 10 per cent, how can a business stand up under such interest rates when the business practically has no net income?

RAILROADS ARE PROSPEROUS, BUT HOLLER FOR MORE

Last fall the western railroads of the country applied to the Interstate Commerce Commission for a general increase in freight rates, because the transportation act of 1920 guaranteed to them an average earning of 5 1/4 per cent. They set up the claim that in 1924 they did not quite earn 4 per cent profit on their property as valued by the Interstate Commerce Commission. They are, of course, earning a considerably higher percentage of profit on their capitalization, even though that contains a lot of water. Were the spokesmen for the railroads assailed as Mr. Murphy, of Minnesota, farmer spokesman, has

been assailed by Members of this House from this floor where he can not answer? No! that was a sound proposal.

FARMERS MADE LESS THAN NOTHING

I will give you some figures on farm earnings in comparison. They are based upon studies undertaken by the United States Bureau of Agricultural Economics.

In 1910 the total return on farm property was nearly 6 per cent; in 1913 it was 5 per cent. In 1914, the year the war started, it was 5.3 per cent. For the crop year 1920-21 the total earning was but a trifle over 1 per cent. The year 1921-22 it was less than 1½ per cent; for the years 1922-23 and 1923-24 it was about 3 per cent. But when allowance was made for borrowed money and the calculations reduced to the rate actually earned on the farmer's net investment—that is, on the capital he had himself invested in the property—less mortgage and other debts, his net returns were lower still.

For the crop year 1923-24 the net profit was a little less than 1½ per cent; for the crop year 1922-23 it was exactly 1½ per cent. But for the crop year 1921-22 the farmers averaged no return at all on their capitalization, but lost 1.4 per cent, and for the crop year 1920-21 they lost 3.1 per cent. This is the average of the whole country. In the western country it was much worse.

To average these percentages up will mean that for the four-year period here discussed on the collective farm property of the United States, leaving out of consideration that part of farm value covered by mortgages or other debts, there was a loss each and every one of the four years of three-fourths of 1 per cent. In view of this what persuasive charm must not the farm leaders be possessed of to carry into effect the plan of farm relief of the gentleman from Illinois. Railroads have men running affairs that understand business. Their earning, they claim, is a trifle below that guaranteed by law; the remedy they ask is "more profit." Can agriculture, then, which is run at a loss, get along with anything less than more profit that will place it on a par with other industries?

Could there be any politics behind the proposal of the gentleman from Illinois? His proposal will sound mighty good where the stock tickers click in Chicago.

FARMERS CAN NOT HAVE "PRICE FIXING," BUT MANUFACTURERS WANT NO "PRICE CUTTING"

In strange contrast to what I have said about farm earnings I wish to briefly allude to a current news item carried in the New York Times for April 27 last. The headlines read:

Advocates a law to end price cutting. F. H. Levy tells machine men manufacturers need protection. Twenty-seven per cent gross profit urged.

This man Levy was an Assistant Attorney General in the Roosevelt administration and former special counsel for the Department of Justice. He said in a speech before a convention of the National Supply and Machinery Distributors' Association held at Atlantic City, N. J., the State that our agricultural economist, Mr. Ford, hails from, who warns us of the dangers of price fixing by farms—

the Sherman antitrust law should be modified to permit manufacturers to set prices for their products that could not be cut by the distributors or the retailers.

Another speaker said at the same occasion that—

27 per cent is the least gross profit any manufacturer can afford to take.

ONLY HENRY FORD BUYS FARM LANDS

It has been charged in this debate only the West and Northwest is crying for so-called farm relief. These sections of the country are crying the loudest because they are the hardest hit and they are most awake politically. Motoring from home to the session last fall leisurely I inquired of farm conditions as I went along. Only one place in that whole long journey did I find a community where a piece of land could be sold. That was one place in Ohio where Henry Ford had bought about 3,500 acres, but no one knew what he was to use the land for, certainly not for farming. Where the country was highly industrialized the small farmer could peddle his own farm products to the consumer, and while none such ones confessed they made any money, many were seemingly in a mollified stupor. I inquired of a crowd of 10 seemingly intelligent men in a small Ohio town as to who was their Congressman, but all blushingly admitted they did not know. Talking with a college graduate in a town on the Ohio-Pennsylvania border he said they voted for the men they thought would do the least harm if sent to Washington.

Happy the Congressmen who have such constituencies. Their mistakes will not find them out. All they need is to have faith in Coolidge. Such is not the lot of even western Republicans;

they lie awake at night and have fearful dreams when they think of the farmers. Western Congressmen, outside of purely industrial centers, who contemplate quitting Congress can vote for the Tincher or the Aswell bills; none other dares do so.

REPUBLICAN PARTY HAS BROKEN ITS PROMISES

But why has the cry of politics been raised against the Haugen bill by eastern newspapers and eastern Congressmen? Simply because the fortune of the Republican Party and of President Coolidge is at stake. Out West we did not raise the cry of politics when our Congressmen came back from Congress outwitted after having voted for the Federal reserve act, the Esch-Cummins law, and the Fordney-McCumber tariff law. Some said to them, "You brave men"; but most said, "You innocent simps that can not see as far as your own nose reaches." And many of them went down to defeat for those votes. When these three acts were passed that have fastened the shackles on the West and enriched the East, when it was popular for eastern Congressmen to vote for these measures, the East did not cry "politics." It is the guilty conscience of the Republican Party that cries "politics." Every Republican leader from President Coolidge down to ex-Whips of this House knows the Republican Party has broken every promise it made to the farmers since the war. You men who rail at Mr. Murphy, of Minnesota, that he is engineering a dastardly political move against the Republican Party and that his arguments are demagoguery bear with me a little while and I will read to you the words of Wall Street and you will see how much it sounds like Murphy when it points the accusing finger at you.

EVEN WALL STREET THINKS THE FARMER HAS HAD A RAW DEAL

I quote an editorial in the *Journal of Commerce*, New York, for September 19, 1925, headed "The farmers' due." Of course, this editorial does not advocate the passage of the Haugen bill; it advocates other remedies, but it tells a good many truths. It starts out by saying, what the American farmer has a right to demand above any other thing—is actual sincerity and truthfulness in his relation with the national Government.

It continues:

What was recommended last winter, however, was nothing more than some further cooperative marketing enactments of a rather vague and nebulous type. It will make little difference to the farmer one way or the other whether these laws are put into action or not, and the administration is undoubtedly well aware of the fact.

Turning to Congress it says—

that body has consistently blown the agricultural horn and pretended to be doing all sorts of things to "help the farmer." Every measure that has been enacted, from the renewal of the War Finance Corporation and the creation of intermediate agricultural credit banks down to the packers and stockyards act and the appointment of a farmer on the reserve board have turned out to be absolute frauds so far as any practical help to the producer was concerned.

Referring to the inactivity of Congress now when constructive work should be done it says—

for the farmer does need Federal legislation and needs it badly. First of all, he has a right to complain of the rotten banking conditions which have been allowed to exist throughout the agricultural region and which have resulted in closing last year much over 750 banks and will certainly close several hundred in the course of the current year \* \* \*.

Second. The farmer needs the enactment of legislation that will cut his cost of living. He is not protected by the tariff on farm products in any appreciable degree, yet he has to pay tribute to labor through excessive immigration laws and to certain groups of business through unduly high discriminatory tariffs on materials which he badly needs. He has the worst of the bargain, and he ought to change his position in that regard at no distant date.

This sounds just like Mr. Murphy, of Minnesota, talking. It brings in labor just as Mr. Murphy does.

Continuing it says:

Third. He needs better and cheaper transportation and much more of it.

The gentleman from Kansas [Mr. TINCHER] accused Mr. Murphy of writing most of the speeches given on this floor in favor of the Haugen bill. Why not accuse Wall Street of having written the speeches of Mr. Murphy?

Of course, the Wall Street remedy is not the remedy of the Haugen bill, but even Wall Street, the temple where the Republican Party worships the powers that be, cries out against the condition of the farmer and the way he is being treated by his own Government.

## THE REAL MASTERS STAND ERECT BEHIND THE THRONE

Raising the cry of politics against the Haugen bill is, however, more important as far as the personal interest of President Coolidge is concerned than the interests of the Republican Party. The Republican Party could shift its position so as to do justice to the farmers, and it would, perhaps, not be hurt by it. President Coolidge is the head of that party. While thousands of dollars were spent to elect faithful Republicans to Congress, millions were spent by the special-privileged interest that Coolidge might be on guard for them.

The farmer foolishly thinks the Republican Party stands for him because he helped to put it in power. The farmer now thinks he will assert his power by having the Government function in his own behalf. There comes to my mind a few sentences from Emerson's *Essay on Compensation* that reads:

The farmer imagines power and place are fine things. But the President has paid dear for his White House. It has commonly cost him all his peace and all his manly attributes. To preserve for a short time so conspicuous an appearance before the world, he is content to eat dust before the real masters who stand erect behind the throne.

My God! If such was the case in Emerson's day, when it did not cost much money to elect a President of the United States, what does not a President owe those who made him now? If a President in Emerson's time would eat dust before the real masters, what might not a President have to do now. Had there been censorship of speech and writing in Emerson's time I would not have been guilty of this that here to-day borders on lese majesty.

## SAVE THE RICH AGAINST A NEW TAX BILL

Can you see why they have raised the cry of politics? The fortunes of the master politician of all time, Calvin Coolidge, is at stake. He must be saved from exercising a veto, even if the farmers must perish. The masters behind the throne of America must not be stirred up. Let sleeping dogs lie! Save, save the rich against a new tax bill. The Roland from Kansas blows his horn so "politics" is heard in every corner of the land. The chiefs respond to the call all the way down to ex-whips. The keeper of the keys as much as says that the United States Treasury is reached only over his dead body. The centurions of New England cry out for bread for their people; what hope, then, has the farmer to have his cry reach the throne?

## HE SEES NOT AND HEARS NOT

Calvin Coolidge hears not; if he heard, he would speak. It is a long ways from the West to the East, from Iowa to Washington; the trip hammers of prosperity in Andrew Mellon's forges drown the western cries of distress traveling East. Calvin Coolidge sits in Washington. He looks, not West but East. He looked West last December and he found that all was well. All was well among those who farm in Chicago. Then he was asked to look farther West. What did he do, this man of steel, this Lord Nelson of American politics, who, in the last election, sank all the enemies' fleets? He did as Lord Nelson did at the Battle of Copenhagen when asked to look for Admiral Parker's signals. He put the telescope to the blind eye. He saw no distress. This is what he said:

Although it is gratifying to know that farm conditions as a whole are encouraging, we can not claim they have reached perfection anywhere.

## GIVING STONES FOR BREAD

The present tense situation as relates to farm relief was caused by the speech delivered by President Coolidge to the Farm Bureau Federation at Chicago on December 7 last year. He surveyed the situation. Everything was lovely; the high protective tariff does not harm the farmer. What does not come into the country duty free pays a tariff to protect the farmer. There is a high dutiable tariff on diamonds, rugs, silk, jewelry, and mahogany. That does not hurt the farmer, for he uses not luxuries. The farmers' cost of living is only increased 1½ per cent on account of the tariff. There are banks where the farmers can borrow money. There should be more energy in administration of the banking business, and bankers should furnish farmers more "sound" advice.

Of course, various suggestion of artificial relief had been made that had for its purpose to increase prices through the creation of corporations through which the Government would directly or indirectly fix prices and engage in buying and selling farm produce. This would be a dangerous undertaking and since the emergency is not so acute it seems at present to have lost much of its support. Ultimately it would end the independence which the farmers of this country enjoy. The future of agriculture seems to be exceedingly secure. Unless all

past experiences are to be disregarded, notwithstanding its present embarrassment, agriculture as a whole should lead industry in future prosperity. The ultimate result to be desired is not the making of money but the making of people. Industry, thrift, and self control are not sought because they create wealth, but because they create character.

This was the gist of the speech. What consolation to bankrupt farmers it must have been to hear that the—ultimate result to be desired is not the making of money, but the making of people.

The problem of these farmers was how to hang on to the farm.

It is said that when the farmers had the frost of the speech thawed out of them they organized to put their demands over and the Haugen bill is here, and GILBERT HAUGEN has his fighting viking blood a'boiling.

What could the western farmers expect from Mr. Coolidge anyway? They should have known better than to vote for him. By heredity and training he can not understand the western farmer. He is farm bred, it is true, but he is bred differently all the way through.

## EAST IS EAST AND WEST IS WEST

The western farmer is highstrung and active and progressive. When he has money beyond the payments of taxes and interest, he buys the products of the factory of the East with which he improves his farm to make life more livable, to keep step with progress, to live according to American standards of living as they move higher and higher. Good Republican doctrine has been that the high protective tariff elevated the farmer and everybody else and established an American standard of living as something to be envied by the Old World. The eastern farmer is different. His farming methods are primitive; farming is only part of his occupation. He lives in the house his great-grandfather lived in; the lantern he brings to the barn when he goes to milk his cows has done service for three generations. The dollars ekeed out of the farm or earned in other pursuits are not put into new improvements but salted down; there is no such thing as chance.

With a great deal of delight I recently read a finely illustrated book on the President's native State, Nutting's *Vermont Beautiful*. The picture reminded me so much of the rocky, stony land across the sea where I was born, but I am much more thoroughly American than is the native-born author of that book. Contrasting the country poor with the city poor, he throws a sort of a halo over the country poor when he says—the country poor get for themselves a limited independence at least, not contingent on the ups and downs of markets. The peas grow as well in a financial panic as in booming times. Who, possessing a cow and a cornfield, needs to know what Wall Street is doing.

People who think and feel like that can not understand that there is a farm crisis anywhere. This, in many respects an excellent book, gives a clear insight into life and the mode of thinking in New England. Speaking of the many-sided farmer it says:

A man in town learns to do one thing. The farmer learns to do many. He must be a good merchant, as his success depends entirely upon good buying and selling. Inevitably, if he has any native ability, he sharpens his wits by the process of disposing of his products.

Measured by western standards, what a naive simplicity in such remarks! The western farmer sells in a wholesale market and buys in a retail market, and all prices are set for him by others. He could no more beat down the village merchant on what he buys than he could make the grain gamblers or the packers come up on the price they are willing to give him for what he has to sell. Having sharpened his wits by running his head against a stone wall in buying and selling, he now comes here and asks for the passage of the Haugen bill.

Eastern farms are going into the hands of those who play with them rather than live by them. This book on Vermont says—

this is well for the neighboring farmer in that it furnishes him with lucrative odd jobs, for we admit that the city buyer does not stint funds in the development of his farming hobby, so that it has wittily been said that the difference between an agriculturist and a farmer is that the one puts his money into the land while the other takes it out.

This shows that the East has its farm crisis, too, but different from the one out West. The city man that buys a farm for a summer home, while in the long run he will not be as useful to the community as an actual farmer, he builds and puts money into the farm. The taxpaying ability of the farm is often increased. Not so in the West. When insurance companies or other money lenders foreclose on a farm they do not put any

more money in. They only take it out. Whole settlements in the East can have its farm population get up and leave and the community be better off financially for its going; but whether the character of the new population will be equal to or better than the old will remain to be seen. New England will never understand the Mississippi Valley or the great western plains.

THEY KNEW HE WAS SAFE AGAINST FARM RELIEF

I have said, Why did the western farmers vote for Calvin Coolidge for President, anyway? Those who knew him and had watched him should have known what would follow. The farm leaders who read the big eastern daily newspapers during the first week of August, 1923, when Mr. Coolidge succeeded to the presidency on the death of President Harding, should have known better. The Baltimore Sun for August 4, 1923, speaking of Mr. Coolidge, with the then acute farm situation in mind, said:

He is a farmer's son, but the farming he knows is the relatively primitive farming of New England, still done principally by descendants of the old Puritan stock. President Coolidge will not have gained from the contact an understanding of the great scale farming of the Middle West and the Northwest, nor an understanding of the mental attitude of a farmer folk, tending more strongly all the time toward collectivism. And, of course, his professional and political experience in urban Massachusetts will not have enlightened him.

In all probability he must be guided by advice in his dealings with the progressives and radicals in the next Congress, in and out of the farm bloc, who will be forcing the issue of farmers' relief.

In so far as proposed legislation may seek to protect the farmer against unjust treatment by the middleman—for example, in the grading of wheat—Mr. Coolidge may be influenced greatly by the views of Secretary of Agriculture Wallace. But in so far as farmer relief involves such expedients as wheat price fixing, the President may be expected to run the advice given him through the filter of his own mind, and it will be a filter hard to get radical advice through.

Indeed, they more than told the truth!

ROCK FARMING IS DIFFERENT

The New York World for August 6, 1926, discussed Mr. Coolidge editorially. I quote what was said in regard to the farm situation:

The country can be certain that he will do nothing rash; that he will not be stampeded into any action or decision; and that he will not be betrayed into any act of sudden folly.

Mr. Coolidge is no strange type. His roots go deep into the soil of the American Continent. He comes out of a breed of men who have been farmers and tillers among his native hills. From boyhood, life to him was no rosy road to travel, but an ascent to be won by grim determination. The members of the farm bloc and so-called "dirt farmers" will have nothing to boast of as against this unassuming man who becomes President. For, the son of a Vermont farmer, he was helping his old father get in the hay when he came into the highest office in the land. Calvin Coolidge is no "dirt" farmer, but a "rock" farmer of New England, born of a race which blasted mountains to grow their bread. He, the true Vermonter, should easily find real kinship with Magnus Johnson, of Minnesota.

No, he has not been stampeded. No such loss was entailed on Rome as when Nero fiddled while Rome was burning. The three years of Calvin Coolidge have been costly years for the American farmer. He has demonstrated one thing, that if "dirt" farmers have nothing on "rock" farmers, a "rock" farmer can not understand a "dirt" farmer. If he found real kinship with Magnus Johnson, of Minnesota, it must have been in things not pertaining to farming. In the 1924 campaign I heard Senator Magnus Johnson tell how he, on the forenoon of the day when the McNary-Haugen bill was killed in the House, had gone to the White House to plead with President Coolidge to use his influence with the House to pass the bill. Dramatically the Senator described how the President paced the floor, admitting that something should be done—but the Republican Party will not stand for the McNary-Haugen bill.

That was in 1924 before the election. The President had to be elected in his own right; there might have been some excuse for turning a deaf ear to the farmers then and take a chance on making some promises. It worked; this master politician can handle them all. He reaps where he did not sow; gathereth what he did not spread.

GREAT ON "GETTING"—SMALL ON GIVING

The one outstanding characteristic of Calvin Coolidge was pointed out to a newspaper man that came to see his proud father and get a story on the boyhood life of the new President when the father said:

It seems to me that Cal could always get more syrup out of a maple tree than any boy I ever knew.

And that is right. But he keeps all the syrup. The farmers gave him more votes than they had given anybody. Why should he give anything in return? He does not even lift a finger to save a personal friend. The Senators that bear the Coolidge armor feel it does not insure victory. One has already sunk under the weight of it. His senatorial protagonist in another State is being whipsawed between a progressive whom the President can not handle and a notorious boss that should not need to be given orders more than once.

While the President will summer in the East, it is now given out that he will select a State to live in where the Senator coming up for reelection is not hard pressed and not in danger of losing his seat, so the President will not be called on to speak or otherwise come to the rescue.

If Calvin Coolidge will not make a speech or do a thing for those who stand closest to him, who risked their political fortune and their good name for him, for fear that such friend might be defeated and that it might react unfavorably on his own political future, how can he be expected to even lift a finger for the farmers whom he does not understand. He does not understand these farmers that rebel against being poor and who are beginning to hate the cause of all poverty. East is East and West is West, even here in America.

ONE WORD FROM THE PRESIDENT WOULD PASS THE BILL

Yet one word from him to the leaders would pass the Haugen bill in this House. A word from him will pass it in the Senate. A word from him took Senator Brookhart's seat away from him, so it is commonly understood. Brookhart's crime was that he had, class conscious, stood for the downtrodden western farmer.

You would naturally think that when a man has attained great power that he would think of winning the love of the people; but what matters the love of the people compared with the good will of those who "stand erect behind the throne," as Emerson puts it?

Mr. ASWELL. Mr. Chairman, I yield to the gentleman from Missouri [Mr. ROMJUE].

Mr. ROMJUE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROMJUE. Mr. Chairman, among all those who know anything at all about agriculture and about the condition of the farmer of the United States at the present time, from the standpoint of his financial condition as a class, there is a general agreement. And the conclusion reached by such persons is that the farmers' financial condition is in an embarrassing state. That is, that the farmer as a class is in financial distress. On that point, as to his present condition, there is no need of argument; yet, there is the exceptional optimist who thinks that one who has been hung, shot, and poisoned may still be happy and have a fine chance to live; who occasionally asserts that under the present Republican administration the farmer is growing rich and prosperous.

It would be a useless undertaking to try to make the few there are of this type see the facts as they are with the farmer.

For the last four or five years there has been an increasing distress among the farming sections, the corn, hog, and wheat sections suffering mostly; the cattle sections also have felt the effect of a depression, the Corn Belt cattleman suffering probably more than the grass-country cattleman.

Inasmuch as this distressed condition of agriculture is existing, there must be some cause for this condition.

First. As stated heretofore, we are generally agreed as to the presence of the distress.

Second. But the Nation as a whole are not so well agreed as to the cause of the distress.

Third. People representing different sections of the United States, and particularly people who are engaged in different methods of earning a livelihood, differ thus:

A. As to the kind of remedy.

B. As to the propriety of the employment of a particular remedy.

Relative to the second proposition, "The cause of the distress," President Coolidge and those who accept his utterance on all matters as "stare decisis" without further inquiry, tell the farmer he is "producing too much," that he has an "over-production," that he "must cut production down," and as an aid thereto he states the farmer must make his production more variable—produce a greater variety of crops and less of the chief crops.

This is an interesting theory, but so far as being effective it is an impractical one, for the very reason that the farmers in one State, for instance, the State of Iowa, can not know

how much corn the farmers in Illinois or Missouri will plant in any given year, and vice versa. Moreover, it is impractical to any effective extent because of the very fundamental features of human nature. Since, if the farmers of Iowa should believe Illinois and Missouri farmers, or those of any other State for that matter, were going to cut their production in any given year on any crop, say, 25 per cent, the Iowa farmer would be apt to put out the usual crop, hoping to get a slight benefit in price over the previous year's price, because of the decreased production arranged for elsewhere.

Moreover, Mr. Coolidge's theory will not do, because something besides man's own choice and labor enters into the proposition of production, and over which the farmer can have no control, to wit, the sun and rain. And as long as God reigns, the control of heat and moisture will rest with Him in the due processes of nature, and will not be altogether surrendered to man, whether he be President or peasant. And sunshine and moisture are important factors in the quantity of production of any crop.

Furthermore, the suggestion that the farmer as a class must produce less is an open invitation to less thrift.

Also, such doctrine, if put into practice, would weaken the initiative of man, destroy his ambition for achievement, and very much handicap his prospects of success, and the American young man who chooses to embark on a career of farming ought to be free and unfettered, and have every opportunity given him for the highest degree of success within the limits of honesty and energy, and not be restrained in his honest and purposeful efforts. Less encouragement than that given to a citizen by his Government is a species of subtle and undesirable restraint.

The American farmer may have an overproduction or he may fall short of normal production at some specific or given year, which may be the result of the operation of some natural law or of some artificial barrier imposed by man, or rather by legislative enactment. It is not difficult for us to understand how plenty of sunshine and moisture or the lack of them affects the quantity of crop production. But we are apt to differ more when we consider the effect of artificial means that bear upon the allocation of production in the domestic and foreign markets.

This brings us to the consideration of the effect of the present Fordney-McCumber high protective tariff law. Certainly it can not now be well and successfully maintained that the high protective tariff law is helping the farmer, because with the tariff at its highest peak the farmer finds himself suffering most and in greatest distress. The tariff first enables the manufacturer to charge the American consumer more than would be the case with a more moderate tariff for revenue only. This extra burden falls on the consumer, and the farmer has it to pay on the articles he buys.

At the same time the farmer usually has a surplus in crops and stock he wants to sell and he finds his market not as desired. The prices he can get for his farm products do not at the present time net him the reasonable profit he should have. He needs to send his surplus into an extended market, but he is stepped on by the high protective tariff law that works well for the factory owner but poorly for the farmer. The citizen of some European country has goods and wares, silks, spices, steel and iron, and so forth, he want to trade for hogs, cattle, wheat, and corn. The high tariff keeps them out, and human nature the world over is such that a man likes to trade with and buy what he wants from the fellow who trades with and buys from him what the other fellow wants, and there is no mystery about that.

So the man in Europe who wants wheat, corn, and meat turns his boatload of commerce to South America and trades with them. I ask the American farmer, would you rather buy what you need on the farm from the man who buys your cattle and hogs and corn, or would you rather buy from the man who will not buy from you, everything else—value and price—being otherwise equal?

If the present high protective tariff law was repealed, so that the foreign trade could buy our cattle, hogs, corn, and wheat, and at the same time get some of their commercial articles sold to America, the American farmer would be much better off and Europe would soon come to her feet and stand erect, ready, willing, and able to trade with us, consume our surplus crops, and pay their debts.

But so long as the American farmer will still continue to be fooled by the manufacturers of the East, and so long as he is willing to take money out of his own pocket and put it in the pocket of the New England factory owner by the high tariff law, just so long must the American farmer suffer and operate at a loss. To be sure, he may be permitted under the present high tariff law to draw his breath occasionally.

But it seems almost useless to sound the warning in Missouri. A few years ago the Republican farmers were warned of an effort to increase taxes on the farm lands. They elected a Republican governor—many of them vowed they would not do it again—but when the time came for election, into the party press and into the ears of the Republican farmer went the assurance from Republican leaders that they were lucky and prosperous, and again they rallied and elected a Republican governor in Missouri, and again the taxes on farm lands are increased.

Just how long the Republican farmer will enjoy his taxes being increased, and just how long he will enjoy contributing by the high protective tariff to the manufacturer, is a question to arrest one's attention at least. There have been more farm homes sold in Missouri under foreclosure during the last four years than in the 20 years prior to that time.

Now the American farmer approaches the Government and tells of his distress and asks assistance, and that he be helped to bridge the emergency that now is here.

It appears that most all the men who represent the districts where the factory owners and operators reside, oppose extending a helping hand to the farmer, although the farmer has paid a high tariff on factory goods, to these many years, to enrich the factory owner. As I think of Holy Writ, I witness the manufacturer, with Mr. Coolidge's approval, stroke the farmers' cheek. Will the farmer turn the other cheek to the silent President?

Mr. Coolidge has a strong Republican majority in Congress. In the lower House of Congress there are 247 Republicans and 183 Democrats, 2 Socialists, 2 Farm Labor, and 1 Independent. In the Senate there are 56 Republicans, 39 Democrats, and 1 Farm Labor. So it can easily be seen that the present Republican Congress can pass any law they desire to pass or defeat the passage of any law the party desires to defeat, by reason of such majority.

The Agricultural Committee, before whom the pending bills on the theory of agricultural relief were framed, is composed of 13 Republicans and 8 Democrats. A majority is required to report a bill—unfortunately a majority of that committee did not favor either of the three bills pending or any other bill, so as a compromise the three bills have been thrown in the congressional hopper to be ground out. Will the present Republican majority in Congress and Mr. Coolidge permit real farm relief, not a bogus measure, with promise that it will work within a year—tiding over beyond election—or will real relief be defeated?

The most vicious and injurious pieces of legislation, so far as the mass of American consumers are concerned, including the American farmer, is the Fordney-McCumber tariff law. It ought to be repealed; under the present administration it will not be done.

While that can not be done as an expediency to furnish some relief to the farmer, though not a perfect bill, the best of the three bills pending for the farmer is the Haugen bill, which is practically the Dickinson bill. The Tincher bill, which has the backing of Mr. Coolidge, will put the farmer further in debt; and what the farmer wants and needs is a better and enlarged market, so his surplus can be taken care of, thereby insuring a better price.

In other words, the greater the market, the less surplus; and the less surplus, the better the market price. As the high protective tariff law will not be repealed by the present administration, the farmer asks in the present emergency to be given emergency relief by the passage of the Haugen bill.

In view of the agricultural distress and the existing emergency and the impossibility of repeal of the Fordney-McCumber tariff law, the bill which gives most promise of any relief ought to be enacted, and the bill that gives the greatest assurance of any real relief, in my opinion, is the Haugen bill. Those who complain against and oppose the passage of this bill as a subsidy must not forget that under and by the Republican high protective tariff policy in force in the United States the American farmer has had taken from his pockets many times more than the amount of the revolving fund in the Haugen bill and placed in the pockets of the manufacturers, and even if some part of that may perchance get into the United States Treasury in the form of income tax, it is, nevertheless, to an amount exceeding the revolving fund, the American farmers' money. Although taken away from them by class legislation, in equity and good conscience it is his money. Therefore, in the present extremity and agricultural distress, may the American farmer not have back a part of his own money that he may therewith save himself from further bankruptcy?

Mr. ASWELL. Mr. Chairman, I yield to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, supplementing what I have heretofore said in support of the Haugen bill, at this stage of the debate I desire to answer some stock arguments advanced by those who oppose any and all legislation designed to place agriculture on an equality with other vocations. Those who oppose any legislation for the removal of the economic handicap under which agriculture is staggering insist that there is but one effective solution and that is to reduce production.

In his first message, December 6, 1923, President Coolidge said:

The acreage of wheat is too large. Unless we can meet the world market at a profit, we must stop raising for export. Organization would help to reduce the acreage.

In his other messages and addresses the President clearly indicates that in his opinion curtailment of production is the only effective and permanent remedy for the present widespread depression among the agricultural classes. In the last analysis, if we are to accept the President's policy, the American farmers would have to give up their foreign markets, from which they have in the past drawn billions of dollars. He would shut this outlet for our surplus farm commodities and close this door of hope for the farmers of this Nation. He would have us forget the millions and billions of dollars that have come to the American farmers from the sale of their surplus wheat abroad and forego the millions and billions of dollars that would accrue every few years to American agriculture from the sale of its products in the world markets. He would put the wheat growers of this Nation in a strait-jacket and have them produce only a sufficient quantity of wheat to feed the people of the United States. In other words, he would have the farmers of this Nation to grow only enough wheat to fill the bellies of our domestic population. This advice has been repeatedly offered by the President and his influential advisers.

It is my purpose to demonstrate that this is not sound and wholesome advice, and if followed will not bring relief, but inevitable disaster to the wheat farmer. No more fallacious and dangerous doctrine was ever urged on the agricultural classes. Secretary Jardine also advocates this false philosophy and prattles about the farmers balancing production, as though farmers can regulate and determine in advance how much corn, wheat, oats, or other grains they will produce in any one year. The size of a grain crop can not be determined at seeding time, or much in advance of the end of the harvest season.

The President and his Secretary of Agriculture ought to know that the farmer can not control production like the manufacturer, who may at the beginning of the year definitely determine the output of his mills and factories for that year. The nature of the manufacturing business is such as to enable him to regulate production and keep it within predetermined limits. If the manufacturer decides that he will produce 500,000 pairs of shoes, 100,000 suits of clothing, 3,000,000 yards of cloth, or \$1,000,000 worth of machinery, he can, in advance, with reasonable accuracy, plan to that end and limit the output of his factories. He can easily estimate how much raw material and how much labor will be required, and what factory equipment will be necessary to bring his commodity production to the required level.

The nature of the manufacturing business is such that all these matters can be determined in advance with reasonable accuracy. Of course, I recognize the possibility of strikes, lock-outs, and other eventualities that may interrupt production, but these or other difficulties enter into the activities of all other occupations, including farming. All things considered, those engaged in manufacturing can control their production and expenses more completely than any other vocational group.

The manufacturer knows in advance what his raw material and labor will cost him. He knows in advance the capacity of his plant, the overhead and selling expenses, the depreciation and usual hazards incident to his business. By experience and definite computation he knows in advance what it costs to produce his commodities and he is sure of marketing them at a satisfactory profit, because under existing industrial and economic conditions the manufacturer fixes the price at which he will sell his commodities. The Government by high tariff laws reduces or destroys competition so the manufacturer may fix a price on his manufactured products that will insure not only the cost of production but a handsome and quite often an unconscionable profit.

But the farmer is differently situated. He can not plan with the assurance that his production will be so much and no more. At best his occupation is a hazardous one. The yield of grain crops does not depend solely on acreage or industry. The farmer has to encounter a multitude of rapidly changing conditions that may greatly augment or tremendously reduce production. From the beginning to the end of

the cropping season he faces a succession of adverse, unusual, unexpected, and uncontrollable weather and climatic conditions that mightily influence the production of grain crops. He may plant sparingly, but as a result of propitious weather conditions he may reap bountifully. On the other hand, he may plant a large acreage, yet because the weather may be unseasonable and cropping conditions adverse he reaps sparingly. Not infrequently a large acreage, as a result of unseasonable conditions, will produce a smaller yield than a much less acreage produced the preceding year.

Then, again, even a President coming from industrial New England and a Secretary of Agriculture coming from the agricultural West but dominated by eastern economic ideals ought to know that in some years innumerable pests prey on growing crops, sap their substance, lower the plant vitality, and materially lessen the yield. Chintz bugs, green bugs, Hessian flies, grasshoppers, boll weevil, and numerous other pests may suddenly appear, generally as a result of unfavorable weather conditions during the growing period, and totally destroy or materially damage a crop when it looked most promising. Red rust, black rust, smut, and other destructive plant diseases appear unexpectedly, and very often destroy the crop or materially reduce production. The absolute impossibility of farmers controlling production of grain crops within certain well-defined limits is quite evident to everyone who understands the first principles of agriculture, and this impossibility applies not only to wheat and corn but to all farm commodities. While the farmer may determine in advance how many acres he will plant to grain crops, he is powerless to regulate the yield per acre, because the yield is largely controlled by weather conditions and by the presence or absence of grain pests and plant diseases that appear at the most unexpected times to plague and mock the farmer and reduce production.

The farmer can not adjust production to the demand. No farmer can say with assurance: "This year I will raise 1,000, 2,000, or 3,000 bushels of wheat or corn." He may prepare the soil in a husbandmanlike manner, prepare a suitable seed bed, plant the seed properly, cultivate carefully, and yet notwithstanding all his industry and intelligent attention the yield may be distressingly light and acutely disappointing. And even when the crop is maturing and ready to harvest it may in an hour be destroyed by excessive rains or storm or by a variety of climatic agencies that lie in wait to prey on those who till the soil.

Even under the most favorable conditions, the growing of grain and meat products is a gamble. Frequently with a greatly reduced acreage the yield per acre is so far above normal production that we unexpectedly have a surplus; while in other years, with a large increase of the acreage, the yield falls far below our expectations.

In the livestock industry no farmer can plan with certainty and assurance how many hogs, sheep, or cattle will be produced and brought to a marketable age and condition on his farm in any given year. The farmer may properly care for his livestock, provide suitable shelter and food, and keep them under well-recognized sanitary conditions, yet disease may suddenly and unexpectedly strike and destroy his swine, sheep, and cattle, in spite of every conceivable precaution.

On reflection, it must be apparent to even the most unsophisticated that no human foresight, no finite power, can adjust the average of farm crops and the production of livestock so as to furnish sufficient food commodities to supply our domestic demands and not have a surplus. And if we should attempt to follow this plan, we would fail signally and would probably stand face to face with underproduction and famine.

I can conceive of no more dangerous and insane policy to the producer and consumer alike, than to urge a deliberate curtailment of food production in the United States, and no one who knows the first principle of agriculture would advocate such a vicious and inhuman policy.

Suppose the farmers of America would adopt the Coolidge-Jardine recommendations and by radically reducing the acreage strive to produce just enough grain and other food products to feed our domestic population and so as to produce no surplus for export. If the season should be bad and weather conditions adverse, we would probably only have a half crop, and this frequently happens. What a calamity this would be. We would be faced by famine, and our children would go hungry or undernourished. This condition is inevitable if we adopt the Coolidge-Jardine formula and deliberately go about reducing production to a limit sufficient only to supply the domestic demand. I for one will never countenance such an uneconomic, unbusinesslike, and inhuman policy.

Now, gentlemen, the production should not be radically limited. The farmer has the God-given right to work his farm, which is a factory for the production of food commodities, to its

full capacity, so as to not only feed the people of the United States but to sell abroad to satisfy the hunger of men and women beyond the seas. It is only by working the farm to full capacity and by producing a surplus that the farmer can hope to make a profit on his operations.

I call your attention to the following table, showing the quantity and value of wheat exported from the United States in the five years from 1920 to 1924, inclusive:

	Per cent of crop exported	Bushels exported	Value per bushel	Total value
1920	43.9	366,077,459	\$1.70	\$622,200,000
1921	34.3	279,406,799	1.40	393,000,000
1922	25.6	221,923,184	1.30	288,600,000
1923	19.9	156,429,824	1.20	188,400,000
1924	29.6	258,022,900	1.70	438,600,000
Total		1,231,860,146		1,929,800,000
Average, per year		256,372,029		385,980,000

These official statistics show that in this five-year period the American farmers exported on an average 256,372,029 bushels of wheat annually, of the average yearly value of \$385,980,000. In the aggregate, in these five years the American farmers sold abroad 1,231,860,146 bushels of wheat for which they received \$1,929,800,000, or practically \$2,000,000,000. Now, the President, Secretary Jardine, and many of the most influential Republican leaders who are now in the saddle and who dominate the councils of the party, advocate that the American farmer withdraw from this foreign market, and that we give up this market which in the last five years yielded the American farmers an income of \$2,000,000,000. I can not accept this suggestion. It would hobble and hamstring the farmer and inevitably augment his losses. The economic condition of the agricultural classes can not be improved by limiting the markets in which their commodities are sold. Instead of abandoning these foreign markets which in five years yielded our farmers approximately \$2,000,000,000, we should not only hold on to our present domestic and foreign markets, but we should use all reasonable means and instrumentalities of enlarging and extending the market for our agricultural products. If there is a Member of this House that will seriously advocate a policy which will deprive the American farmers of a foreign market which in five years yielded them an income of \$2,000,000,000, I want him at this very moment to rise in his place on the floor of this House and publicly profess his belief in this vicious and uneconomic policy.

Moreover, to radically curtail production will not only work the economic ruin of the agricultural classes, but the adoption of this policy will be little less than a crime against humanity. If the farmers follow the advice of those shortsighted, time-serving economic quacks and set out to substantially curtail production and raise only sufficient foodstuff to feed our domestic population, exceedingly grave consequences must inevitably result. Under such a plan, the farmers and consuming public would probably discover when the harvest is past that the yield had fallen far below their expectations and that the crop was not sufficient to feed our domestic population, which in plain language would mean a famine. It would be an act of supreme folly for us to pursue a policy which would bring about widespread distress and national calamity. We would have to import wheat and other foodstuffs either from Canada, Argentina, and other countries to feed our people. Are you willing to be responsible for a condition of this character? Do you advocate a policy which will result in our having an inadequate supply of foodstuff for domestic consumption? Such a policy is intolerable and inconceivable.

The proposal to radically restrict production is fraught with hideous consequences that are so apparent that he who runs may read. We must not unduly and unnecessarily limit and restrict the production of grains and foodstuffs in the United States. Every principle of reason, common sense and prudence, suggests that we should produce each year more foodstuffs than are reasonably sufficient to meet our domestic demands. Unless we plan to produce a very considerable surplus each year, we will not be assured of a sufficient supply to feed our own people. It should be the fixed policy of this Nation to produce a surplus of foodstuffs each year—to use such part as may be necessary for our own needs, and for the surplus we should provide markets abroad.

When the American farmer considers the consequences not only to himself but to the people of the United States he will never sanction our withdrawal from the world markets. We

should encourage the farmer to produce not only enough grain and other foodstuff to feed the people of the United States but a surplus to sell in the great markets of the world. To give up the export markets is to curtail radically our farming activities and hope of profit.

In the last analysis the farmer's profit must be on his surplus products. He can not get ahead by producing just enough foodstuffs to satisfy the domestic demand. The larger the surplus the greater his profit, and the smaller the surplus the smaller his profit. Under normal conditions this rule is dependable and fundamentally sound.

In every line of business, until the output has reached a certain point, the cost of production and overhead expense exceeds the returns from the sale of the manufactured products. If the production be increased to a certain point, the returns equal the cost of production and the overhead expenses; and if the production be further increased, the business will under normal conditions show a profit, and thereafter the greater the production the greater the profit. To illustrate: Very frequently on the first \$100,000 worth of goods a factory turns out the cost of production and overhead expense exceeds the sale price of the factory output. When the production reaches the \$200,000 mark the returns equal the cost of production and the overhead expenses combined, and thereafter profits accrue from all additional production, and the greater the production thereafter the greater the profit.

The manufacturer dares not limit the output, because quantity or capacity production affords him his only reasonable chance to make a profit—that is, the only method by which his profits can be made to outrun the cost of production and overhead expense. Most manufacturing plants are constructed to produce a certain volume of commodities. If a plant is operated only to one-half of its capacity, a loss is inevitable. What would the manufacturers say if the President should advise them to reduce their output to one-half, one-third, or one-fourth of the capacity of their plants? They would reply that only by quantitative production and by running their plants to their full capacity could their business be conducted profitably. The manufacturers would say, and properly so—

Instead of reducing the output from our plants, thereby inevitably increasing the cost of each article produced, let us enlarge our market and increase our sales so the fixed overhead expense may be apportioned to 50,000 rather than 25,000 manufactured articles.

In like manner, the farmer's profit depends on the surplus he produces and sells. Up to a certain point the cost of production and overhead expense exceed the returns from the sales of his commodities. By increasing his surplus products to a certain point he is able to balance his budget; that is, the overhead expense and cost of production equal the returns from the sale of his commodities. Beyond this point, by increasing production he begins to earn a little profit, and thereafter the more commodities he produces and markets the greater his net earnings.

This rule is immutable so long as a farmer is able to sell his commodities above the cost of production; but if times are so abnormal that his commodities sell for less than the cost of producing them he registers a loss on all he produces, whether that production be great or small. To ask the farmer not to produce a surplus is to deny to him equal rights and equal opportunities in the race for gain. Every farm has a capacity limit the same as a mill, factory, or other business plant; and the farmer is as much interested in operating his plant to its full capacity as is the merchant or manufacturer, and he is as much interested in quantitative production as is the man engaged in other industrial or commercial pursuits. To insist on a farmer giving up his right to operate his plant to its full capacity is to deny him a fundamental and necessary economic privilege withheld from no other occupation.

By such a policy you are discriminating against the farmer and denying him equal rights and equal opportunity. You say to those engaged in manufacturing and commerce:

You may operate your factories and plants to their full capacity and produce large surplus stocks, to dispose of which you may not only enlarge the domestic demand but you may carry your commodities to foreign lands and sell them in the markets of the world.

You then turn around and tell the farmer that he must go on a vacation, take a rest, curb his initiative, limit his industry, take his hands from the plow, no longer produce a surplus, no longer run his farm plant to its full capacity, forego the great world markets, and limit his energies so as to produce commodities sufficient only to feed the American people. To invoke this system is to place the American farmer in a straight-jacket and to limit, yea, destroy, his productive capacity; and this at a time when millions of starving men, women, and children are

stretching their bony hands across the seas, crying for the bread the American farmer could and would produce if such production did not mean an ever-increasing loss.

For 75 years the manufacturing classes have thus erected a Chinese wall around the United States, denying to the common people—the consumer—the God-given right to buy their commodities in the cheapest markets. Now, the representatives of this same favored class seek to close the doors of export to the farmer and build a Chinese wall around the United States which will shut out the American farmer from the markets of the world and compel him to depend entirely for the sale of his products on the domestic demand. Instead of further restricting the markets for American farm products let us enlarge these markets. As the American manufacturer, operating his plants to full capacity, increasing his production enormously, is now invading the markets of the world and selling his manufactured products in the remote corners of the earth, so the American farmer has the God-given and inalienable right to operate his farm to its full capacity and to produce an ever-increasing surplus of grain and other foodstuffs not only to supply the domestic demand but to sell in foreign markets to which the surplus commodities of all nations inevitably flow in obedience to sound economic principles and immutable natural laws.

You have no right to shackle the productive energies of the agricultural classes. You have no right to circumscribe the activities of the farmer. You have no right to set arbitrary limits to the quantity of grain and other foodstuffs that he may produce. It is an insult to say to the farmer, "Produce just enough foodstuffs to feed the people of the United States." It is an outrage to deny him access to the world markets. This policy will inevitably reduce the American farmers to a condition of servitude and hopeless impotence.

Therefore let us enlarge the farmer's markets; let us give him a chance to sell his food products in every land to which our manufactured commodities go. Let our ships that carry the finished products of our industrial skill to South America, Europe, and the Orient also carry in their holds the food products from the American farms, thereby bringing to the pockets of our farmers a substantial part of the wealth that other nations are each year paying for foodstuffs.

May I repeat what I have several times stated on the floor of this House, that in the future the wealthiest nation will be the nation that captures and holds the greatest portion of the world's commerce. If our country is to maintain her present exalted station as the financial mistress of the world, it behooves us to plan quickly and wisely a conquest of the world's markets. Our agricultural, industrial, and commercial supremacy depend on our sending the products from our farms, factories, mountains, mines, and plains overseas in exchange for the tremendous wealth and treasure now in process of development in the remote regions of the world.

Providence gave to the American people a far-flung region of boundless productivity. It was never intended that the resources of this great Nation should slumber in an undeveloped state when there is a world-wide demand for the products of our soil. The present generation of American farmers have not only the legal but the moral right to stir our fertile fields into generous productivity. By no legal or ethical principle should we expect the agricultural classes to limit their activities and produce merely a sufficient quantity of foodstuffs to satisfy the appetite of the people of the United States alone. We should not deny to them the priceless privilege of contesting with the farmers of other nations for a substantial division of the markets of the world. The commercial, industrial, and professional classes in the United States should cooperate with the agricultural classes in this struggle for the world markets. We should seek out and open up new markets for our agricultural commodities and make adequate provision for economical transportation of those commodities to both old and new markets.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. TINCHER. Mr. Chairman, I have only one more speech, and I think the gentleman from Louisiana should use some of his time.

Mr. HAUGEN. I have only one speech, and I understand I am entitled to close.

I yield to the gentleman from Missouri [Mr. CANNON] five minutes.

Mr. CANNON. Mr. Chairman, in the consideration of this bill we have presented not only one of the most pressing problems but one of the most striking contrasts ever called to the attention of Congress. While industry and commerce are prospering to-day as they have never prospered before, agriculture is in direst distress. While in the cities bank clearings,

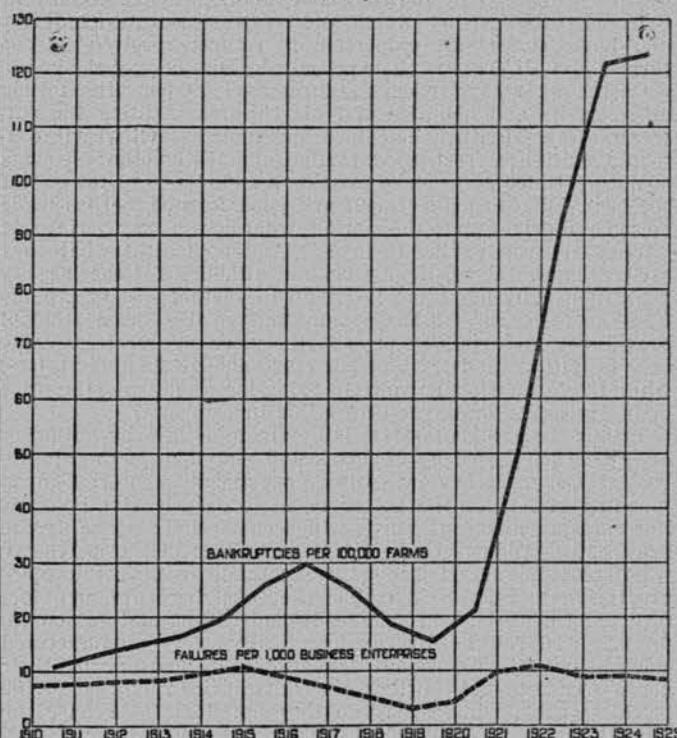
postal receipts, car loadings, and every evidence of wealth and prosperity have reached totals breaking all records, out in the country bankruptcy, tax delinquency, sales under foreclosure, decrease of assets, and bank failures have been and continue to be without precedent.

In the State of Missouri more country banks failed last year than in any previous year in the history of the State. And the situation grows worse instead of better. This year, from the 1st day of January down to to-day, more banks failed in the State of Missouri than have failed in any similar period since the State was admitted to the Union in 1821. Four banks failed in Missouri in one day this week, and the average has been one bank failure every three days for the last two weeks.

Up in the great State of Iowa, just across the State line from the State of my friend from Kansas, Mr. TINCHER, five country banks failed last Monday—five banks failed in one day. And yet the gentleman from Kansas is advocating a bill to lend the farmers more money, when the banks out in his section are failing now because the farmers can not pay back the money they already have borrowed.

The sharp contrast between agricultural and industrial conditions for the last five years is graphically shown in the following chart, published by the National Industrial Conference Board:

*Comparative Changes in Commercial Failures and Farm Bankruptcies, United States, 1910-1925*



Source: Data on commercial failures are for calendar years from Bradstreet's; those on farm bankruptcies are for fiscal years beginning July 1 from annual reports of U. S. Attorney General as given in U. S. Department of Agriculture Yearbooks.

As indicated here, farm bankruptcies have risen steadily since 1922, and are still increasing, while industrial failures have declined steadily since 1922, and are still declining.

The following table gives in detail the statistics on which this chart is based:

*Commercial failures and farm bankruptcies, United States, 1910-1925*

Year	Number of business failures <sup>1</sup>	Number of business enterprises	Failures per 1,000 enterprises	Number of bankruptcies among farmers <sup>2</sup>	Number of farms	Failures per 100,000 farms
1910	11,573	1,592,509	7.3	679	6,361,502	10.7
1911	12,646	1,637,650	7.7	837	6,370,186	13.1
1912	13,812	1,673,452	8.2	942	6,378,870	14.8
1913	14,551	1,718,345	8.5	1,045	6,387,554	16.4
1914	16,769	1,749,101	9.6	1,246	6,395,238	19.5
1915	19,035	1,770,914	10.7	1,558	6,404,922	25.9
1916	16,496	1,790,776	9.2	1,906	6,413,005	29.7

<sup>1</sup> Commercial failures from Bradstreet's; farm bankruptcies from annual reports of United States Attorney General, as given in U. S. Department of Agriculture yearbooks.

<sup>2</sup> Calendar years.

<sup>3</sup> Fiscal years beginning July 1.

*Commercial failures and farm bankruptcies, United States, 1910-1925—*  
Continued

Year	Number of business failures	Number of business enterprises	Failures per 1,000 enterprises	Number of bankruptcies among farmers	Number of farms	Failures per 100,000 farms
1917	13,029	1,828,464	7.1	1,632	6,422,290	25.4
1918	9,331	1,824,104	5.1	1,207	6,430,974	18.8
1919	5,515	1,843,066	3.0	997	6,439,658	15.5
1920	8,463	1,958,042	4.3	1,363	6,448,343	21.1
1921	20,014	2,049,323	9.7	3,236	6,433,127	50.3
1922	22,415	2,074,617	10.8	5,940	6,417,911	92.6
1923	19,159	2,136,921	9.0	7,772	6,402,695	121.4
1924	18,712	2,195,626	9.0	7,872	6,387,479	123.2
1925	18,859	2,242,317	8.4			

Why this remarkable contrast between prosperity and bankruptcy—this amazing disparity between industry and labor on one hand and agriculture on the other? It is because industry and labor fix their returns—because industry fixes the price of its products and labor dictates its wage scale—while the farmer has nothing whatever to say about the price of his products or the wage he receives for his labor.

When the farmer goes into the market for machinery, clothing, fertilizer, or any of the necessities of life or essentials of production he asks "What is the price?" And no matter what the price dictated by industry and labor, although it may be twice what the article is worth, and involves a return to industry and labor out of all proportion to returns received by the farmer himself, he pays their price or he does not get the goods.

On the other hand, when the farmer sells, when after toiling all year, he and his wife and his children, fighting the cut-worm, the hessian fly, the chinch bug, and the boll weevil, contending with fire, frost, flood, famine, and all the other elements of nature which go to make farming a gamble—if at the end of the year, by good management and good fortune, he has made a crop and drives up to the market, what does he say? He says, "What are you paying to-day?" And no matter what they are paying—although it may be, and although for the last six years it usually has been, less than the actual cost of production—he takes it. He has no alternative. He has no control over either the prices he pays or the prices he receives. Now how is it that industry and labor are able to fix their prices, while the farmer has no voice in fixing his wage scale, the price of his products, or the return on his investments?

This is the explanation: It is by virtue of law, by authority of legislation passed by Congress and placed upon the statute books. Congress has by express enactments conferred upon industry and labor the power to fix both prices and wages. For example, among the laws which enable industry to fix the price of its products is the tariff law. Over in Europe to-day where nations are trying to get back on their feet, where peoples are trying to beat back against the tide, there are factories and material and men ready and willing and anxious to produce and sell in America practically every manufactured commodity that we consume. They would be glad to bring their goods over here and sell them to us at a price vastly below the price we are paying. Why do they not do it? Because the tariff keeps them out. And behind this legislative tariff wall the domestic manufacturer fixes his price, regardless of cost of production or legitimate profit—fixes his price under a tariff law devised for that purpose, for that is what the tariff system is—a price-fixing device pure and simple. And every time we pass a tariff bill we kick the sacred law of supply and demand into a cocked hat.

Likewise, labor is enabled to fix its wage scale and its hours and conditions of labor under such laws as the immigration law. I was at Ellis Island some time ago, and while there had the privilege of meeting a man high in the department, a man who is an authority on the subject, and he told me that if the immigration laws were repealed people would swarm over to this country from Europe, Asia, and Africa like rats out of a sinking ship; that within 12 months over 2,000,000 immigrants would come to America. They would come with nothing but their hands. They would inundate our cities. They would glut our labor markets, and men both in the labor unions and out of them would be glad to work at any job and at any price to earn their daily bread. Labor is able to enforce her wage scale and maintain an American standard of living by virtue of legislation placed upon the statute books by Congress.

Now, if Congress has given industry laws enabling her to fix the price of her products, and has given labor a law enabling her to dictate the price of her services, why in all justice and fairness and equity is the farmer not entitled to this bill, which

will enable him to fix the price of his products and secure a living wage for his labor.

But let me make clear the position of the farmer on this question. He is not here with this bill to protest against high prices. He believes in high prices. And he is not here to protest against high wages. No class in America believes more than the farmer that the man who earns his bread by the sweat of his brow is entitled to a living wage and a high wage. But the farmer does contend that if he pays industry a high price for its products and labor a high wage for its services, he, too, is entitled to a high price for his products and a living wage for his labor, and that is the fundamental purpose of this bill.

Now, as to the tariff features of the bill. When during his testimony before the House Committee on Agriculture some days ago Secretary Jardine was asked whether he did not think the farmer has a right to expect that the tariff shall be made effective on surplus agricultural commodities, and when he answered, "I would forget about that," he said something that has enough dynamite in it to change the political map of the United States for years to come. Dating back almost to the Civil War, the farmers of the great Corn Belt have been steadfast in their support of the protective system—first, because they believe that it was essential to well-being of industry and of the Nation and, second, because they took seriously the idea of a tariff on certain agricultural commodities. However, during recent years, and especially since the World War, these Corn Belt farmers have awakened to the fact that the tariff on surplus farm commodities has been pretty much of a joke; that it is one thing to write such a tariff into an act of Congress and a radically different thing to collect it. And this is why they took the Republican platform on which Mr. Coolidge was elected, and which was unequivocally pledged to "equality for agriculture with other industries," so seriously.

And now when the question is put up squarely to Secretary Jardine, the spokesman of the administration on matters affecting agriculture, he tells us to "Forget about it." But there is not the slightest chance that Corn Belt farmers will take his advice—on the contrary, the Secretary by this remarkable statement has "let the cat out of the bag," and unless Congress passes the Haugen bill, which will make the tariff effective for agriculture, we will be forced to the conclusion that the Republican Party is perfectly willing that the tariff shall mean one thing for industry and an entirely different thing for the farmers. More than all other opponents of genuine farm relief legislation, Secretary Jardine has laid bare the real issue. He has trained the spot light on the good faith of the Republican national platform in a most graphic way. Clearly it is up to the Republicans in Congress to decide whether the Secretary's words shall stand out like a "cloud by day and a pillar of fire by night" in the coming congressional campaign and in the presidential contest of 1928.

The time has come when the cracking of the party whip has about as much effect on the average farmer's back as it would have on the back of an elephant. On the one hand he sees his situation grow constantly more desperate, while on the other hand he has a deep-seated conviction that both of the great political parties are willing to make him the "goat," and that their platform pledges are only intended to catch his vote. We have not forgotten that during the World War when the industries received 10 per cent plus and as much more as they could get, Secretary Hoover lost us hundreds of millions of dollars by interpreting the wheat price as a maximum instead of a minimum, as Congress intended; also that we lost other hundreds of millions because this gentleman did not line up his formula on the price of cattle and hogs. And yet, notwithstanding these wrongs which rankle deeply in the hearts of millions of farmers, certain gentlemen are raising the shout of "subsidy" against the Haugen bill.

I state the simple truth when I say that the vast majority of Corn Belt farmers regard Mr. Hoover as the evil genius of American agriculture, and also, whether rightly or wrongly, they believe that the attitude of Secretary Jardine is greatly influenced by him. Nevertheless, Secretary Jardine is the spokesman of the administration on agriculture—and I repeat that there is a pill of dynamite in his suggestion that the tariff when applied to a surplus farm commodity is nothing more than a campaign joke.

And just one word to labor in behalf of this bill. And no Member of this House can speak to labor more frankly than I can. From the first I have supported labor's program. And I have voted with labor not from motives of political expediency because I am from an agricultural district. We have comparatively few labor unions in the district. I have supported labor's program not in order to win votes but because it was right and entitled to support.

So I congratulate labor on her indorsement of this bill, and I call attention to the fact that the farmer is entitled to labor's support not only in return for past favors but because this is labor's bill as well as the farmer's bill.

The Census Bureau recently reported statistics showing that last year 2,035,000 people were driven by economic necessity from the country into the city. The year before that 2,075,000 were starved out of the country into the cities. This vast migration has been going on for several years, is going on today, and will continue in proportion as agriculture is denied a just return and a fair share of the Nation's prosperity. When you drive either a starving wolf or a starving man out of the country into the city somebody is going to suffer. And when this huge army of people is forced into our already overcrowded centers of population, labor is the first to suffer. Not only is the number of those producing food in the country depleted, and the number of mouths bidding for food in the cities increased by these millions, but the number competing with you for your job and beating down your wage scale is correspondingly increased.

Let me give you a very pertinent illustration. When the railroad strike began in my State in 1921 the places of the union men in the railroad shops of the Frisco at Springfield, Mo., were filled by raw country boys hastily recruited from the foothills of the Ozarks. They had never heard of the 8-hour day. They had been brought up on the farm under the 16-hour day and the Taylor system meant nothing to them. So effectively were they drilled by the railroad and so apt did they prove themselves that to-day they are still there and they are now producing in 30 days locomotives which formerly required 45 days to complete, a profit to the railroad of 33½ per cent over its former cost of labor. That is what we may expect, in modified form at least, in all trades and in all sections of the country, if the present agricultural situation continues and men continue to be driven into the cities to find support for themselves and their families. Labor's support of agricultural legislation is not merely a matter of justice to the farmer; it is a matter of self-preservation to labor as well.

Nor is the argument that this legislation will materially increase the cost of food consumed by labor worthy of serious consideration. In 1920 I sold wheat produced on my farm for \$2.40 a bushel, and my family bought bread in Washington that year for 8 cents a loaf. The next year I sold my wheat crop for 86 cents a bushel, and the same bread still cost 8 cents a loaf. One year I received \$15 a hundred for hogs which I marketed in St. Louis, and the next year a little over \$11 a hundred. But sliced bacon of the same brand cost 6 cents more per pound in Washington when hogs were selling at \$11 in St. Louis than it did when hogs were selling at \$15. If this bill becomes a law, the few added cents in a bushel of wheat or a hundredweight of pork will be immaterial when reflected in a loaf of bread or a loin of pork, and even that will be more than offset by the saving in the elimination of lost motion between the producer and the consumer.

In conclusion, and in reply to the statement repeatedly made during this debate that this legislation is unsound and uneconomic, I want to quote a man whose views are entitled to some consideration. The quotation is from Abraham Lincoln. He was not an economist or a college graduate. He did not have a university degree. But he understood the philosophies of life and the equities of the law as few men have understood them in the history of our Nation or our race. This is what the rail splitter said:

The legitimate object of governments is to do for a community of people whatever they need to have done, but can not do at all, or can not so well do, for themselves in their separate and individual capacities.

The legitimate object of government is to do for 6,500,000 farmers what every Member of this House concedes they need to have done, but which because of their number and their wide distribution and lack of ready capital they can not do for themselves in their individual capacities.

Pass this bill. Give agriculture the same legislative preference already granted labor and industry. Give the farmer as good a price for what he sells as he must pay for what he buys. Bring agriculture up to a plane of equality with industry and labor, or drag them down to the pinched standards under which agriculture is to-day eking out a bare existence. Give us special legislation for everybody or special legislation for nobody.

THE CHAIRMAN. The time of the gentleman from Missouri has expired.

MR. EDWARDS. Mr. Chairman, taxes are taxes, even though you call them "tariffs" or "equalization fees." No matter how it is "sugar coated" or dressed up in a fancy name, it is

a tax on cotton in this bill, parading under the name of an "equalization fee." In the debate that has lasted several days on this bill, I have heard no one deny that it is a tax, nor have I heard anyone sufficiently explain this matter to convince me that I should vote for it. To the contrary, I will not vote to put a tax on cotton, whether it is levied at the gin or elsewhere. The tax will come out of the producers, and this bill proposes that it be collected at the gin, and prescribes a penalty if it is not paid. I have listened carefully to the debate, and those who claim to have given some study to this matter have asserted that this tax will run from \$2 to \$25 per bale, to be assessed by the board that is proposed to administer the provisions of the law. Think of it; from \$2 to \$25 tax on each and every bale of cotton and it payable at the gin, when the farmers are hardly able to pay the gin bills, to say nothing of this new-fangled tax! Do the farmers understand that this is a tax, or are they deluded and misled by the term "equalization fee"? Whatever it is, it is from \$2 to \$25 on each and every bale of cotton raised by the farmers that they will have to pay at the gin.

It is proposed, too, that this law will be administered by a board of 13. Each of these will get \$10,000 per year. Ten of these 13 will come from other than cotton-producing States and only 3 of that board will come from cotton-producing States. Ten members of that board come from where cotton is manufactured and used. They will have to do with regulating the price at which cotton will sell; and two years hence, when the cotton tax or equalization fee goes into effect, that board will say what the tax or fee at the gin on each bale of cotton will be.

I can not think that a tax upon the very product of the soil, raised by the sweat of the brow, will be much help to the farmer; nor can I think it will be a relief. The farmer is laboring under a distressing load of taxes as it is. Now, you are trying to give him a bait with a hook in it. You are saying to him, "The way to help you is to levy more taxes on you, and one that you will have to pay." You must pay it at the gin. I just can not see the fairness of it, and I will not support this bill with the tax or equalization fee in it.

If it is stricken out, I will waive other features, but I will not vote a tax on the cotton farmers of the South. An amendment will be offered, as I am advised, to strike out this cotton-tax feature, which amendment I will support; and if the amendment prevails, then I will vote for the bill, but I will not vote for it unless the tax is stricken out. I will not be a party to putting a tax on our people. I want the record to show that I voted against such a tax. I want the record to show that I raised my voice in protest against the proposed tax as unjust and unwise. In this I believe the farmers of my section will support me and stand by me.

I came here pledged to help reduce taxes. We have reduced taxes in the few months I have been here nearly \$400,000,000. How can I justify the levy of a direct tax that may vary from \$2 to \$25 per bale on every bale of cotton ginned in my district? I would resign from this House rather than vote for that tax. I will not vote for it under the dressed-up name of an "equalization fee," either. We can not fool the people and ought not to try. We ought to be honest with them and with ourselves.

This is called an agricultural relief bill, yet it carries this tax on cotton. The most of the relief is for the western farmers as usual, with another burden for the sun-browned son of the southern cotton fields in the shape of a tax on cotton. I protest and denounce it as unfair and I appeal to the Members of Congress not only from the South but all Members to vote against the tax.

This bill does nothing for tobacco farmers. They are overlooked. It is about what we should have expected from the Republicans who are in control of the House. I presume if you wrote a bill giving relief to the tobacco growers, you would fix a tax on every basket of tobacco to be collected at the warehouse? Such is great relief! We all recognize the fact that agriculture is prostrate, homes and farms, mules, wagons, and so forth, being sold under foreclosures and by the sheriffs and constables, millions of people in real distress, unable to save themselves from existing taxes, and yet you tell them you will help them by putting another tax, a galling tax, on them! That is a relief with a vengeance! It is using the embalming fluid in the very veins of the cotton producers and calling it a tonic! I will not help administer it, nor do I believe the cotton growers of my section will be deceived by this strange relief. It is saying to the farmer: "Being as you are unable to pay your debts and your taxes now, you just submit to another tax on your cotton and then you will be able to pay your other taxes." Strange reasoning this! I do not believe many will be deceived by it.

For my part I would a great deal rather for my constituents, with whom I was reared and whose interest I have at heart, to say in the future, "Our Congressman was there at his post when that tax matter came up. He stood by us and protested against that foul cotton tax and voted against it," than to have them say, "Wonder why he let them fool him into believing that was not a tax?"

Some argue that the tax will not go into effect for two years and that it might be repealed in that time. Yes; and it might not be. I will not take such a chance. I have observed with pain and regret that very few Congressmen vote to help the southern farmers except the Congressmen from the South, and we are in the minority. We might not be able to repeal it. I am not willing to turn over the people of the South and the great crop of the South to this board that does not give us fair representation, to be crucified upon this cross of taxes. You can not disguise it with fancy names enough to cause me to vote for that tax. It must be stricken out and we must have fair representation on the board. I will not help bend the backs of my people, whom I represent and love, to the lash of this iniquitous cotton tax. It is not right to burden the struggling cotton farmers with additional taxes, nor will I participate in the crime, directly or indirectly, in helping to levy the tax. This tax at \$2 per bale would cost the cotton farmers of Georgia over \$2,000,000 each year.

I am not going to discuss the bill further. On April 12 I delivered an address urging agricultural relief. I quote here an article from the Atlanta Constitution of May 9, 1926, concerning it:

**EDITOR CONSTITUTION:** On reading my letter in your paper of May 1, Congressman EDWARDS sent me copies of three speeches delivered by him in Congress. One speech made December 18, 1926, discusses "The revenue act of 1926," one made January 8, 1926, "Advocating drainage," and the other delivered April 12, 1926, "Urging agricultural relief."

The last-mentioned speech is the most powerful presentation of the farmers' case I have seen anywhere. I wish that, not only every farmer, but every business man in Georgia, could read it. And it would be appreciated by the farmers of the whole country.

Had I been aware of this speech when I wrote my letter, I would have thanked him for it then, as I do now.

J. T. HOLLEMAN,  
President Southern Mortgage Co., 10 Auburn Avenue, Atlanta.

We have enough troubles. The South does not need any more troublesome taxes. If a farmer failed to pay this tax, the penalty would apply and he would be subject to suit and heavy court costs in the United States courts. With all the earnestness of my soul, I appeal for the defeat of this tax! In the name of justice it should be stricken from the bill! [Applause.]

Mr. TINCHER. Mr. Chairman—

The CHAIRMAN. The gentleman from Kansas is recognized for 24 minutes.

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, in closing this rather long and tiresome debate I do not want to kill a lot of time on things that are not pertinent to the question. I want to answer the tariff arguments that have been made, because I make it a rule never to take this floor without answering all the arguments that have been made on the subject of the tariff.

The Fordney-McCumber tariff law was passed and took effect on a certain day. To-day agriculture has a problem. Was that brought about by the passage of the Fordney-McCumber tariff law? The answer is this: There is not a commodity that the farmer buys to-day that he pays as much for as he paid for it the day the Fordney-McCumber law took effect.

I invite any man to furnish me a list between now and midnight of any commodity that he buys that is as high to-day as it was when you passed the Fordney-McCumber tariff law, and I will print it in my remarks. [Applause.] There is not a farm commodity to-night but what is worth more money on the market than it was the day the Fordney-McCumber tariff law took effect. [Applause.] And that is not answering the tariff argument as a philosopher; that it is just answering it because we can still remember, and you Democrats, if you ever elect another administration on the tariff, have got to wait until you get away from the facts so far that you can do it on philosophy and not do it on facts.

Mr. ROMJUE. Will the gentleman yield?

Mr. TINCHER. I will yield if the gentleman can furnish me with such a list.

Mr. ROMJUE. If the gentleman's statement is true, then, we do not need to pass this bill.

Mr. TINCHER. No; I did not say that, because we need my bill. I just answered the tariff argument, and my statement is true.

Mr. ROMJUE. Then, we do not need your legislation.

Mr. TINCHER. Oh, yes; we do; yes; we need it. When you got through with us there were 25 points disparity between the price of other commodities and farm products, and we have had a struggle and gotten them back to within 10 points of one another, and if you will let me pass my bill we will close up that gap.

Mr. CANNON. Does the gentleman believe you can make the tariff effective on farm products?

Mr. TINCHER. Oh, yes.

Mr. CANNON. Is it effective now?

Mr. TINCHER. Oh, yes; you read JIM BEGG's speech in the morning and do not print yours until you do read it, because if you do, those statistics will show that you do not know anything about the tariff at all. You said that wheat was selling cheaper since the passage of the Fordney-McCumber tariff law than it was selling for before.

Mr. CANNON. No; I did not make that statement at all. I said that wheat in Canada was selling for more than in this country, and they have no tariff up there.

Mr. TINCHER. But the truth is that over a period of five years we have had an average of 23 cents protection on wheat through the tariff. Now, that is the fact, so what is the use of keeping on talking about it. I come from the same part of Missouri you do, and you know those folks there can read, and if you are not careful they will read about you some time. Now, I want to answer some of the other arguments that have been made here. RAINY, of Illinois, took the floor this afternoon. I am going to dwell on you Democrats a little before I start on some of my Republican associates with whom I have some trouble. RAINY said he was going to explain about the Prairie Farmer, but he never did. I presume he thought he could get an editorial in the Prairie Farmer by attacking me. Then he stood up here and was ostensibly reading to you about the Illinois primary. He had papers spread out and he was reading, and he said the issue was the Capper-Tincher bill as against the Haugen bill, and that that bill was defeated by an overwhelming majority; that the World Court was not in it; that Illinois retired Senator MCKINLEY to private life and elected a man who was for the Haugen bill as against this man who was for the Capper-Tincher bill. Poor RAINY. That was as near the facts as RAINY ever gets. The Capper-Tincher bill was not introduced for over a week after the Illinois primary and was never conceived or talked about until after the Illinois primary. There was not anything like that in any paper at all. But that is ordinary for RAINY. The fact that he did that will not lower or raise his standing in this House for integrity the least in the world. His standing will still be the same. He said that CAPPER had an unpopular bill—which he did not have—and that defeated his friend MCKINLEY. CAPPER supported MCKINLEY because he was his colleague, and he liked him. But he likes Frank Smith, too, and he will support Frank Smith. And that beer-keg platform of yours will not get any support out of CAPPER.

I suppose you are going to run with your beer-keg associate platform this fall. Well, you will find that CAPPER will support Frank Smith. Now, if the Prairie Farmer wants something to print about your speech, they can get something besides what you told them.

Now, getting down to the farm relief problem and the bills pending, I am rather independent about whether you pass these bills or not. I am trying to be consistent. PERCY QUIN says I introduced a bill once—and I always like to hear PERCY talk—providing a subsidy for the farmer. I never did that. Read the bill. I introduced a bill to try to collect a claim against the United States Grain Corporation for some money I said they took that belonged to the farmers. It was not a subsidy for the farmers. I never thought of such a thing as advocating a subsidy for the farmers or for anybody else.

You know, after the election in 1922—I remember it was a rather warm election—we had just passed some of these laws, and naturally the criticism of the majority party was going strong, and we were not yet out of the throes of war or the reactions of war. I never will forget when I returned to Washington after a hard campaign I was invited to the White House; in fact, I was invited to come early to the White House. The then great President of the United States swelled me all up by telling me he wanted me to help write the message to Congress on the subject of agriculture. I sat in the council that wrote that message. Maybe you do not think that makes a second-terminer feel good. I sat in with them, and we had

several meetings. I ate more food at the White House than than I have ever gotten out of Coolidge [laughter], and I felt awful good. Finally we agreed what that message should say to Congress, and Jud Welliver whipped it into final shape; but, at any rate, they made me think I was influential in its preparation. Then President Harding, a man whom we all loved, turned to me and said:

TINCHER, old man, there is one thing more agriculture has to have than what we have mentioned here. We must have a merchant marine. The American flag must be on all the seas.

I remember the argument he made in favor of subsidizing the merchant marine. It was an embarrassing moment, but I was fresh from the hearts of my people. I had had a hard campaign. I had mingled with the people of my district and I had learned from them that they were constitutionally opposed to a Government subsidy for classes, and, painful as it was to me, I told the President I could not support him, because I knew what my people wanted; and then Mr. Lasker, who was present—and, I suppose, for the purpose of explaining to me why we ought to have this thing—said: "TINCHER, if you can not go with us, can you not at least lay off?" I said: "Lasker, I am not the laying-off kind. My people are against a subsidy. They do not believe in class subsidies." And God bless my people. Sometimes our people see further than we do. Sometimes now I wonder if my people can see what is happening in England to-night.

As to Iowa, I came back to this bill and I joined with you, DICKINSON, and with you, HAUGEN, and with the solid Iowa delegation, and I uttered the first words that were uttered in this well against President Harding's ship subsidy bill.

Who is consistent? I am still against Government subsidies for classes. My people are against them. We witness to-night in Great Britain the evils of such an attempt. We witness civil war in a country where the government has had, perhaps, the highest regard of its subjects of any country in the world.

I am consistent because I am not for a subsidy. I represent two hundred and fifty thousand and odd souls in this House to-night, and I want to pay them the compliment that not one single living soul in my district has ever asked me to vote for a Government subsidy. They have been consistent. Think about it. This is not principle. You started riding north and, as TOM WILLIAMS said, your horse turned and started south.

The testimony upon which you want to pass the Haugen bill says that a subsidy would ruin agriculture; says that a subsidy would destroy the morale of the farmer. Mr. DICKINSON says it would increase the production of corn in Iowa and Illinois 33½ per cent. Murphy says it would debauch agriculture, but still a few minutes before we came in here with this bill—nobody has found out why—the equalization fee is taken out for two years, and this animal that every Kansas farmer who has expressed his view is against is stuck in; this animal that they say will debauch the farmer, and it will; that they say will destroy the morale of the farmer, and it will. Do you not believe it? Has it destroyed the morale of the coal miners in Great Britain? Is that destruction contagious? Has not every trade-union in Great Britain joined in a sympathetic strike, not against the employer but against organized government.

There are men in this House who ought to vote for the Haugen bill. They are the men who are wiring the striking forces in Great Britain hoping they can overthrow the Government. The men who are wiring them money, contributing to the overthrow of government, ought to vote for it, and the rest of us ought to profit by the experience that our mother country is having, and we know it, and vote against it.

Why was it put in? Gentlemen, I did not take the floor Saturday to tell you why. Saturday at high 12 I took my place in this well and charged that the lobby behind this subsidy were organizing a corporation to spend the subsidy. Two weeks before from this well I opened the charge that there was proof that the head of the lobby for this bill had changed telegrams and was unfair and dishonest in its propaganda for the bill. Who has denied it? You talk of pure love of country. A man who stands before the committee one day and saying to me:

Mr. TINCHER, to subsidize agriculture would debauch it; to subsidize agriculture would increase production and would destroy the morale of the farmers and would destroy our Government.

And that same man within a week, without any financial reason, would press the American Congress, the greatest law-making body in the world, with this demand in the language of the gentleman from Indiana [Mr. PURNELL], and God bless PURNELL and WILLIAMS for they have to go along with this organization, but they are honest—PURNELL described what

that man declined to do. I said to him, "Is this a subsidy?" And he said yes, we are just reaching in and taking out \$350,000,000. Why? Mr. PURNELL told you why. He said the nearest I have heard an honest excuse for the change—and mark you he said the nearest he had heard of an honest excuse—was that the change had been made for the purpose of getting votes for the bill.

Now, with the mantle of war hanging over our mother country, legislators in our National Capital put into the bill the thing that caused that war, and boldly stated on the floor of the American Congress, "We put it in to get votes." Think! You do not have to think, act the way you do think and the Haugen bill will not have 30 votes in this House.

Now, as against that proposition you will have an opportunity to vote on a bill that the administration says—and I do not make any bones of it, read Secretary Jardine's testimony, and he says there is a farm relief bill and this bill will cure it, and in reply to a question by the gentleman from Kentucky [Mr. KINCHELOE], he says:

Yes; the President knows about this bill and is for it.

What have we done? Every man that has talked on the subject said it would help it; some have been more enthusiastic than others, but you have the unanimous opinion that it will help, and the administration says that they can cure the farm problem. I know that Mr. Murphy went—and that is the way that Mr. RAINES got into the fight—he went to the gentleman from Arkansas [Mr. OLDFIELD], appealing to the Democratic Members and asking them to make a political football of it, and when he went to the gentleman from Louisiana [Mr. ASWELL] and made the proposition to him for \$100,000,000 for the South for the support of this thing the gentleman from Louisiana turned him down.

Well the gentleman from Illinois [Mr. RAINES] made his report this evening. Is it going to be a political football? I am not for the Haugen bill; I am 102 per cent administration as the gentleman from Louisiana says about being a Democrat. Now the Haugen bill will not be a law. The gentleman from South Carolina [Mr. FULMER] told you it would not and still he supports it. You do not want it to be a law. You that vote for it do not want it and you know it. Can you get more political benefit out of it in carrying out your platform than you can in giving him a chance and taking a political chance as to whether it will work or not?

I do not know whether it will work or not. Economists, technicians, experts, cooperative market men say that it will close the gap. Your Government is willing to give it an opportunity not demanding it. We waited until everybody else had offered a bill and finally said "We think this will do it." Every witness says it will do it and I never heard it will not work and you that think it will not know that the Haugen scheme will not work.

There is no use of beating around the bush about the proposition. We are going to face it. It is economically sound. The fact that some eastern interests are against the bill is no reason that the western farmers should be against it. The fact that some eastern interests are for it is no reason why the western farmers should be against it. Can the gentleman from Arkansas [Mr. OLDFIELD] and the gentleman from Illinois [Mr. RAINES] effect a bloc of the West and the South and use agriculture as a football to destroy Calvin Coolidge? You shove that thing up under his nose and he can run for reelection and use that for his platform and carry every township in the United States.

Mr. LITTLE. Mr. Chairman will the gentleman yield?

Mr. TINCHER. No; I can not yield. I am just talking turkey, because this is turkey-talking time. I know my friend DICKINSON is going to follow me. We have been pals all these years, and I hope he will do like TOM WILLIAMS did to-day when he backed up where I am standing now and said:

No; I am not for this subsidy; I want to strike it out of the bill; I want to be a man; I want to say that if this is good for you in two years from now, it is good for you now, and we will put the equalization fee in now.

Gentlemen, if you run for Congress next fall on a platform that you have voted for a bill with an equalization fee in it, but that you put it off until after election and used a subsidy instead, you know that is not square; and do not think that you will be able to fool the voters of this country for very long with that proposition. It can not be done.

We are through with general debate. We know what is in the bill. It is time now to get off in our cloakrooms and decide whether we are going to play politics with agriculture. There are no secrets about it. There are two or three things in the

Haugen bill that are fundamentally unsound. Think of the people of this country being taxed, even if you don't have a subsidy—think of taxing the American farmer and hiring the packers and Mr. Murphy's grain company to spend the tax! [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HAUGEN. Mr. Chairman, I yield the remainder of my time to the gentleman from Iowa [Mr. DICKINSON].

Mr. DICKINSON of Iowa. Mr. Chairman and gentlemen of the House, I have been through a running cross-current of economic debate on this agricultural problem for more than a year. I know of the time when the men who were friends of agriculture said that in order to protect agriculture you must hook up the control of the surplus with the cooperative producers' organizations of this country. I know of the original plans wherein that was suggested in the form of a bill, and I want to say to you now that in my judgment this country can still sit around and holler about all of these different discrepancies that are going to go into this economic system in this country in case we do not protect it, and you are going to find, if you please, at the end that the world is coming in here and is going to do the very thing that these people are asking us to do, that the exporters are going to fatten their pocketbooks at the expense of the citizenship of this country that produces the food of the world and loses money every time they harvest it.

Economically unsound! Mr. Chairman, I have heard that statement until I am sick of it, but let me say to you that always and every time, if you will trace it down to the original basis, you will find that the men who think this legislation is economically unsound think so because it affects their pocketbooks adversely. If England has brains enough to make her war debt out of rubber, if Brazil has brains enough to make her war debt out of coffee, if these other countries that are controlling exports are able to make their indebtedness out of their exports, then I would like to know if the Democrats on this side and the Republicans on the other side are going to come in here and confess to the food producers of this country that they do not know how to do the job? Let me tell you what is lacking in this whole proposition. I have been impressed with the fact that we have had too many bipartisan conferences this year. Our tax bill was not a Republican bill, nor was it a Democratic bill. It was a bill made up by a conference of both sides of the aisle, and now we find that when we come to the agricultural question of this country which admittedly on the floor here is the all-controlling economic and political question of the day, we find that on neither side of the House have the leaders any program which they are proposing in behalf of agriculture and that the programs which do come are largely coming from the outside. Oh, yes, I think the administration did on the last day at the last minute, when it thought that the agricultural committee was going to bring out a bill and that it would probably pass the House, did bring in a bill with which to sandbag the other bill that was already scheduled for consideration, and that is the reason we have all this confusion here. In fact, all this confusion can be laid at the door of the administration for lack of program. I used to like the theory of Teddy Roosevelt. I remember the time that we used to hear, when Taft was President of the United States, of his always saying, "Show me the law for it," but when Teddy Roosevelt was President of the United States and he wanted to do something he said, "Show me the law against it." I would like to know where the leadership is now on either side of the House in either of the great major parties and why they do not come up here and say, "Show us the law against why we should give agriculture the same protection that we are giving to other interests in this country," and in that way try to work out a solution of the agricultural problem in this country.

I am tired of hearing of this English business. I will tell you when the troubles of England of to-day started.

They started back in 1840, when England repealed the corn laws and said to the world, just as the gentleman from New York [Mr. BLACK] wants to say now, that if you do anything to stop protecting the consumer of the country you are doing something that is wrong. I want to say to the gentleman from New York we can live out in Iowa without New York City longer than New York City can live there without Iowa. [Applause.] Away back in 1840 England repealed the corn laws and said to the world that "We are going to feed our industrial people wherever we can buy the food the cheapest," and she immediately proceeded on a program of becoming an industrial nation, and there are certain people in this country who have so little regard for the food-producing sections of this country that they are saying now, "We will just continue

to protect the consumer of this country, but we will let the agricultural interests of this country lag behind, and in that way we will make this country an industrial and commercial country," and whenever you do that you are paving the way for the very thing that is happening in England to-day.

Gov. Frank O. Lowden, speaking before the Iowa editors, with reference to the situation in England, said:

England was supreme. She was producing more economically than any other nation in the world. It is not strange, therefore, that England at that time deliberately adopted the policy of subordinating her agriculture to her industry and commerce. And yet, after the lapse of a little while—for what is a century in the life of a nation—the most thoughtful men in England are to-day wondering if that policy was not a mistake.

If England, with her unrivaled advantages, already has come on evil days as a result of her policy, would we not in America do well to stop and reflect before we adopt a similar policy? For to-day all nations of the great western world are encouraged in manufacturing on relatively equal terms. The day of importing cheap foods from new agricultural countries is well-nigh spent.

#### FARM IS CHIEF CONCERN

The problem of to-day and to-morrow is to balance agriculture with industrial progress. It becomes more and more apparent that a nation is only secure in time of peace, as well as war, when it is able to feed itself. Agriculture, therefore, henceforth must be the chief concern of any nation which would flourish and endure.

What are we trying to do here? We are trying to protect the farmers representing from 33 to 40 per cent of the population of this country. We have with us the American Federation of Labor, and they represent the working classes of this country, and they say that the men who produce the food are entitled to a fair return for their labor just as members of their union are entitled to a fair return for their labor. It is a principle that can not be denied, and for that reason there is combined behind this program two of the strongest political factors that are now in existence in the United States. I want to say to you that sooner or later they are going to have their way. You may kick us out this time; you may kick us out the next time; but I remember the time when Abraham Lincoln said:

We are going to populate the great Middle West, the Mississippi Valley, and make it the bread basket of the Nation—

And then he signed the old homestead law and the college land grant law under which the Middle West has developed for the past 65 years and made history economically in this great country of ours.

No principle in this bill is to be applied but for the protection of the farmer himself. Dr. G. F. Warren, of Cornell University, recently said:

It takes a considerable period of time to increase yields per acre and a considerable period of time to decrease them. The long period of agricultural distress ending in 1897 resulted in reduced yields per acre. This was inevitably followed by a long period of rising costs of living, because farmers could not at once increase yields. The present agricultural depression has been so drastic that the impetus to decrease production will undoubtedly occur for some time, even though conditions should improve. In other words, if conditions for farmers should at once be decidedly improved, we would still expect production to continue to decline for some years. This is particularly true of such products as cattle, hogs, horses, apples, where the product is not ready for market for a long time after the farmer has begun to produce it.

For six crop years farming has been going through a period of agricultural distress. An ultimate period of shortage of farm products is inevitable. The longer the period of distress the longer and more violent the period of shortage will be.

In short, I believe that if an improvement should occur in the agricultural situation at the present time that at first it would merely check the rate of decline in agriculture. It would be, I believe, some years before any actual increase in total production would occur. If the agricultural depression continues, a very serious period of high living costs is inevitable.

Next I want to get down now to a few applications of this bill: First, a great many people say that the selection of four people by the farm organizations of each of the land-bank districts of this country and selecting one by the President is to have a debating society and the bringing together of a group of people who will not agree upon anything. I want to say to you that the way to make the farmers respond from every part of this country is to call them in conference once in a while and talk with them, and that is the only way you are going to get their views on a problem of this kind; and if you do not have the farmers cooperate with you, the Tincher bill or

any other bill will never amount to anything. I want to say to you that the way to get them with you is to have them come in and be a part of the system.

Can you cooperate without the farmer? Why, the weakness of the Aswell bill is that it attempts to impose upon the farming population of this country a great big cooperative overhead system wherein they have not got the consent of a single solitary farmer in the entire organization. It is impractical, it is impossible, it will never work, and it will never do any good. Next we provide here that this council shall nominate the board. Now I find that the great lawyer from New Jersey has come in here and said that the method of nominating this board is unconstitutional. Now, gentlemen, if he has won his law suits with that kind of law decisions up in New Jersey, I have not as high a respect for the decisions of the courts up there as I have had heretofore, because there are numerous precedents wherein—and I believe the gentleman from Iowa [Mr. RAMSEYER] set forth two or three here—wherein exactly the same thing has been done along sound and conservative lines.

Next, this board has a right to do certain things. One of the things the board has the right to do is to designate an agency to handle the commodity. What is the purpose of that? The purpose of that is to try to centralize the marketing power of the producers of one commodity into a single agency. And I want to say to you that my good friend from Texas [Mr. HUDESPETH] went on the floor to-day and said that the cowmen did not want this kind of legislation. It is the first legislation that has ever permitted the cowman to come in and have some one represent him, sitting across the table and discussing with the packer what he will receive for his cow; and until you come to that, the cowman will get only just what the packer wants him to get.

This board has the right to do certain things, among them the right to designate an agent to handle the commodity. Now, it is said that if you select this board from the 12 land-bank districts you will have a political board from all over the United States, and that they will starve the consumer and impose upon the producer. Can you think of a man representing the New England districts ever giving a special advantage to the cowman of the West, or the cotton man of the South, or the fruit man of the Pacific coast? You have got three from the East, and four from the Middle West, and three from the South, and two from the Pacific Coast States. In what way can you get men better representing all the consumers and producers alike? Because when a man does not raise a commodity he consumes it. For that reason we have a representative here of the consuming public, because they are not all producers of a given commodity.

Next I want to go a little further into this bill with respect to the general powers of the board. They have a right to declare an emergency when a surplus appears. You may say there is never a surplus. But when there is more than can be domestically consumed it always deflates the price. In those cases we are giving the board the power to declare an emergency. The thing that this board can grant to an agency is the bargaining power, and if they have that bargaining power they can do something about the stabilization of prices.

Now take the Tincher bill. The only object of selling their commodity through a single agency is to get a higher price. I think the gentleman from Kansas and I are perfectly agreed upon that. But let me say to Brother TINCHER this: The minute that bargaining power makes the raising of that commodity profitable, there arises the same danger of overproduction that you have in here, where you have a board handling a commodity under this other bill. Therefore if co-operation is going to raise prices, you will do the farmer no good, because there will be no limitation on production.

The other day a gentleman asked the gentleman from Kansas this question: If your subsidy were taken out of the Haugen bill, would you support it? And he said "No." If his bill works, it will cause exactly the same overproduction that he suggests here. Well, he has no way of curbing the same, while we have a way of curbing it.

Mr. TINCHER. You do not mean that the subsidy would do that?

Mr. DICKINSON of Iowa. No; the financing of this bill is because of the delay in the equalization fee. The Government fund does not last forever. The equalization principle is in this bill, and the principle is going to be established, and if it was not to be established I would fight the bill.

The "equalization fee" about which the real fight centers is a fee to be paid by the farm. It is not a tax upon any other industry. It is this fee that makes effective organization to sell

the farm surplus possible. The Federal board assesses it just as the city assesses drainage benefit and damages, or the county drainage benefits and damages, or the State tuberculosis benefits and damages for dairy herds, or the Nation benefits and damages as against the hoof-and-mouth disease in cattle. This "equalization" is precisely the same in principle as the levy the National Government makes on member banks for the support of the Federal reserve system. It is precisely the same in principle as the "recapture" earnings of the big railroads ordered by the Government to sustain the weaker roads.

How far would the Government get with a Federal reserve system if it had made everything voluntary with the individual banks and allowed each to make its own contribution to the Federal reserve fund? Similarly, how far will the Government get with a national railroad system until it makes its "recapture" from the big roads a fact instead of a declaration in the Esch-Cummins law?

The Government has not hesitated in these other matters to make definite provision for sustaining important business at a level of earnings. Nothing more drastic was ever done than the order issued by the Government on the banks of the country to subscribe to the stock of the Federal reserve banks. There was no talk about keeping the Government out of business then.

The "equalization fee" means that the producers of any of the staple products can have their surpluses sold and the cost officially apportioned among them without disturbing the price in the home market. The "fee" will be paid on the 15 per cent sold abroad and the American price maintained on the 85 per cent consumed at home. By a very simple process the home price will be stabilized on a level with the home price of steel and railroading and the other things the National Government interests itself in stabilizing above the world level.

Congress may or may not act. But the issue is made, and it will not be lost sight of in the coming campaign. Two years from now it will all but dominate the national conventions.

I believe the equalization fee is a thing we must have in a measure of this kind, and let me tell you why. I want to say to you gentlemen here who are friendly with labor that you can talk all you want to about organized labor, but the successful union—and I will leave it to the gentleman from Minnesota [Mr. CARSS]—is the union that has the check-off system, because it allocates the individual into your organization.

Mr. CARSS. The gentleman is right.

Mr. WEFALD. This bill, then, is a farmer-labor bill?

Mr. DICKINSON of Iowa. Yes. It is following out the principles of labor.

Mr. WEFALD. It is my bill.

Mr. DICKINSON of Iowa. You can talk all you want to about emphasizing the independence of the farmer. That is a fine policy. Having worked his daylights out, and those of all the members of his family, to feed the constituency of the gentleman from New York [Mr. BLACK], at half what it costs to produce it—

Mr. BLACK of New York. If you can live yourselves, why gouge us? That is the trouble.

Mr. DICKINSON of Iowa. I am going to show you that you are not going to raise the cost to the consumer as you suggest. I showed it to you in the other talk I made here, because the fluctuations in the price of wheat have never raised the price of bread. The old bread line shows that it has run always in a practically straight line, while the wheat prices fluctuate.

Let me suggest this to you: When the price of bread gets to be in excess of 8 cents a loaf, housewives begin baking bread at home, and the bakers find that they can not put that over. In other words, it is not what wheat costs them but what they can sell it to the public for that determines the price of bread.

Mr. BLACK of New York. It was the chairman of the committee, responsible for the bill, who told us in the East that this would increase the cost of living.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. No; I can not yield at this point.

The CHAIRMAN. The gentleman from Iowa declines to yield.

Mr. DICKINSON of Iowa. I remember the time when we had a discussion on this consumers' question—and that is one of the questions involved in this bill—when they said: "If you are going to raise the price of hogs, you are going to raise the price of bacon." That is true if you run it through a year or a year and a half or two years of surplus. But when bacon was selling at wholesale at 29 cents per pound in the District of Columbia you could buy it at retail from 32 cents to 70 cents a pound. They charged what the traffic would bear.

It is said here that when you can not find an agency or designate a cooperative agency of producers we can name an inde-

pendent agency, and that is what the gentleman from New York refers to, no doubt.

Now, let me say to you that the way you can stabilize the price of hogs is to help them sell an additional amount of lard in England or in Europe, an additional amount of hams or an additional amount of sides of bacon. There is nothing wrong about this board or their agency going in and saying to the packers: "We want to help you market so many pounds of bacon or ham or sides of bacon and we will negotiate with you as to what the price shall be." That when the hog producer is represented on such a board and goes in and negotiates with the packers it will be the first time they have met them in a business transaction in all the history of the packing business in this country. It is an advancement and it is progress which tends to the protection of the hog producer.

Next, this equalization fee has bothered a great many people. I was greatly interested in the minority report filed by the gentleman from New Jersey [Mr. FORT]. He filed this equalization fee minority argument and the only mistake he made was to fail to take into consideration the tariff on 200,000,000 bushels of wheat. In his illustration in the minority report he has figured it out this way: That if you have an equalization fee of 20 cents a bushel you get a protection to the extent of 42 cents a bushel. If I can tell my farmers out there that by paying an equalization fee of 20 cents a bushel they can get 42 cents additional for their wheat I am going to have no trouble in having my farmers come in under this organization and help work it out. Let me suggest that if you will take the illustration which the gentleman from New Jersey has used in his minority report and figure it out accurately you can pay the whole loss of \$100,000,000 and absolutely give a profit to the producer of \$343,000,000. [Applause.]

I would like to have that for the wheat producers of this country. The equalization fee, I believe, is sound. I believe it is the thing that will make this bill work and it is the thing that will bring the individual farmer into the organization. Oh, it is not unsound. It is not necessary to have every man who produces become a member of a cooperative in order to make the scheme work. The objection I have to the bill of the gentleman from Kansas [Mr. TINCHER] is the fact that he has concealed there the right of the cooperative organization to levy a charge against its members. What is that? Why, it is an equalization fee. What is it for? It is to pay the losses that accumulate over a 20-year period; and if you get your cooperatives into these organizations and have a loss, do you think you are going to get any of them in when they know you have an unpaid indebtedness there that you must assume and that the members must pay off? There is no logic in that, and you can not get them into that kind of a system.

Let me suggest this to you: If there is nothing that can be done for the farmer, this Congress and this administration—the minority as well—ought to come in here and confess it. If cooperative marketing is only a soothing sirup, we ought to come in here and confess it. If cooperative marketing will raise the price that the man is to receive and thereby cause over-production, then we ought to come in and find a method by which it can be controlled. And this is the only method I have found that will successfully work out a program of that kind.

Now, what is the political status of this thing? You folks remember that a few years ago we had a little vote here and I made a map. A lot of these eastern fellows did not like it very well. Why? Because it showed that HERSEY, of Maine, and the gentlemen from the South lined up in opposition to a program that was for the interest of the Middle West, which has stood for the protection of HERSEY, of Maine, and all of the products produced in his New England State for all of these years.

I am going to draw another map when we have another vote on the next farm relief bill, and I wonder how long you can take a problem of this kind, representing from 33,000,000 to 37,000,000 people, and say that the Congress of the United States is willing to close their eyes and shut the door against farm-relief legislation which these people believe is for their own interest.

Now, they say this is economically unsound. All right. If it is economically unsound and it does not work out in my district, it is my funeral and the funeral of my people, and they are the people who want it. If it is unsound and it will not work out for the cattlemen and the wheat men, it is your funeral that you represent a wheat district and vote for it.

How does it happen that all of the keepers of the public view here, those who have assumed the responsibility, if you please, of speaking for a big number of people in this country, find it is now necessary for them to come in here—although they do

not represent any of the interests that are involved in this legislation—and say that for the protection of these people out there we have got to vote against this legislation because it is economically unsound.

Why do you not let us try it? If the administration has nothing better, why do they not let us try it? If the administration has not anything to offer as a substitute, why do they not give us the opportunity to pass our legislation? And I am as good an administration man as the gentleman from Kansas [Mr. TINCHER]. I voted against a subsidy, and I was against a subsidy, and not only that, if you will make this equalization fee operative on all the commodities or on all the commodities except cotton, I am willing to see no revolving fund or no subsidy in this legislation.

I am voting for this measure. Why? Because of the form this bill is in before the House; and if we can get more votes for it in this form, I am here to get them, and I will tell you why. The leadership of this House has absolutely had all the callous under the breeching instead of under the collar so far as this legislation is concerned.

They have taken no directing hand. They have absolutely laid aside all of their views with reference to farm legislation, and I want to say to you that it is so involved and so far-reaching that we can not afford, as Members of Congress, to adjourn this Congress and go home without having shown our disposition to do the best we can for the agricultural interests of the Middle West and the South affected by this measure. [Applause.]

Oh, it is amusing to me to see the numerous figures that are brought out here to show that the farmer is prospering; but the gentleman from New York [Mr. JACOBSTEIN], one of the economists of this House, not the gentleman from New York City [Mr. BLACK], brought in a set of charts that absolutely can not be denied anywhere, the statement of the gentleman from Michigan to the contrary notwithstanding.

Mr. KETCHAM. Will the gentleman yield?

Mr. DICKINSON of Iowa. No; I am going to finish this statement. You made your speech and I am going to make mine.

Mr. KETCHAM. The gentleman made a misstatement, and I insist.

Mr. DICKINSON of Iowa. No; I did not make a misstatement.

Mr. KETCHAM. The gentleman did, because I am in exact accord with the statement made by the gentleman from New York [Mr. JACOBSTEIN].

Mr. DICKINSON of Iowa. All right. Well, maybe I do not know figures, but if I can read the charts of the gentleman from New York I want to say to you they show a disparity now, and they show that in certain products like corn and cotton that disparity is the greatest it has been for the past four or five years. Cotton is going down. Corn is going way down, and that is what is affecting the people out in northern Illinois and out in Iowa. It may be that on all farm commodities the figures of the gentleman will coincide with those of the gentleman from New York.

Next, it is amusing to me that if this legislation meets the requirements of the farmers themselves and of their organizations there should be so many here who do not represent farming districts who think they have to become the guardians of the farming interests of this country and see that this legislation is defeated.

If this equalization fee can not be collected, all we ask is to have a trial; all we want to do is to try it once; all we want you to do is to let us put it into operation. If it fails, then our interest and the interest of our people must be the ones to suffer.

Now, as to whether or not it is advisable to appropriate \$375,000,000 out of the Public Treasury for the experiment is for this House to determine. I believe the House will come to this measure, although we may not be able to pass it this time. [Applause.]

There seems to be a divided sentiment with reference to legislation covering farm relief in the State of Michigan and also in the State of Ohio. One telegram herewith inserted gives the sentiment of the department of agriculture in the State of Ohio; the second telegram will reflect the sentiment of various farm organizations in the State of Michigan:

COLUMBUS, OHIO, May 7, 1926.

CHARLES THOMPSON,

House Office Building, Washington, D. C.:

As director of agriculture it is my duty to refute statements that Ohio farmers do not favor Haugen bill. The farm organization leaders who made these representations speak for less than 5 per cent of our

farmers. They by no means reflect public opinion in this State. The farm industry in Ohio is in a critical condition, the same as in other Corn Belt States. Our loss in land values has been \$720,000,000 during the past six years. The majority of farmers here want the Haugen bill and are unalterably opposed to Tincher and Aswell bills.

CHAS. V. TRUAX,  
Director of Agriculture.

APRIL 29, 1926.

To Congressman JOHN C. KETCHAM,

*House Office Building, Washington, D. C.:*

Michigan farm legislative committee appointed by Governor Groesbeck, met to-day and passed following resolution addressed to you and Michigan Congressmen:

"Depressed condition of agriculture growing worse. Immediate relief imperative. Michigan farm organizations solidly behind Haugen bill. We believe this only effective farm legislation before Congress now to meet present crisis. Federal farm board surplus control and equalization fee features basic. Dire consequences to country inevitable in absence of immediate effective measures. We urge your support of Haugen bill."

Respectfully,

L. W. WATKINS,  
Commissioner of Agriculture.

A. B. COOK,

*Master Michigan State Grange.*

M. B. MCPHERSON,

*President Michigan Farm Bureau.*

M. L. NOON,

*Vice President Michigan Farm Bureau.*

PETER LENNON,

J. F. COX,

*Committee of Twenty-two.*

In my extension of remarks, I want to insert the statements with reference to the attitude of the various farm organizations and the cooperative producers' organizations on the different bills now pending before the House:

*To the Members of the Sixty-ninth Congress:*

We favor the passing of the Haugen bill (H. R. 11603) or its counterpart in the Senate (committee amendment to H. R. 7893).

We oppose the passing of the Capper-Tincher bill (H. R. 11618).

We oppose the passing of the Curtis-Aswell bill (H. R. 11606).

American Farm Bureau Federation, by S. H. Thompson, president; American Cotton Growers' Exchange, by B. W. Kilgore, president; C. O. Moser, general manager; Allen Northington, Alabama Farm Bureau Cotton Association; T. H. Kendall, Arizona Pimacotton Growers' Association; C. G. Henry, Arkansas Cotton Growers' Cooperative Association; J. E. Conwell, Georgia Cotton Growers' Cooperative Association; C. L. Woolley, Louisiana Farm Bureau Cotton Growers' Cooperative Association; Xenophen Caverne, Missouri Cotton Growers' Cooperative Association; U. B. Blalock, North Carolina Cotton Growers' Cooperative Association; C. L. Stealey, Oklahoma Cotton Growers' Association; B. F. McLeod, South Carolina Cotton Growers' Cooperative Association; Robert S. Fletcher, Jr., Tennessee Cotton Growers' Association; J. T. Orr, Texas Farm Bureau Cotton Association; Illinois Agricultural Association, by Eall C. Smith, president; Indiana Farm Bureau Federation, by William H. Settle, president; Iowa Farm Bureau Federation, by Chas. E. Hearst, president; Corn Belt Farm Organizations' Committee, by William Hirth, chairman; American Council of Agriculture, by Frank W. Murphy, chairman of board; North Central States Agricultural Conference, by George N. Peek, chairman executive committee of twenty-two.

The fact that the House Committee on Agriculture has reported out three separate bills, all of which profess to be directed to the question of farm relief, makes it imperative that the various farm organizations should make unmistakably plain to the Members of Congress their position in these premises, and, therefore, we submit the following views on the Haugen, Tincher, and Aswell bills:

The Haugen bill, H. R. 11603, is a serious and practical effort to deal with our surplus farm commodities in a manner that will assure equality for agriculture. In the case of cotton, of which we produce more than 60 per cent of the world's supply, it will enable cooperatives to control surpluses effectively, with influence on world prices favorable to the American cotton grower. It offers effective protection for the farmer who grows other basic crops consumed chiefly in the domestic market. Any measure that does less than this would be practically useless. This measure is the result of three years of patient deliberation on the part of the foremost farm leaders and agricultural economists of the country, and it contains the best thought of the friends of agriculture in Congress. It utilizes to the fullest extent the existing farm cooperatives in the handling of the surpluses. Seldom before has

any agricultural measure had back of it so nearly the unanimous support of the farm organizations of the Nation. Any measure which presents such endorsements can fairly claim to represent American agriculture and can stand against any challenger, it matters not who he is or for whom he professes to speak. It is the first time in the history of agriculture that the great corn, cotton, and livestock States have fought side by side, thus demonstrating that the broad interests of the American farmer rise above regional or political considerations.

On the other hand, the Capper-Tincher bill (H. R. 11618), when stripped of all plausible pretexts, provides nothing more than a further extension of credit to the various cooperatives. It is claimed by some of its sponsors that it will not only provide this further credit for which we are not asking but that it will also "stabilize" the prices of farm products, a claim that is wholly unfounded, since no voluntary cooperative association can assess on its members the costs, and itself undertake the risk, of controlling the surplus for all producers, unless provision is made for all producers to share the costs of such transactions, even as they share in their benefits.

What the farmer needs is not an opportunity to go further into debt but a chance to pay off some of the burdensome debts he now owes; what he must have to enable him to secure a decent profit in agriculture is a price based upon his production costs, which are fixed for him largely by protected industry and labor, over which he has no control.

The Curtis-Aswell bill attempts to create by law a new and unnatural system of cooperative marketing, but provides no way and no power by which farmers could do a single thing that they can not now do without additional law. We know of no cooperative association or farm organization which supports it, and those who have studied it seriously condemn it.

In the final analysis the whole matter of farm relief comes down to the question as to whether or not the two great political parties intend to keep the solemn pledges made to the farmers of the United States in the last presidential campaign. In speaking of the plight of agriculture, the following language is found in the National Republican platform:

"The Republican Party pledges itself to the development and enactment of measures which will place the agricultural interests of America on a basis of equality with other industry, to insure its prosperity and success."

It will be observed that this pledge committed the Republican Party not to a further extension of credit, but to a clear-cut, unequivocal legislative enactment which would place agriculture "on a basis of economic equality with other industry."

We also take this occasion to remind Democratic Members of Congress of the following language in the Democratic platform:

"We pledge ourselves to stimulate by every proper governmental activity the progress of the cooperative marketing movement and the establishment of an export marketing corporation or commission, in order that the exportable surplus may not establish the price on the whole crop."

Here again is a commitment that is entirely clear and definitely commits the party to the enactment of legislation which will place agriculture on an equality with other industries. It is needless to say that the 40,000,000 farmers, people of the United States, are keenly interested in farm-relief legislation and are anxiously awaiting action by Congress.

The various farm organizations which are supporting the Haugen bill gave their consent to an amendment in the House committee which postpones the operation of the equalization fee on all commodities for a period of two years, with the understanding that any losses incurred in handling the various surpluses shall be absorbed out of the revolving fund during the said two-year period. Because of this amendment certain enemies of genuine farm-relief legislation immediately stated that the farm organizations were asking for a subsidy at the hand of the Government.

Our answer to this charge is that we have in no wise changed our former position in this matter, as our statement to the House committee will show. We reluctantly gave our approval to this amendment because certain members of the House committee insisted that they would not consent to an immediate application of the equalization fee to such commodities as wheat, livestock, and corn while cotton was exempted for a period of three years, in order that the cotton growers of the South might become familiar with the equalization fee principle, and also because certain other members of the committee believed that by postponing the operation of the fee on all commodities for a period of two years we would increase the chances of enacting real farm-relief legislation in the present session of Congress. "Treat all commodities alike" was the plea of these gentlemen, and this led to the adoption of the amendment in question, and therefore it can not be honestly charged that the farm organizations have changed front in this matter.

It is not necessary that we should burden this statement by dwelling at length upon the plight of agriculture, for it is known and acknowledged by all men. It is enough to say that since the close of the World War farm values have shrunk to the almost unbelievable extent

of \$20,000,000,000; that hundreds of thousands of hard-working farmers have lost their homes because of the unequal purchasing and debt-paying power of the farm dollar, and that hundreds of erstwhile splendid country banks have been compelled to close their doors. Nor is this all; for sooner or later the paralysis of agriculture will lay its heavy hand upon the mills and factories of our big industrial centers; for unless the purchasing power of the 40,000,000 people who live upon the farm is restored, industrial enterprises can not hope to remain in full-time operation. In this connection, we direct Members of Congress to the recent report of the National Industrial Conference Board, which contains food for profound thought.

Nor is it necessary for us to call attention to the fact that the existing distress has come to agriculture at a time when industry and labor are more prosperous than ever before in their history, and this because Congress in its wisdom has seen fit to look after the interests of industry and labor with extreme care; and has built up a protection policy which subserves the interests of industrial and labor groups in ways which permit an American standard of living. Such Federal legislation as the Federal reserve act, the Fordney-McCumber Act, the immigration act, the Adamson Act, and the transportation act are cited in this connection.

Meanwhile, through the Haugen bill we are not seeking to minimize the good fortune of these other classes or to drag them down to the farmer's level—we are only asking that the protective system shall be made as effective for us as it is for them. And less than this means not only the complete collapse of agriculture in the not distant future, but even so it means eventual disaster to industry and labor—for this is a national and not a class problem.

#### COOPERATIVES OPPOSE TINCER BILL

The undersigned cooperative marketing associations having examined the Tincher bill declare that that measure does not meet the needs of the present agricultural situation and does not offer a solution of our present problems.

All properly organized and properly managed cooperative marketing associations handling nonperishable products are able at this time to secure marketing credit from commercial banks and from the intermediate credit banks. We believe there is need for liberalizing the policy of some of the latter banks but there is no need for the establishment of another system of government credit for the ordinary and current marketing operation of cooperative associations.

What is needed at this time by cooperative marketing associations and by all agriculture is a way by which unpreventable surpluses may be taken off the market and not permitted to depress the price of the entire crop below the cost of production. For some crops this will mean storage and carry over from years of large production to years of small production. For others it will mean so handling the export surplus as to make the tariff effective.

In neither case will the mere granting of additional credit to cooperatives accomplish the desired purpose. No cooperative can afford to burden its members with the cost and risk of borrowing money to buy seasonal surplus and carry it over to the next year to sell it in foreign free-trade markets. Yet this is all in the way of marketing credit that the Tincher bill even pretends to offer to cooperatives.

Nor can cooperatives engaged in marketing afford to borrow money for marketing purposes under the terms of the Tincher bill and place a charge upon all commodities to be handled by them over a long period of years to cover losses and costs incurred in buying and handling the surplus for the benefit of all producers of a given commodity. Farmers would not join a cooperative which had mortgaged its future in any such manner.

We are further of the opinion that the Tincher bill provides no method or mechanism for dealing effectively with the surplus problem, and therefore petition Congress not to enact this measure in the mistaken belief that it will enable cooperatives to settle this problem.

We further declare that the Haugen bill, in our opinion, provides an effective method for dealing with the problem of farm surpluses, and we respectfully petition Congress to enact it into law at this session.

Indianapolis Livestock Producers Commission, Farmers' Union Livestock Commission Co. (Iowa), Farmers' Union Mutual Life Insurance (Iowa), Equity Cooperative Livestock Sales Co., American Wheat Growers' Association (Inc.), Peoria Livestock Producers Commission Association, Nebraska Wheat Growers' Association, South Dakota Wheat Growers' Association, Minnesota Wheat Growers' Cooperative Marketing Association, North Dakota Wheat Growers' Association, Buffalo Livestock Producers Commission Association (N. Y.), Colorado Wheat Growers' Association, Chicago Livestock Producers Commission Association, Farmers' Livestock Commission Co. (Ill.), Indiana Wheat Growers' Association, Evansville Producers Commission Association.

American Cotton Growers' Exchange, B. W. Kilgore, president; C. O. Moser, general manager; Allen Northington, Alabama Farm Bureau Cotton Association; T. H. Kendall, Arizona Pinacotton Growers' Association; C. G. Henry, Arkansas Cotton Growers' Cooperative Association; J. E. Conwell, Georgia Cotton Growers' Cooperative Association; C. L. Woolley, Louisiana Farm Bureau Cotton Growers' Cooperative Association; Xenophen Caverne, Missouri Cotton Growers' Cooperative Association; U. B. Blalock, North Carolina Cotton Growers' Cooperative Association; C. L. Stealey, Oklahoma Cotton Growers' Association; B. F. McLeod, South Carolina Cotton Growers' Cooperative Association; Robert S. Fletcher, Jr., Tennessee Cotton Growers' Association; J. T. Orr, Texas Farm Bureau Cotton Association; Colorado Stock Growers' Association, Denver, Colo.; H. G. Keeney, president Farmers' Union, Omaha, Nebr.

The CHAIRMAN. The time of the gentleman from Iowa has expired; all time has expired.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. TINCER] having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee having had under consideration the bill H. R. 11603, had come to no resolution thereon.

#### ADJOURNMENT

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock p. m.), the House adjourned until to-morrow, Tuesday, May 11, 1926, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for May 11, 1926, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Second deficiency bill.

##### COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To amend an act entitled "An act to create a juvenile court in and for the District of Columbia" (H. R. 7612).

##### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To regulate the distribution and promotion of commissioned officers of the line of the Navy (H. R. 11524).

##### COMMITTEE ON THE PUBLIC LANDS

(10 a. m.)

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 (H. R. 11287).

##### COMMITTEE ON ROADS

(10 a. m.)

To authorize and direct the construction and maintenance of a memorial highway connecting the city of Springfield, Ill., with the city of Beardstown, Ill. (H. R. 11572.)

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To authorize the refunding of evidences of indebtedness heretofore issued by a carrier in interstate commerce under the provisions of an act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, approved March 21, 1918, as amended by an act approved March 2, 1919, or under the provisions of section 207 of the transportation act, 1920, or of section 210 of said act as amended by an act approved June 5, 1920, and the reduction and fixing of the rate of interest to be paid by such carriers upon said notes or other evidences of indebtedness. (H. R. 8708.)

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

503. A communication from the President of the United States, transmitting a supplemental estimate of appropriation

for the District of Columbia for the construction and equipment of two bathing beaches by the Director of Public Buildings and Public Parks of the National Capital, for the fiscal year ending June 30, 1927, to be immediately available, \$345,000 (H. Doc. No. 372); to the Committee on Appropriations and ordered to be printed.

504. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1926, to remain available until expended, pertaining to the military post construction fund, for the construction and installation at military posts of buildings and utilities, including appurtenances thereto, \$2,250,000 (H. Doc. No. 373); to the Committee on Appropriations and ordered to be printed.

505. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the Department of Justice for the fiscal year ended June 30, 1925, amounting to \$6,491.84 (H. Doc. No. 374); to the Committee on Appropriations and ordered to be printed.

506. A message from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia for the acquisition of lands by the Rock Creek and Potomac Parkway Commission for the fiscal year ending June 30, 1926, to remain available until expended, \$600,000 (H. Doc. No. 375); to the Committee on Appropriations and ordered to be printed.

507. A letter from the Secretary of War, transmitting a draft of a bill for the relief of Charles Caudwell, Congleton, Cheshire, England; to the Committee on War Claims.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SUTHERLAND: Committee on the Territories. H. R. 11843. A bill to authorize the incorporated town of Fairbanks, Alaska, to issue bonds for the purchasing, construction, and maintenance of an electric light and power plant, telephone system, pumping station, and repairs to the water front, and for other purposes; with amendment (Rept. No. 1150). Referred to the House Calendar.

Mr. SUTHERLAND: Committee on the Territories. H. R. 10900. A bill to authorize the incorporated town of Wrangell, Alaska, to issue bonds in any sum not exceeding \$30,000 for the purpose of improving the town's waterworks system; with amendment (Rept. No. 1151). Referred to the House Calendar.

Mr. SUTHERLAND: Committee on the Territories. H. R. 10901. A bill to authorize the incorporated town of Wrangell, Alaska, to issue bonds in any sum not exceeding \$50,000 for the purpose of constructing and equipping a public-school building in the town of Wrangell, Alaska; with amendment (Rept. No. 1152). Referred to the House Calendar.

Mr. HAYDEN: Committee on Indian Affairs. S. 3122. An act for completion of the road from Tucson to Ajo via Indian Oasis, Ariz.; with an amendment (Rept. No. 1153). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUTLER: Committee on Naval Affairs. H. R. 11355. A bill to amend that part of the act approved August 29, 1916, relative to retirement of captains, commanders, and lieutenant commanders of the line of the Navy; with amendment (Rept. No. 1154). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREWRY: Committee on Naval Affairs. S. 85. An act to correct the status of certain commissioned officers of the Navy appointed thereto pursuant to the provisions of the act of Congress approved June 4, 1920; without amendment (Rept. No. 1155). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SPEAKS: Committee on Military Affairs. H. R. 530. A bill for the relief of Frederick Leninger; without amendment (Rept. No. 1149). Referred to the Committee of the Whole House.

Mr. WHEELER: Committee on Military Affairs. S. 1459. An act for the relief of Waller V. Gibson; without amendment (Rept. No. 1156). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GRAHAM (by request): A bill (H. R. 12041) to amend and strengthen the national prohibition act and the

act of November 23, 1921, supplemental thereto, and for other purposes; to the Committee on the Judiciary.

By Mr. KNUTSON: A bill (H. R. 12042) authorizing the disposition of certain lands in Minnesota; to the Committee on the Public Lands.

By Mr. DAVIS: A bill (H. R. 12043) to provide for the inspection of the battle field of Stones River, Tenn.; to the Committee on Military Affairs.

By Mr. BURTNES: Resolution (H. Res. 263) to provide for the printing, with illustrations, of the exercises at the dedication of North Dakota memorial stone, Washington Monument; to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON: A bill (H. R. 12044) granting an increase of pension to Mina Maria Blumhof; to the Committee on Pensions.

By Mr. CHALMERS: A bill (H. R. 12045) granting a pension to Elizabeth J. Heitzweber; to the Committee on Invalid Pensions.

By Mr. CROSSER: A bill (H. R. 12046) to authorize the President to reinstate Guy H. B. Smith, formerly captain, Fourth United States Infantry, in the Army; to the Committee on Military Affairs.

By Mr. FAUST: A bill (H. R. 12047) granting an increase of pension to Annabel F. Edwards; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12048) granting a pension to Ezra E. Howard; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 12049) granting an increase of pension to Ida M. Brigham; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 12050) granting an increase of pension to Mary A. Stickney; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 12051) granting an increase of pension to Alice C. Adams; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 12052) granting an increase of pension to Altha M. Jones; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 12053) granting an increase of pension to Jennie B. Smith; to the Committee on Invalid Pensions.

By Mrs. ROGERS: A bill (H. R. 12054) granting a pension to Sarah E. Pratt; to the Committee on Invalid Pensions.

By Mr. SPROUL of Kansas: A bill (H. R. 12055) granting an increase of pension to Malinda M. Chapman; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 12056) granting a pension to Rosalie M. Eckley; to the Committee on Pensions.

By Mr. UPDIKE: A bill (H. R. 12057) granting an increase of pension to Ida M. Hamill; to the Committee on Pensions.

Also, a bill (H. R. 12058) granting an increase of pension to Orpha N. Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12059) granting an increase of pension to Bettie T. Lounsbury; to the Committee on Invalid Pensions.

By Mr. CANFIELD: A bill (H. R. 12060) granting an increase of pension to Mary L. Rich; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2129. Petition of Ladies of the Grand Army of the Republic, Lida E. Manson, president, opposing the turning over to the Daughters of the Confederacy the Arlington Mansion which was the home of Robert E. Lee; to the Committee on Coinage, Weights, and Measures.

2130. Petition of the congregation of the First Baptist Church, Macedon, N. Y., asking Congress to uphold and support the eighteenth amendment; to the Committee on the Judiciary.

2131. By Mr. BURTON: Evidence in support of House bill 11984, granting an increase of pension to Emily S. Reader; to the Committee on Invalid Pensions.

2132. By Mr. COYLE: Papers to accompany House bill 11987, granting an increase of pension to Catharine Warner; to the Committee on Invalid Pensions.

2133. By Mr. CRAMTON: Petition of George Newberry and 107 other residents of Tuscola County, Mich., protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2134. By Mr. CULLEN: Petition of the Northeastern Interstate Bus Owners Association, regarding bill to regulate interstate commerce by motor busses operating as common carriers; to the Committee on Interstate and Foreign Commerce.

2135. By Mr. ESLICK: Petition of L. O. Moore and others, protesting against compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

2136. By Mr. GALLIVAN: Petition of Boston Postal Supervisors, John E. O'Brien, secretary, Boston, Mass., recommending early and favorable consideration of the retirement bill (H. R. 7); to the Committee on the Civil Service.

2137. Also, petition of Col. William A. Gaston, Shawmut Bank Building, Boston, Mass., recommending early and favorable consideration of House bill 7479, known as the migratory bird refuge and marsh land conservation bill; to the Committee on Agriculture.

2138. By Mr. KVALE: Petition of members of the Hennepin County Central Committee, American Legion, Minneapolis, Minn., protesting against adjournment of the first session, Sixty-ninth Congress, until it shall have enacted into law the three measures, House bills 10240, 10277, and 4548; to the Committee on Rules.

2139. Also, petition of members of Auxiliary to Merton Dale Post, No. 80, American Legion, Wheaton, Minn., urging enactment by Congress at this session of legislation benefiting disabled veterans of the World War; to the Committee on World War Veterans' Legislation.

2140. Also, petition of members of Minneapolis Chapter, No. 1, Disabled American Veterans of the World War, unanimously requesting the Rules Committee of the House to report a rule for immediate consideration of the Johnson bill (H. R. 10240); to the Committee on Rules.

2141. By Mr. LEAVITT: Petition of citizens of Roundup, Kelley, and Flatwillow, Mont., protesting against passage of House bills 7179 and 7822, or any national religious legislation; to the Committee on the District of Columbia.

2142. Also, petition of citizens of Great Falls, Cascade, Ull, Orr, and Truly, Mont., protesting against passage of House bills 10311, 10123, 7179, and 7822, or any other compulsory religious legislation; to the Committee on the District of Columbia.

2143. By Mr. LUCE: Resolutions of Allston-Brighton Prohibition Law Enforcement League; to the Committee on the Judiciary.

2144. By Mr. SMITH: Petition of 13 citizens of Twin Falls County, Idaho, against the enactment of Sunday rest legislation; to the Committee on the District of Columbia.

2145. By Mr. SOMERS of New York: Evidence in support of House bill 8890, granting an increase of pension to Joseph P. Carey; to the Committee on Pensions.

2146. By Mr. SWING: Petition of certain residents of San Diego County, Calif., protesting against the passage of House bills 10311, 10123, 7179, and 7822 relating to the compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

## SENATE

TUESDAY, May 11, 1926

(*Legislative day of Monday, May 10, 1926*)

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

Mr. CURTIS. 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	Ferris	Lenroot	Sheppard
Payard	Fess	McKellar	Shipstead
Bingham	Frazier	McLean	Shortridge
Blease	George	McMaster	Simmons
Borah	Gerry	McNary	Smoot
Bratton	Gillett	Mayfield	Stanfield
Broussard	Glass	Means	Steck
Bruce	Goff	Metcalf	Stephens
Butler	Gooding	Moses	Swanson
Cameron	Greene	Neely	Trammell
Caraway	Hale	Norbeck	Tyson
Copeland	Harrel	Norris	Underwood
Couzens	Harris	Nye	Wadsworth
Cummins	Heflin	Oddie	Walsh
Curtis	Howell	Overman	Warren
Dale	Johnson	Phipps	Watson
Deneen	Jones, N. Mex.	Pine	Weller
Dill	Jones, Wash.	Pittman	Wheeler
Edge	Kendrick	Reed, Pa.	Williams
Edwards	Keyes	Robinson, Ind.	Willis
Ernst	King	Sackett	
Fernald	La Follette	Schall	

Mr. CURTIS. I wish to announce that my colleague, the junior Senator from Kansas [Mr. CAPPER], is absent because of a death in his family. I will let this announcement stand for the day.

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

### SENUCENTENNIAL OF AMERICAN INDEPENDENCE AND THOMAS JEFFERSON MEMORIAL COMMISSION

The VICE PRESIDENT. The Senator from Kansas [Mr. CURTIS] having asked to be excused as a member of the Sesquicentennial of American Independence and the Thomas Jefferson Centennial Commission of the United States, established under the provisions of Senate Joint Resolution 30, approved April 26, 1926, the Chair appoints the Senator from Connecticut [Mr. McLEAN] to fill the vacancy.

### MEMORIAL

Mr. BINGHAM presented a resolution adopted by Branch No. 508, First Catholic Slovak Union of the United States of America, of Bridgeport, Conn., opposing the enactment of any legislation that would be at variance with and in contradiction to the standard policy of genuine Americanism or that might lower the standard of human dignity of alien residents, which was referred to the Committee on Immigration.

### REPORTS OF COMMITTEES

Mr. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3875) to grant certain lands situated in the State of Arizona to the National Society of the Daughters of the American Revolution, reported it with an amendment and submitted a report (No. 806) thereon.

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (S. 2113) to carry into effect the twelfth article of the treaty between the United States and the loyal Shawnee and loyal Absentee Shawnee Tribes of Indians proclaimed October 14, 1868, reported it with amendments and submitted a report (No. 807) thereon.

Mr. WATSON, from the Committee on Finance, to which was referred the bill (S. 3064) for the relief of the Capital Paper Co., reported it without amendment and submitted a report (No. 808) thereon.

Mr. COPELAND, from the Committee on the District of Columbia, to which was referred the bill (H. R. 7286) to provide for the acquisition of property in Prince William County, Va., to be used by the District of Columbia for the reduction of garbage, reported it without amendment and submitted a report (No. 809) thereon.

Mr. ODDIE, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 2826) for the construction of an irrigation dam on Walker River, Nev., and for other purposes, submitted a supplemental report (No. 810) thereon.

### POSTAL RATES (S. DOC. NO. 109)

Mr. MOSES. I ask unanimous consent to submit a report of the Special Joint Subcommittee on Postal Rates, accompanied by a bill which I ask may be read twice and placed on the calendar.

The bill (S. 4224) to amend Title II of an act approved February 28, 1925 (43 Stat. 1053), regulating postal rates, and for other purposes, was read twice by its title.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. MOSES. I ask further unanimous consent that the report and the accompanying bill may be printed in the RECORD and also as a Senate document. I will state that these are the views of the majority and the minority, and my request is that the document may contain both.

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

The matter referred to is as follows:

[Senate Document No. 109, 69th Cong., 1st sess.]

### POSTAL RATES

REPORT OF THE SPECIAL JOINT SUBCOMMITTEE ON POSTAL RATES SUBMITTING RECOMMENDATIONS FOR A PERMANENT SCHEDULE OF POSTAL RATES PURSUANT TO SECTION 217 OF THE ACT OF FEBRUARY 28, 1925, AND PUBLIC RESOLUTION NO. 2, APPROVED DECEMBER 17, 1925 (MINORITY VIEWS INCLUDED)

The special joint subcommittee authorized by section 217 of the act of February 28, 1925, and continued by Joint Resolution No. 2 of the Sixty-ninth Congress, approved December 17, 1925, submits herewith a partial report and an accompanying bill.

This bill contains the committee's recommendations and comprises only those items entering into the schedule of postal rates upon which the committee is now unanimously agreed; and in view of the representations which have been made to the committee, its members feel that these portions of the postal rate structure should be forth-