

4541. By Mr. KIESS: Petition of citizens of Jersey Shore, Pa., favoring the passage of bill to increase the pension of widows of Civil War soldiers; to the Committee on Invalid Pensions.

4542. By Mr. LETTS: Petition of sundry citizens of Clinton, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4543. Also, petition of sundry citizens of Davenport, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4544. Also, petition of sundry citizens of Jackson County, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4545. By Mr. MCREYNOLDS: Petitions signed by the citizens of Hamilton, Warren, McMinn, and Bradley Counties, Tenn., containing 532 names, urging immediate action and support of the Civil War pension bill granting relief to the needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4546. By Mr. MAJOR: Petition of citizens of Benton County, Mo., urging the passage of Civil War pension bill, for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4547. Also, petition of citizens of Glasgow, Mo., urging the passage of the Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4548. Also, petition of citizens of Fair Grove, Mo., urging the passage of the Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4549. By Mr. O'CONNELL of New York: Petition of Mark J. Hayes, of Brooklyn, N. Y., opposing the passage of the Parker bill (H. R. 14684); to the Committee on Interstate and Foreign Commerce.

4550. Also, petition of the Dr. Millard P. Wilkins Chapter, the Disabled American Veterans of the World War, Kerr County, Tex., opposing paragraph 7, section 202, of the Johnson bill; to the Committee on World War Veterans' Legislation.

4551. Also, petition of the American Irish Historical Society of New York City, protesting severally against fixing immigration quotas in accordance with the "national origins" tabulations submitted to Congress during the debates on the immigration act of 1924; to the Committee on Immigration and Naturalization.

4552. By Mr. OLDFIELD: Petition of John S. and Mary E. Stipp and others, of Hazen, Ark., urging the enactment of widows' pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4553. Also, petition of George P. Ketcham, H. M. Stevens, and other citizens of White County, Ark., urging the enactment of the widow's pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4554. By Mr. RAMSEYER: Petition of residents of Keswick, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4555. Also, petition of residents of Delta, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4556. Also, petition of Alice Sumner, a resident of Eldon, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4557. Also, petition of residents of Keota, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4558. By Mr. REED of New York: Petition of citizens of Limestone, N. Y., in behalf of a Civil War pension bill; to the Committee on Pensions.

4559. By Mr. ROBINSON of Iowa: Petition of citizens of Dubuque, Iowa, requesting a vote on the Civil War pension bill; to the Committee on Invalid Pensions.

4560. By Mr. ROMJUE: Petition of Simon McQuiston and others, asking for increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4561. By Mr. ROWBOTTOM: Petition of George J. Ziegler and others, of Evansville, Ind., and also Mrs. A. H. Albrahausen and others, of Evansville, Ind., that the Civil War pension bill be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

4562. By Mr. SNELL: Petition of residents of Heuvelton and Rouses Point, N. Y., urging immediate action and support of the Civil War pension bill granting relief to needy and suffer-

ing veterans and their widows; to the Committee on Invalid Pensions.

4563. By Mr. SPEAKS: Petition signed by 103 citizens of Franklin County, Ohio, protesting against the compulsory Sunday observance bills; to the Committee on the District of Columbia.

4564. Also, petition signed by 300 citizens of Columbus, Ohio, urging enactment of legislation increasing the pension rates to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4565. By Mr. STRONG of Pennsylvania: Petitions of citizens of Indiana and Clarion Counties, Pa., praying for immediate passage of the pending pension bill for the benefit of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4566. By Mr. TEMPLE: Petitions of Jefferson Council, No. 366, Jefferson, Pa., protesting against House bill 15335, introduced by Representative MACGREGOR, and the Wadsworth bill, both amending the immigration law; to the Committee on Immigration and Naturalization.

4567. Also, petitions of a number of residents of Washington, Rogersville, and Richhill Township, Greene County, Pa., in support of legislation which would increase the rate of pensions to veterans of the Civil War and widows of Civil War veterans; to the Committee on Invalid Pensions.

4568. Also, petition of Mizpah Council, No. 361, Junior Order United American Mechanics, Washington, Pa., protesting against the enactment of House bill 15335, or any change in the immigration laws, unless it is to make the laws more stringent; to the Committee on Immigration and Naturalization.

4569. By Mr. THOMPSON: Petitions of 200 citizens of Maitland, Ohio City, and Deshler, Ohio, praying for passage of House bill 13450, a bill to increase the pensions of Civil War widows; to the Committee on Invalid Pensions.

4570. By Mr. VAILE: Petition of sundry citizens of Denver, Colo., urging the passage of pension legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4571. By Mr. VINSON of Kentucky: Petition signed by numerous citizens of Green, Elliott County, Ky., urging the passage, before adjournment of Congress, of a bill for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4572. Also, petition signed by numerous residents of Elkhorn, Morgan County, Ky., urging prompt and favorable consideration of a bill for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4573. By Mr. WILLIAMS of Texas: Petition of certain petitioners for the increase of pension for the veterans of the Civil War and their widows; to the Committee on Pensions.

4574. By Mr. ZIHLMAN: Petition of citizens of Cumberland, Md., urging immediate action and support of the Civil War pension increase bill, granting relief to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4575. Also, petition of citizens of Cumberland, Md., urging immediate action and support of the Civil War pension increase bill, granting relief to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

## SENATE

MONDAY, January 10, 1927

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

Gracious Father, Thou hast permitted us to see the opening of another week. We thank Thee for Thy mercy, and we would accept from Thee all the guidance of Thy grace, and whatever comes up in the matter of duty do grant unto us such a consciousness of Thy nearness that it will be a high privilege to do Thy will in all lines of responsibility. Hear us; help us; and so guide our thoughts through the day and through the week that they may be for Thy glory. We ask in Jesus' name. Amen.

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

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills:

S. 2043. An act to authorize the opening of a street from Georgia Avenue to Ninth Street NW., through squares 2875 and 2877, and for other purposes;

S. 4393. An act to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum; and

S. 4445. An act to amend the act entitled "An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes," approved June 7, 1924.

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

H. R. 12109. An act to amend section 115b of subchapter 3 of chapter 1 of the District of Columbia Code;

H. R. 12110. An act to amend section 1135, chapter 31, of the District of Columbia Code;

H. R. 12217. An act relating to the appointment of trustees and committees;

H. R. 12218. An act amending sections 1125 and 1127, chapter 31, of the District of Columbia Code;

H. R. 15649. An act to provide for the eradication or control of the European corn borer; and

H. R. 15668. An act authorizing the acquisition of a site for the farmers' produce market, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 13452) granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. to construct, maintain, and operate a railroad bridge across the Wabash River, and is was thereupon signed by the Vice President.

REPORT OF CHESAPEAKE & POTOMAC TELEPHONE CO.

THE VICE PRESIDENT laid before the Senate a communication from the president of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, a report of that company for the year 1926, except the operations for the month of December, which are estimated only, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS

MR. GILLETT presented a petition of sundry citizens of Fitchburg, Mass., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

MR. WILLIS presented petitions of sundry citizens of Cleveland, Rocky River, and Conneaut, all in the State of Ohio, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

SENATOR-ELECT BROOKHART—NOMINATION OF CYRUS E. WOODS

MR. STECK. Mr. President, I desire to read into the RECORD two telegrams received by me and also my reply.

The first is dated Des Moines, Iowa, January 8, 1927, addressed to me:

We feel it to be to the best interests of all concerned if Cyrus E. Woods is made a member of the Interstate Commerce Commission, and I earnestly request that you support and vote for his confirmation.

MAJ. FRANK J. LUND,  
Brookhart Campaign Manager.

I also received the following telegram:

DES MOINES, IOWA, January 8, 1927.

The Iowa State Federation of Labor earnestly request that you support and vote for confirmation of Cyrus E. Woods as member of Interstate Commerce Commission.

J. C. LEWIS,  
President Iowa State Federation of Labor.

I wish to make the explanation that Mr. Lewis was Mr. Brookhart's campaign manager during the campaign of 1924.

I desire also to read into the RECORD my reply, under date of January 8, 1927, addressed to Mr. Smith W. Brookhart, Washington, Iowa:

I just received a telegram signed, "Maj. Frank J. Lund, Brookhart campaign manager," he being, in fact, your campaign manager during the campaign of 1926; and also one from J. C. Lewis, your campaign manager during the campaign of 1924, both urging me to support and vote for the confirmation of Cyrus E. Woods as a member of the Interstate Commerce Commission. This matter is now being heard before a committee of the United States Senate, and until it is laid before the Senate I will, of course, reach no final conclusion. In press reports of the hearing now being conducted it appears that Mr. Woods is a substantial holder of shares in various large corporations and that

he has been an attorney for various companies and interests which form a part of what you have designated the nonpartisan league of Wall Street. While from my viewpoint these facts should be given little or no weight in determining Mr. Woods's fitness for the position, yet it would seem, from your point of view, that the appointment of a man with such connections would be contrary to the best interests of the farmers of Iowa, you having claimed, and with some justification, I believe, that one of the causes of the present condition of our farmers is the excessive freight rates they are compelled to pay in marketing their products. The Interstate Commerce Commission being the body which determines these rates, your position as set forth by your campaign manager's reference the confirmation of Woods appears entirely inconsistent with your claim that you are the best and the only friend of the Iowa farmer. You are now in Washington, D. C., and these telegrams were undoubtedly sent at your request. It has been currently rumored here in Washington that you are now here as a paid lobbyist of Mr. Woods and interests seeking his confirmation, and these telegrams give a color of truth to such rumors.

MR. REED of Pennsylvania. By whom is that letter signed?

MR. REED of Missouri. To whom is the telegram addressed?

MR. STECK. It is addressed to Mr. Smith W. Brookhart and signed by me.

MR. REED of Missouri. Does the Senator mean to charge that Mr. Brookhart is a paid lobbyist? That is the way I understood it.

MR. STECK. I say it has been rumored in Washington. It has appeared in the press, if the Senator will permit me, that Mr. Brookhart was here as a paid lobbyist of the farmer interests in behalf of the agricultural relief bill. I have also heard it rumored as stated in my message to him.

MR. REED of Missouri. The statements made, if accurate, constitute a very grave indictment of a Member elect of this body. I have no desire at all to interfere with the Senator from Iowa [Mr. STECK] bringing to the Senate in proper form any charges that he may want to make against a Member elect of this body, and as these are very grave charges I think that the matter ought to be referred to a committee and that the facts ought to be ascertained and not left in this indefinite way.

I presume the correspondence was put in on the theory that it is in the nature of a petition; that is, the original telegrams read here from the two gentlemen in Iowa were read to the Senate, I apprehend, on the theory that they were in the nature of petitions to the Senate. That being the case I move that the correspondence which has just been put in the RECORD be referred to the Judiciary Committee for its consideration. Perhaps the Interstate Commerce Committee would be the better committee. I will change my motion accordingly.

MR. STECK. When the Senator from Missouri interrupted me it was my purpose to make that motion.

MR. REED of Missouri. I did not mean to interrupt the Senator. I beg his pardon.

MR. STECK. I am not criticizing the Senator at all.

MR. REED of Pennsylvania. To which committee does the Senator desire to have the correspondence referred?

MR. STECK. To the committee which is now investigating the Woods matter.

MR. TRAMMELL. Mr. President—

MR. REED of Pennsylvania. I think I have the floor.

MR. TRAMMELL. The Senator from Pennsylvania has not been recognized.

THE VICE PRESIDENT. The Chair recognizes the Senator from Pennsylvania.

MR. REED of Pennsylvania. The charge made in this letter is of such gravity that it involves not only the nominee, Mr. Woods—

MR. JOHNSON. Mr. President, will the Senator pardon me? It was difficult to hear the Senator from Iowa in the matter. Will he kindly state, so the rest of us may know, what the charge is?

MR. REED of Pennsylvania. The letter has been read once. Perhaps I had better read it again, because I think every Member of the Senate ought to hear it.

MR. REED of Missouri. Will the Senator read the telegrams, too?

MR. STECK. I have the telegrams. I suggest that the clerk read all the correspondence at the desk.

MR. HEFLIN. Yes; let the clerk read all of it.

MR. REED of Pennsylvania. I do not want to yield the floor, but I would be glad if at this time the clerk would read the telegrams and the letter.

THE VICE PRESIDENT. The clerk will read as requested.

The Chief Clerk read the telegrams and letter previously read by MR. STECK.

MR. REED of Pennsylvania. Mr. President, the charge with which that telegram concludes is not only an accusation against

the nominee, Mr. Woods, but it is an accusation against one who has been a Senator of this body and who has been re-elected for a further term. It seems to me that it goes far beyond the question of the nomination of any particular individual. It reflects upon the honor and the integrity not only of the nominee and those who sponsor him, but of Senator Brookhart. I think the charge ought to be investigated. I think it is fortunate that the kind of underhand lobbying that has been going on around here for the past month has at last broken into the open. I hope that the Judiciary Committee will take charge of this matter, and, under the guidance of its chairman, the distinguished Senator from Nebraska [Mr. Norris], will investigate it to the very bottom and find out not only the falsity of the charge but the motives that prompted the charge to be made. Therefore I ask the Senator from Missouri, if he has made the motion to refer to a committee, if he will not modify his motion so as to refer it to the Judiciary Committee?

Mr. REED of Missouri. Mr. President, I made the motion in the first instance for reference to the Judiciary Committee, but some Senators suggested that the Committee on Interstate Commerce already had before it the subject or some matter relating to the subject raised by these telegrams. Of course, I never heard of these telegrams until they were read here this morning.

Mr. WATSON. Mr. President, will the Senator yield to me? Mr. REED of Missouri. I will.

Mr. WATSON. I very much prefer that the Senator should make the motion to refer this matter to the Committee on the Judiciary rather than to the Interstate Commerce Committee.

Mr. REED of Missouri. Very well.

Mr. WATSON. That particular feature of the question is not now concerning the Interstate Commerce Committee.

Mr. REED of Missouri. For the moment I assented to the suggestion of a reference to the Interstate Commerce Committee. Neither myself nor any Member here, save the Senator from Iowa [Mr. STECK], had an opportunity to consider the nature of these charges, but on reflection—

Mr. DILL. Mr. President—

Mr. REED of Missouri. Please let me finish the sentence and then I will yield. It occurs to me that the subject matter of these telegrams can not be before any other committee and lie entirely outside of the ordinary duties of the Interstate Commerce Committee. I agree that there should be a thorough investigation, and I am of the opinion it should be made by the Judiciary Committee. Now I yield to the Senator from Washington.

Mr. DILL. I wondered what was the reason for the desire of Senators to have another committee go into this Woods nomination. The Interstate Commerce Committee has already given several days to hearings; it is familiar with all of the facts regarding Mr. Woods. It seems to me that this would be turning the matter over to start another committee in action on a similar subject, or at least a closely related subject.

Mr. REED of Pennsylvania. A charge of what is substantially bribery against a man who is about to take his seat in this body has nothing to do with the nomination.

Mr. DILL. I know; but it refers to Mr. Woods directly.

Mr. REED of Missouri. Mr. President, it is true—

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

Mr. REED of Missouri. Yes, sir; I yield.

Mr. WATSON. I did not catch the full language of the telegram. Does the letter charge that Mr. Woods paid Mr. Brookhart?

Mr. REED of Missouri. The concluding sentence is:

It has been currently rumored here in Washington that you are now here as a paid lobbyist of Mr. Woods and interests seeking his confirmation, and these telegrams give a color of truth to such rumors.

Mr. DILL. Mr. President, that is not a charge of bribery.

Mr. JOHNSON. What is it?

Mr. REED of Pennsylvania. Of course, Mr. Brookhart is not in office, but he has just gone out, and he is just about to come back, and morally that is as much bribery as if he should take pay for lobbying after the 4th of March next.

Mr. HARRISON. Mr. President, may I ask the Senator from Pennsylvania does he think it so reprehensible that an ex-Senator, and one who is to take a seat in the Senate, should be here in favor of Mr. Woods?

Mr. REED of Pennsylvania. To be paid to come here and lobby for him I believe would be in the highest degree improper, and I think that Mr. Brookhart ought not to be seated if he should condescend to such a performance.

Mr. HARRISON. Does the Senator think that is bribery? Mr. REED of Pennsylvania. I think, morally, it is, and I know the Senator agrees with me.

Mr. BRUCE. It would fall within the statute which forbids a Member of the United States Senate to practice before any administrative body of the Government.

Mr. REED of Missouri. Mr. Brookhart is not a Member of the Senate.

Mr. BRUCE. But he is a Member elect, and the statute applies from the time of his election, not from the time a Senator takes his seat.

Mr. WATSON. I call attention to the fact, if the Senator from Missouri will permit me, that, inasmuch as this is a reflection directly upon Mr. Woods, perhaps the Committee on Interstate Commerce might not be able to report on his nomination until after the Judiciary Committee shall have rendered a decision or made a report.

Mr. REED of Pennsylvania. Mr. President, this ought not to cause any delay. Nobody wants any delay, in spite of the statements of the newspapers. If Colonel Brookhart is in town, as the telegram says, the Judiciary Committee will be able to dispose of it within the next 48 hours.

Mr. WATSON. We are all very anxious that there should be speedy action.

Mr. HEFLIN. Why not refer the matter to the Committee on Interstate Commerce? Why should they not have it? Why should the Judiciary Committee take jurisdiction?

Mr. REED of Missouri. Mr. President, I am perfectly free to say that I have implicit confidence in both committees. The Senator from Pennsylvania, who, of course, is the particular friend and sponsor of Mr. Woods, suggested the Judiciary Committee. I know that if this matter goes to the Judiciary Committee it will receive a thorough investigation. I assume it would receive a like investigation from the Interstate Commerce Committee; but the charges here, while they affect the nomination of Mr. Woods, nevertheless are of a much graver character than is involved in the question whether Mr. Woods's nomination should be confirmed. The nomination of Mr. Woods might be confirmed or rejected for a thousand reasons outside of this particular charge; but here is the situation:

It is charged that a former Member of this body, and until very recently a Member, and a man who is now elected and will assume the duties of his office on the 4th day of next March, has hired himself out to the nominee for the purpose of lobbying through the confirmation of that nomination. If anything of that kind is going on, it ought to be thoroughly sifted and at once. If the Judiciary Committee undertakes the task and finds the charges to be true, they will, of course, at once be reported to the committee that has in charge the nomination or they can be independently reported to the Senate.

Mr. COUZENS. Mr. President—

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

Mr. REED of Missouri. I will yield in just a moment. After that is done, even if the investigation should disclose that Mr. Woods had been guilty of this highly improper conduct, there would remain for the Senate a task entirely different from that of passing upon Mr. Woods's nomination. I take that any such conduct would end the possibility of his nomination receiving a single vote in the Senate. The Senator from Pennsylvania would not vote for him, as he has stated on the floor this morning.

Mr. REED of Pennsylvania. The Senator is exactly right; of course, I would not.

Mr. REED of Missouri. But then would remain the question to be settled as to what ought to be done with Mr. Brookhart and what ought to be done to prevent such practices.

I hope that there is not any truth whatever in these rumors. For the honor of the Senate and for the credit of the country I hope that these charges will be disproven, for it would be a very sad day for the United States if they should be proven; but if the charges embrace the facts, then it is our solemn duty to expose those facts and to visit upon the perpetrators of the act every punishment that the Senate can impose.

I have just been handed a note which states that Mr. Brookhart has already issued a formal denial to the press.

So, Mr. President, my preference is, under all the circumstances, that these documents be referred to the Committee on the Judiciary. Let us have a report on the whole question from them, and not merely upon the question of the fitness of Mr. Woods, that being the question before the Interstate Commerce Committee.

I believe the Senator from Michigan desired to interrupt me, and I yield to him.

Mr. COUZENS. Mr. President, for several days the Interstate Commerce Committee has been investigating the fitness of Mr. Woods to be Interstate Commerce Commissioner. These telegrams bear on that very subject, and it seems to me it would be reversing the situation to refer them to another committee and have the Interstate Commerce Committee held up until that other committee should report. Rather, in my opinion, they should go to the Interstate Commerce Committee, and if in the course of the hearings anything should be developed to indicate that the matter should be referred either to the Judiciary Committee or the Committee on Privileges and Elections, that should be done. However, we can not complete our hearings unless these matters are referred to the Interstate Commerce Committee for consideration.

Mr. REED of Missouri. Mr. President, personally I have no particular desire one way or the other. I will let the motion stand to refer to the Committee on the Judiciary, and if any Senator desires to offer an amendment in order to test the sentiment of the Senate, he can make such a motion.

Mr. HARRISON. Mr. President, I ask unanimous consent that I may be permitted to offer an amendment to refer the documents to the Interstate Commerce Committee. I do that because that committee has had this whole subject matter under consideration, and it might cause some delay with reference to this nomination if the documents were referred to the Committee on the Judiciary.

Mr. REED of Missouri. I am perfectly willing that such a motion should be voted on.

Mr. REED of Pennsylvania. I can not agree to that. I want this matter investigated thoroughly, and I believe that that will be done in the Committee on the Judiciary, where there are such able cross-examiners as the Senator from Missouri himself, the Senator from Nebraska [Mr. NORRIS], and others. The Committee on Interstate Commerce includes a number of Senators who are not lawyers.

Mr. HARRISON. The Senator has no objection to the Senate voting on the proposition, has he?

Mr. REED of Pennsylvania. Of course not.

Mr. HARRISON. The Senator did not object to my request for unanimous consent, did he?

Mr. REED of Pennsylvania. The Senator does not need unanimous consent. He can offer an amendment at any time.

Mr. HARRISON. I am precluded by the rules from offering an amendment to the motion to refer. That is why I have asked unanimous consent.

Mr. REED of Pennsylvania. I did not know of any rule that precluded a motion to amend.

Mr. HARRISON. That is the rule.

THE VICE PRESIDENT. It is Rule XXVI.

Mr. NORRIS obtained the floor.

Mr. HARRISON. Mr. President, may I have a ruling on my unanimous-consent request?

THE VICE PRESIDENT. Is there objection to the amendment?

Mr. REED of Pennsylvania. This is unanimous consent to offer the amendment, not unanimous consent for the adoption of the amendment?

Mr. HARRISON. Yes.

Mr. NORRIS. Mr. President—

THE VICE PRESIDENT. The Senator from Nebraska.

Mr. HARRISON. Is there objection to my unanimous-consent request?

Mr. NORRIS. No; there is not.

THE VICE PRESIDENT. The Chair hears no objection.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Iowa a question or two.

First, I should like to have him tell the Senate when that letter was written by him to Senator Brookhart.

Mr. STECK. The telegram?

Mr. NORRIS. No; I mean the letter. I am not referring to the telegram.

Mr. STECK. It was a telegram and not a letter, and was written and sent on the date it bears. I believe it was January 8.

Mr. NORRIS. January 8; that would be Saturday. I understood it was a letter. It was a telegram?

Mr. STECK. It was a telegram. They were all three telegrams.

Mr. NORRIS. I understood that two of them were telegrams. What I am trying to get at is this: When did the Senator from Iowa send his telegram or letter, or whatever it was, to Senator Brookhart?

Mr. STECK. I have already stated.

Mr. NORRIS. I hope the Senator will repeat it.

Mr. STECK. I said it was sent on the date it bears.

Mr. NORRIS. What was that date?

Mr. STECK. January 8; last Saturday.

Mr. NORRIS. All right. That is the answer I desired. I did not know it would require so much time to answer it.

Now, Mr. President, I should like to ask the Senator from Iowa whether he has ever had any conversation with Senator Brookhart, or whether he has any direct evidence on this subject except rumors?

Mr. STECK. Senator Brookhart and myself have had no conversations for two years.

Mr. NORRIS. Mr. President, I have not heard any of the rumors that the Senator says in his message to Senator Brookhart are around Washington—that it is currently reported here that Senator Brookhart is a paid lobbyist of a man who is seeking confirmation for important office—and I should like to ask the Senator from Iowa if he does not think, in all fairness, Senator Brookhart being in the city, that before he read to the Senate and to the world that message, he ought at least to have given Senator Brookhart an opportunity to answer it?

We have here this message read which by insinuation, at least, charges Senator Brookhart with being a paid lobbyist of a man who is seeking confirmation for important office. It was sent Saturday. This is Monday, Sunday intervening. Before there has been any opportunity for Senator Brookhart to answer that insinuation charge, the matter is read to the Senate and given publicity to the entire country.

Mr. STECK. The Senator has asked me a question, and has not given me a chance to reply.

Mr. NORRIS. It is the letter, or telegram, the Senator states, which was sent by him to Senator Brookhart day before yesterday, that he has read here, in which are contained these insinuations. As to the statement, to begin with, that it is currently reported around Washington that Senator Brookhart is a paid lobbyist, I have not heard, and I have asked several Senators since it has been read whether they have heard any such report, and no man has said he has heard it.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield to me at that point?

Mr. NORRIS. I yield.

Mr. REED of Pennsylvania. The reason why the Senator has not heard it is that it is useless to make such statements to the Senator from Nebraska. He would know better; but these lobbies have seethed with stories like that for the last month, all of them as unfounded as this one, all of them as unjust and underhanded as this one. There is not a Senator in this body, except a few—and the Senator from Nebraska, I fancy, is one—who has not been approached and asked to pledge himself before he might know the facts, and to their honor be it said that most of them have refused.

Mr. STECK. Mr. President, will the Senator yield to me for a minute?

Mr. NORRIS. I yield for a question; yes. I have asked some questions, and I should be glad to have them answered.

Mr. STECK. The Senator from Pennsylvania has made the same statement twice, that these charges are underhanded, and using other terms which are very personal, as the Senator will realize. There might be observations drawn from the situation which the Senator from Iowa has not drawn in all fairness to the Senator from Pennsylvania; and I do not understand, and certainly do not appreciate, the personal remarks he has seen fit to make.

Mr. REED of Pennsylvania. The Senator does not mean that I said that what he did was underhanded?

Mr. STECK. Yes, sir. The Senator has made that statement twice.

Mr. REED of Pennsylvania. I was utterly misunderstood.

Mr. HARRISON. Mr. President, a parliamentary inquiry. Is this matter debatable?

THE VICE PRESIDENT. The matter is not debatable under the rule.

Mr. NORRIS. I should like to ask members of the Interstate Commerce Committee, before which the nomination is pending, to state to the Senate—

Mr. HEFLIN. Mr. President, I rise to a point of order. If the Senator from Iowa is not going to be permitted to make his statement, asking questions is debate; and I therefore make the point of order that this question is not debatable, and I demand the regular order.

Mr. NORRIS. The Senator from Iowa has already debated it. He brought it before the Senate, and I want the same privilege that was extended to him; that is all.

I should like to ask any member of the Committee on Interstate Commerce whether Senator Brookhart has appeared,

whether he has been lobbying the members of the committee in behalf of this nomination.

Mr. WATSON. Mr. President, that involves—

Mr. BRATTON. Mr. President, I make the point of order that this matter is not debatable.

The VICE PRESIDENT. The point of order is well taken. Petitions and memorials should be presented and referred without debate.

Mr. REED of Missouri. I understand that, Mr. President, but there is a matter as to which I want to ask one question. It will be just one question. I should like to get the light, and I should like to have unanimous consent to ask just one question.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. REED of Missouri. The question is this:

This telegram of January 8, sent by the Senator from Iowa, is addressed to "Smith W. Brookhart, Washington, Iowa."

There is a town in Iowa called Washington, and that is where he lives?

Mr. STECK. The Senator is correct.

Mr. REED of Missouri. The body of the telegram states:

You are now in Washington, D. C.

How does it happen that the Senator wired Mr. Brookhart at Washington, Iowa, when he states in his message that Mr. Brookhart is now in Washington, D. C.?

Mr. STECK. The inquiry is addressed to me, I presume?

Mr. REED of Missouri. Yes.

Mr. STECK. The answer to that is very plain. I was not able to get Mr. Brookhart's local address. Knowing that yesterday was Sunday, I sent the telegram to his home town of Washington, Iowa, knowing also that it would be received by Mr. Brookhart, relayed to him, before this morning.

Mr. REED of Missouri. Does the Senator know that he received it?

Mr. STECK. I do.

Mr. REED of Missouri. Before this morning?

Mr. NORRIS. Mr. President, I think I still have the floor.

Mr. BRATTON. I make the point of order that this matter is not debatable. I renew the point of order.

The VICE PRESIDENT. The point of order is well taken. The question is on the substitute motion of the Senator from Mississippi [Mr. HARRISON].

Mr. NORRIS. Mr. President, coming now to that motion, as chairman of the Judiciary Committee I have no objection to the matter being sent to the Committee on Interstate Commerce first and to the Committee on the Judiciary afterwards, if they are in a hurry for it.

The VICE PRESIDENT. The motion is not debatable under the rule.

Mr. STECK. Mr. President, I rise to a matter of personal privilege.

The VICE PRESIDENT. The Senator will state it.

Mr. STECK. The Senator from Nebraska asked me a question, and gave me no opportunity to answer it, as to why I had made these telegrams public at this time. The reason is that they had already appeared in the press, and that Mr. Brookhart, as I had been informed and as the Senator from Missouri [Mr. REED] has informed the Senate, has already issued a statement on the subject to the press. As the matter is appearing in the public press, I thought it only right that it should be read into the RECORD.

Mr. NORRIS. Now, will the Senator permit an interruption?

Mr. STECK. I was through.

Mr. NORRIS. I suppose it is all right, as the Senator from Iowa has risen to a question of personal privilege, for me to ask him a question in his time.

Mr. BRATTON. I renew the point of order that this matter is not debatable.

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

Mr. NORRIS. The Senator from Iowa has yielded for a question.

The VICE PRESIDENT. He rose to a question of personal privilege.

Mr. NORRIS. I want to ask him—

The VICE PRESIDENT. The Senator will take his seat.

Mr. STECK. I am on my feet.

The VICE PRESIDENT. The question is on the substitute motion of the Senator from Mississippi [Mr. HARRISON] that the petition be referred to the Committee on Interstate Commerce.

Mr. HARRISON. On that I demand the yeas and nays.

Mr. REED of Pennsylvania. Mr. President, a parliamentary inquiry. Is not the motion of the Senator from Mississippi a motion to amend the motion of the Senator from Missouri?

The VICE PRESIDENT. It is. It is out of order except by unanimous consent, and unanimous consent was given for the offering of the amendment.

Mr. REED of Pennsylvania. But the motion is to amend, and therefore a vote aye is in favor of amending the motion of the Senator from Missouri.

The VICE PRESIDENT. It is in the nature of a substitute motion, and a vote aye will refer the petition to the Committee on Interstate Commerce.

Mr. HARRISON. I call for the yeas and nays.

Mr. ROBINSON of Arkansas. Mr. President—

The VICE PRESIDENT. The Senator from Arkansas.

Mr. ROBINSON of Arkansas. I came into the Chamber from a committee meeting after apparently some little confusion had arisen regarding the subject matter before the Senate, and I ask to have it stated. What is the question before the Senate?

The VICE PRESIDENT. The question before the Senate is the motion of the Senator from Mississippi [Mr. HARRISON], in the nature of a substitute, to refer a petition offered by the Senator from Iowa [Mr. STECK], relative to Senator Brookhart and his connection with the Woods case, to the Committee on Interstate Commerce.

Mr. HARRISON and Mr. HEFLIN called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GILLETT (when his name was called). I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. Not knowing how he would vote if present, I withhold my vote.

Mr. OVERMAN (when Mr. SIMMONS's name was called). I desire to announce that my colleague [Mr. SIMMONS] is absent on account of sickness. If he were present, he would vote "yea." My colleague has a general pair with the senior Senator from Oklahoma [Mr. HARRELD].

Mr. STEPHENS (when his name was called). I have a pair with the junior Senator from Colorado [Mr. MEANS]. In his absence I withhold my vote.

The roll call was concluded.

Mr. HEFLIN. I desire to state that my colleague, the senior Senator from Alabama [Mr. UNDERWOOD], is necessarily absent on account of illness.

Mr. JONES of Washington. I wish to state that the senior Senator from Kansas [Mr. CURTIS] is necessarily detained on official business.

Mr. NORRIS. I desire to announce that the junior Senator from Nebraska [Mr. HOWELL] has been called away on account of the death of a friend. I ask that this announcement may stand for the day.

The result was announced—yeas 49, nays 33, as follows:

YEAS—49

Bayard	Fletcher	Lenroot	Smith
Blease	George	McKellar	Steck
Borah	Gerry	Mayfield	Stewart
Bratton	Goff	Neely	Swanson
Broussard	Gooding	Norris	Trammell
Capper	Harrel	Overman	Tyson
Couzens	Harris	Phipps	Walsh, Mass.
Dale	Harrison	Pine	Walsh, Mont.
Deneen	Heftin	Pittman	Wheeler
Dill	Jones, N. Mex.	Robinson, Ark.	Willis
Edwards	Jones, Wash.	Sackett	
Ernst	Kendrick	Sheppard	
Ferris	Keyes	Shipstead	

NAYS—33

Ashurst	Glass	McNary	Reed, Pa.
Bingham	Greene	Metcalf	Schall
Bruce	Hale	Moses	Shortridge
Cameron	Hawes	Norbeck	Smoot
Caraway	Johnson	Nye	Warren
Copeland	King	Oddie	Watson
Edge	La Follette	Pepper	
Fess	McLean	Ransdell	
Frazier	McMaster	Reed, Mo.	

NOT VOTING—13

Curtis	Howell	Stanfield	Weller
du Pont	Means	Stephens	
Gillett	Robinson, Ind.	Underwood	
Gould	Simmons	Wadsworth	

So Mr. HARRISON's amendment in the nature of a substitute was agreed to.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Missouri [Mr. REED] as amended.

The motion as amended was agreed to.

## AFFAIRS IN NICARAGUA (H. DOC. NO. 633)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

*To the Congress of the United States:*

While conditions in Nicaragua and the action of this Government pertaining thereto have in general been made public, I think the time has arrived for me officially to inform the Congress more in detail of the events leading up to the present disturbances and conditions which seriously threaten American lives and property, endanger the stability of all Central America, and put in jeopardy the rights granted by Nicaragua to the United States for the construction of a canal. It is well known that in 1912 the United States intervened in Nicaragua with a large force and put down a revolution, and that from that time to 1925 a legation guard of American marines was, with the consent of the Nicaraguan Government, kept in Managua to protect American lives and property. In 1923 representatives of the five Central American countries, namely, Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, at the invitation of the United States, met in Washington and entered into a series of treaties. These treaties dealt with limitation of armament, a Central American tribunal for arbitration, and the general subject of peace and amity. The treaty last referred to specifically provides in Article II that the Governments of the contracting parties will not recognize any other government which may come into power in any of the five Republics through a coup d'état, or revolution, and disqualifies the leaders of such coup d'état, or revolution, from assuming the presidency or vice presidency. Article II is as follows:

Desiring to make secure in the Republics of Central America the benefits which are derived from the maintenance of free institutions and to contribute at the same time toward strengthening their stability, and the prestige with which they should be surrounded, they declare that every act, disposition, or measure which alters the constitutional organization in any of them is to be deemed a menace to the peace of said Republics, whether it proceed from any public power or from the private citizens.

Consequently, the governments of the contracting parties will not recognize any other government which may come into power in any of the five Republics through a coup d'état, or a revolution against a recognized government, so long as the freely elected representatives of the people thereof have not constitutionally reorganized the country. And even in such a case they oblige themselves not to acknowledge the recognition if any of the persons elected as president, vice president, or chief of state designate should fall under any of the following heads:

(1) If he should be the leader or one of the leaders of a coup d'état, or revolution, or through blood relationship or marriage, be an ascendant or descendant or brother of such leader or leaders.

(2) If he should have been a secretary of state or should have held some high military command during the accomplishment of the coup d'état, the revolution, or while the election was being carried on, or if he should have held this office, or command within the six months preceding the coup d'état, revolution, or the election.

Furthermore, in no case shall recognition be accorded to a government which arises from election to power of a citizen expressly and unquestionably disqualified by the constitution of his country as eligible to election as president, vice president, or chief of state designate.

The United States was not a party to this treaty, but it was made in Washington under the auspices of the Secretary of State, and this Government has felt a moral obligation to apply its principles in order to encourage the Central American States in their efforts to prevent revolution and disorder. The treaty, it may be noted in passing, was signed on behalf of Nicaragua by Emilio Chamorro himself, who afterwards assumed the presidency in violation thereof and thereby contributed to the creation of the present difficulty.

In October, 1924, an election was held in Nicaragua for President, Vice President, and members of the Congress. This resulted in the election of a coalition ticket embracing Conservatives and Liberals. Carlos Solorzano, a Conservative Republican, was elected President and Juan B. Sacasa, a Liberal, was elected Vice President. This Government was recognized by the other Central American countries and by the United States. It had been the intention of the United States to withdraw the marines immediately after this election, and notice was given of the intention to withdraw them in January, 1925. At the request of the President of Nicaragua this time was extended to September 1, 1925. Pursuant to this determination and notice, the marines were withdrawn in August, 1925, and it appeared

at that time as though tranquillity in Nicaragua was assured. Within two months, however, further disturbances broke out between the supporters of General Chamorro and the supporters of the President, culminating in the seizure of the Loma, a fortress dominating the city of Managua. Once in possession of the Loma, General Chamorro dictated an agreement which President Solorzano signed the next day. According to the terms of this agreement the President agreed to substitute supporters of General Chamorro for certain members of his cabinet, to pay General Chamorro \$10,000 for the expenses of the uprising, and to grant amnesty to all those who participated in it. Vice President Sacasa thereupon left the country. In the meantime General Chamorro, who, while he had not actually taken over the office of President, was able to dictate his will to the actual executive, brought about the expulsion from the Congress of 18 members, on the ground that their election had been fraudulent, and caused to be put in their places candidates who had been defeated at the election of 1924. Having thus gained the control of Congress, he caused himself to be appointed by the Congress as designate on January 16, 1926. On January 16, 1926, Solorzano resigned as President and immediately General Chamorro took office. The four Central American countries and the United States refused to recognize him as President. On January 22 the Secretary of State addressed to the Nicaraguan representative in Washington the following letter:

DEAR DOCTOR CASTRILLO: In your communication of the 19th instant addressed to the Secretary of State you advise that President Solorzano having resigned his office General Emilio Chamorro took charge of the executive power on January 17.

The hope expressed in your letter that the relations which have been close and cordial for so many years between Nicaragua and the United States will continue and grow stronger has been noted with pleasure. The Government and people of the United States have feelings of sincerest friendship for Nicaragua and the people of Nicaragua and the Government of the United States will, of course, continue to maintain the most friendly relations with the people of Nicaragua. This Government has felt privileged to be able to be of assistance in the past at their request not only to Nicaragua but to all countries of Central America more especially during the Conference on Central American Affairs which resulted in the signing of a general treaty of peace and amity on February 7, 1923, between the five Republics of Central America. The object of the Central American countries with which the United States was heartily in accord, was to promote constitutional government and orderly procedure in Central America and those Governments agreed upon a joint course of action with regard to the nonrecognition of governments coming into office through coup d'état or revolution. The United States has adopted the principles of that treaty as its policy in the future recognition of Central American Governments as it feels that by so doing it can best show its friendly disposition towards that by so doing it can best show its friendly disposition towards and its desire to be helpful to the Republics of Central America.

It is therefore with regret that I have to inform you that the Government of the United States has not recognized and will not recognize as the Government of Nicaragua the régime now headed by General Chamorro, as the latter was duly advised on several occasions by the American minister after General Chamorro had taken charge of the citadel at Managua on October 25 last. This action is, I am happy to learn, in accord with that taken by all the Governments that signed with Nicaragua the treaty of 1923.

Notwithstanding the refusal of this Government and of the other Central American Governments to recognize him, General Chamorro continued to exercise the functions of President until October 30, 1926. In the meantime a revolution broke out in May on the east coast in the neighborhood of Bluefields and was speedily suppressed by the troops of General Chamorro. However, it again broke out with considerable more violence. The second attempt was attended with some success and practically all of the east coast of Nicaragua fell into the hands of the revolutionists. Throughout these events Sacasa was at no time in the country, having remained in Mexico and Guatemala during this period.

Repeated requests were made of the United States for protection, especially on the east coast, and, on August 24, 1926, the Secretary of State addressed to the Secretary of the Navy the following communication:

I have the honor to suggest that war vessels of the special service squadron proceed as soon as possible to the Nicaraguan ports of Corinto and Bluefields for the protection of American and foreign lives and property in case that threatened emergencies materialize. The American chargé d'affaires at Managua has informed the department that he considers the presence of war vessels at these ports desirable, and the American consul at Bluefields has reported that a warship is urgently needed to protect life and property at that port. An attack on The Bluff and Bluefields is expected momentarily.

Accordingly, the Navy Department ordered Admiral Latimer, in command of the special-service squadron, to proceed to Bluefields. Upon arriving there he found it necessary for the adequate protection of American lives and property to declare Bluefields a neutral zone. This was done with the consent of both factions, afterwards, on October 26, 1926, reduced to a written agreement, which is still in force. In October, 1926, the good offices of the United States were sought by both parties for the purpose of effecting a settlement of the conflict. Admiral Latimer, commanding the special-service squadron, brought about an armistice to permit of a conference being held between the delegates of the two factions. The armistice was originally for 15 days and was later extended for 15 days more. At the request of both parties, marines were landed at Corinto to establish a neutral zone in which the conference could be held. Doctor Sacasa was invited to attend this conference but refrained from doing so and remained in Guatemala City. The United States Government did not participate in the conference except to provide a neutral chairman; it simply offered its good offices to make the conference possible and arranged a neutral zone at Corinto at the request of both parties during the time the conference was held. I understand that at this conference General Chamorro offered to resign and permit the Congress to elect a new designate to assume the presidency. The conference led to no result, since just at the time when it seemed as though some compromise agreement would be reached the representatives of Doctor Sacasa suddenly broke off negotiations.

According to our reports, the Sacasa delegates on this occasion stated freely that to accept any government other than one presided over by Doctor Sacasa himself would be a breach of faith with their Mexican allies. Hostilities were resumed on October 30, 1926. On the same date General Chamorro formally turned over the executive power to Sebastian Uriza, who had been appointed designate by the Congress controlled by General Chamorro. The United States Government refused to recognize Señor Uriza, on the ground that his assumption of the Presidency had no constitutional basis. Uriza thereupon convoked Congress in extraordinary session, and the entire 18 members who had been expelled during the Chamorro régime were notified to resume their seats. The Congress which met in extraordinary session on November 10 had, therefore, substantially the same membership as when first convened following the election of 1924. This Congress, whose acts may be considered as constitutional, designated Señor Adolfo Diaz as first designate. At this session of Congress 53 members were present out of a total membership of 67, of whom 44 voted for Diaz and 2 for Solorzano. The balance abstained from voting. On November 11 Señor Uriza turned over the executive power to Diaz, who was inaugurated on the 14th.

The Nicaraguan constitution provides in article 106 that in the absence of the President and Vice President the Congress shall designate one of its members to complete the unexpired term of President. As President Solorzano had resigned and was then residing in California, and as the Vice President, Doctor Sacasa, was in Guatemala, having been out of the country since November, 1925, the action of Congress in designating Señor Diaz was perfectly legal and in accordance with the constitution. Therefore the United States Government on November 17 extended recognition to Señor Diaz.

Following his assumption of office, President Diaz, in the following note, dated November 15, 1926, requested the assistance of the United States Government to protect American and foreign lives and property:

Upon assuming the presidency I found the Republic in a very difficult situation because of the attitude assumed without motive by the Government of Mexico in open hostility to Nicaragua. It must be clear to you that, given the forces which that Government disposes of, its elements of attack are irresistible for this feeble and small nation. This condition places in imminent risk the sovereignty and independence of Nicaragua, and consequently the continental equilibrium on which the Pan-Americanism is founded which the United States has fostered with such lofty spirit.

Naturally the emergency resulting from these conditions places in peril the interests of American citizens and other foreigners residing in our territory and renders it impossible for a Government so rudely attacked to protect them as is its duty and as it desires.

For these reasons, and appreciating the friendly disposition of the United States toward weak republics and the intentions which your Government has always manifested for the protection of the sovereignty and independence of all the countries of America by morally supporting legitimate governments in order to enable them to afford a tranquil field of labor for foreigners which is needed for the stimulation of the growth of the prosperity of these countries, I address myself to you in order that, with the same good will with which you have aided in Nicaraguan reconciliation, you may solicit for my Government and in my name the

support of the Department of State in order to reach a solution in the present crisis and avoid further hostilities and invasions on the part of the Government of Mexico.

I desire to manifest to you at the same time that whatever may be the means chosen by the Department of State, they will meet with the approval of my absolute confidence in the high spirit of justice of the Government of the United States.

Immediately following the inauguration of President Diaz and frequently since that date he has appealed to the United States for support, has informed this Government of the aid which Mexico is giving to the revolutionists, and has stated that he is unable solely because of the aid given by Mexico to the revolutionists to protect the lives and property of American citizens and other foreigners. When negotiations leading up to the Corinto conference began, I immediately placed an embargo on the shipment of arms and ammunition to Nicaragua. The Department of State notified the other Central American States, to wit, Costa Rica, Honduras, Salvador, and Guatemala, and they assured the department that they would cooperate in this measure. So far as known, they have done so. The State Department also notified the Mexican Government of this embargo and informally suggested to that government like action. The Mexican Government did not adopt the suggestion to put on an embargo, but informed the American ambassador at Mexico City that in the absence of manufacturing plants in Mexico for the making of arms and ammunition the matter had little practical importance.

As a matter of fact, I have the most conclusive evidence that arms and munitions in large quantities have been on several occasions since August, 1926, shipped to the revolutionists in Nicaragua. Boats carrying these munitions have been fitted out in Mexican ports, and some of the munitions bear evidence of having belonged to the Mexican Government. It also appears that the ships were fitted out with the full knowledge of and, in some cases, with the encouragement of Mexican officials and were in one instance, at least, commanded by a Mexican naval reserve officer. At the end of November, after spending some time in Mexico City, Doctor Sacasa went back to Nicaragua, landing at Puerto Cabezas, near Bragmans Bluff. He immediately placed himself at the head of the insurrection and declared himself President of Nicaragua. He has never been recognized by any of the Central American Republics nor by any other government, with the exception of Mexico, which recognized him immediately. As arms and munitions in large quantities were reaching the revolutionists, I deemed it unfair to prevent the recognized government from purchasing arms abroad, and, accordingly, the Secretary of State has notified the Diaz Government that licenses would be issued for the export of arms and munitions purchased in this country. It would be thoroughly inconsistent for this country not to support the government recognized by it while the revolutionists were receiving arms and munitions from abroad.

During the last two months the Government of the United States has received repeated requests from various American citizens, both directly and through our consuls and legation, for the protection of their lives and property. The Government of the United States has also received requests from the British chargé at Managua and from the Italian ambassador at Washington for the protection of their respective nationals. Pursuant to such requests, Admiral Latimer, in charge of the special service squadron, has not only maintained the neutral zone at Bluefields under the agreement of both parties but has landed forces at Puerto Cabezas and Rio Grande, and established neutral zones at these points where considerable numbers of Americans live and are engaged in carrying on various industries. He has also been authorized to establish such other neutral zones as are necessary for the purposes above mentioned.

For many years numerous Americans have been living in Nicaragua, developing its industries and carrying on business. At the present time there are large investments in lumbering, mining, coffee growing, banana culture, shipping, and also in general mercantile and other collateral business. All these people and these industries have been encouraged by the Nicaraguan Government. That Government has at all times owed them protection, but the United States has occasionally been obliged to send naval forces for their proper protection. In the present crisis such forces are requested by the Nicaraguan Government, which protests to the United States its inability to protect these interests and states that any measures which the United States deems appropriate for their protection will be satisfactory to the Nicaraguan Government.

In addition to these industries now in existence, the Government of Nicaragua, by a treaty entered into on the 5th day of August, 1914, granted in perpetuity to the United States the exclusive proprietary rights necessary and convenient for the

construction, operation, and maintenance of an oceanic canal. Articles I and II of said treaty are as follows:

ARTICLE I. The Government of Nicaragua grants in perpetuity to the Government of the United States, forever free from all taxation or other public charge, the exclusive proprietary rights necessary and convenient for the construction, operation, and maintenance of an inter-oceanic canal by way of the San Juan River and the great Lake of Nicaragua or by way of any route over Nicaraguan territory, the details of the terms upon which such canal shall be constructed, operated, and maintained to be agreed to by the two Governments whenever the Government of the United States shall notify the Government of Nicaragua of its desire or intention to construct such canal.

ART. II. To enable the Government of the United States to protect the Panama Canal and the proprietary rights granted to the Government of the United States by the foregoing article, and also to enable the Government of the United States to take any measure necessary to the ends contemplated herein, the Government of Nicaragua hereby leases for a term of 99 years to the Government of the United States the islands in the Caribbean Sea known as Great Corn Island and Little Corn Island; and the Government of Nicaragua further grants to the Government of the United States for a like period of 99 years the right to establish, operate, and maintain a naval base at such place on the territory of Nicaragua bordering upon the Gulf of Fonseca as the Government of the United States may select. The Government of the United States shall have the option of renewing for a further term of 99 years the above leases and grants upon the expiration of their respective terms, it being expressly agreed that the territory hereby leased and the naval base which may be maintained under the grant aforesaid shall be subject exclusively to the laws and sovereign authority of the United States during the terms of such lease and grant and of any renewal or renewals thereof.

The consideration paid by the United States to Nicaragua was the sum of \$3,000,000. At the time of the payment of this money a financial plan was drawn up between the Nicaraguan Government and its creditors which provided for the consolidation of Nicaragua's obligations. At that time the bondholders holding the Nicaraguan external debt consented to a reduction in interest from 6 to 5 per cent, providing the service of this loan was handled through the American collector of customs, and at the same time a series of internal guaranteed customs bonds amounting to \$3,744,000 was issued by the Nicaraguan Government to pay off the claims which had arisen against it because of revolutionary disturbances from 1909 to 1912. The other outstanding external bonds, amounting on February 1, 1926, to about £772,000, are held in Great Britain. Of the guaranteed customs bonds, \$2,867,000 were on February 1, 1926, still in circulation, and of these about \$1,000,000 were held by Nicaraguans, \$1,000,000 by American citizens, and the balance by nationals of other countries. The bonds held in the United States are held by the public in general circulation and, so far as the department knows, no American bankers are directly interested in the Nicaraguan indebtedness. This financial plan was adopted by an act of the Congress of Nicaragua on August 31, 1917. The National Bank of Nicaragua was made the depository of all Government revenues. The internal revenues were, as heretofore, to be collected by the Government. Collection of the internal revenue, however, was to be taken over by the collector general of customs, an American citizen appointed by the Nicaraguan Government and approved by the Secretary of State of the United States, if the product should average less than \$60,000 a month for three consecutive months. This has never yet been necessary. The proceeds of the customs revenues were to be applied, first, to the payment of such sums as might be agreed upon in the contemplated contracts for the service of the foreign loan, the internal loan, and claims against the Nicaraguan Government. From the balance of the revenue \$80,000 a month was to be used for the ordinary budget expenses and an additional \$15,000 for extraordinary expenses.

Under this financial plan the finances of Nicaragua have been rehabilitated in a very satisfactory manner. Of the \$3,744,000 of internal customs bonds issued in 1917 about \$900,000 have been paid. Of the external debt, bonds issued in 1909, amounting to £1,250,000, there now remain only about £770,000. The total public debt of Nicaragua has been reduced from about \$22,000,000 in 1917 to \$6,625,203 at the beginning of 1926. Furthermore, the country in time of peace has ample revenues for its ordinary budget expenses and a surplus which has been used in extensive public improvements. The Nicaraguan National Bank and the National Railroad, controlling interests in which were formerly owned by American bankers, were repurchased by the Nicaraguan Government in 1920 and 1924, and are now wholly owned by that Government.

There is no question that if the revolution continues American investments and business interests in Nicaragua will be very

seriously affected, if not destroyed. The currency, which is now at par, will be inflated. American as well as foreign bondholders will undoubtedly look to the United States for the protection of their interests.

It is true that the United States did not establish the financial plan by any treaty, but it nevertheless did aid through diplomatic channels and advise in the negotiation and establishment of this plan for the financial rehabilitation of Nicaragua.

Manifestly the relation of this Government to the Nicaraguan situation, and its policy in the existing emergency, are determined by the facts which I have described. The proprietary rights of the United States in the Nicaraguan canal route, with the necessary implications growing out of it affecting the Panama Canal, together with the obligations flowing from the investments of all classes of our citizens in Nicaragua, place us in a position of peculiar responsibility. I am sure it is not the desire of the United States to intervene in the internal affairs of Nicaragua or of any other Central American Republic. Nevertheless it must be said that we have a very definite and special interest in the maintenance of order and good government in Nicaragua at the present time, and that the stability, prosperity, and independence of all Central American countries can never be a matter of indifference to us. The United States can not, therefore, fail to view with deep concern any serious threat to stability and constitutional government in Nicaragua tending toward anarchy and jeopardizing American interests, especially if such state of affairs is contributed to or brought about by outside influences or by any foreign power. It has always been and remains the policy of the United States in such circumstances to take the steps that may be necessary for the preservation and protection of the lives, the property, and the interests of its citizens and of this Government itself. In this respect I propose to follow the path of my predecessors.

Consequently, I have deemed it my duty to use the powers committed to me to insure the adequate protection of all American interests in Nicaragua, whether they be endangered by internal strife or by outside interference in the affairs of that Republic.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 10, 1927.

Mr. BORAH and Mr. BINGHAM addressed the Chair.

The PRESIDING OFFICER (Mr. LENROOT in the chair). The Senator from Idaho.

Mr. BORAH. Mr. President, I presume the message of the President, under the ordinary rules, will be printed aside from appearing in the RECORD. If not, I ask that it may be so printed.

The PRESIDING OFFICER. Without objection, the order will be entered that the message of the President will be printed and referred to the Committee on Foreign Relations.

Mr. WALSH of Montana. Does that mean that it will be printed as a public document?

The PRESIDING OFFICER. It will be printed as a public document.

Mr. BORAH. Then, I ask also, though not as a part of that public document, that there may be inserted in the RECORD the statement in the New York Times of yesterday from Adolfo Diaz, who claims to be President of Nicaragua.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From New York Times of January 9, 1927]

DIAZ RADIOS TO THE TIMES HIS CASE FOR AID AGAINST MEXICAN INVADERS—SAYS BOTH AMERICAN AND NICARAGUAN GOVERNMENTS HAVE “IRREFUTABLE PROOFS” OF CALLES’S INTERVENTION—SETS FORTH HIS CLAIMS TO OUR ASSISTANCE

By Adolfo Diaz, President of Nicaragua

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MANAGUA, NICARAGUA, January 8.—I am happy to give a statement, as requested, for your universally known and respected newspaper.

My attitude toward the Sacasa forces is that maintained by the Conservatives at the peace conference held at Corinto on the U. S. S. *Denver*, October 16 to 24, under the auspices of the American chargé d'affaires, Mr. Lawrence Dennis. At that time the Conservatives proposed the constitutional reorganization of the government on the basis of a Conservative President, naming me as their candidate, and of a national government with Liberal participation in all departments.

The Liberals insisted on our turning over the power either to Doctor Sacasa or a third minor party candidate of their choice. We could not meet this demand, but were disposed to make concessions along all lines short of actual relinquishment of the executive power.

Inasmuch as the Conservatives are a majority of the people, and have full control of the country, with the exception of a few sparsely settled regions on the Atlantic coast, the Liberals would no doubt have abandoned their sporadic movements and accepted our peace proposals had it not been for the assurances of Mexican support for further revolutions, which they used as a threat at the conference.

HIS CLAIMS TO THE PRESIDENCY

After failing to induce the Liberals to join us in the constitutional reorganization of the government, the Conservative majority in the national congress, elected in the regular elections of 1924, with the Conservative President Solorzano in a constitutional manner, called me to exercise the presidency during the unexpired portion of the term ending December, 1928, of former President Solorzano, who resigned in January, 1926.

My designation for the presidency thus effected the constitutional reorganization of the Government in accordance with the Central American treaties, with the result that the United States and the principal nations of Europe, as England, France, Italy, and Spain, also El Salvador and Honduras, at once recognized my Government as the constitutional Government of Nicaragua.

The Liberals, however, taking another view of the issue of constitutionality, brought Doctor Sacasa to Puerto Cabezas under the aegis of the Mexican Government, which furnished almost exclusively the funds and arms, also a considerable military contingent of Mexican leaders for the Sacasa Government.

For us, as for the United States, the question of constitutionality has been satisfactorily settled. There remains the problem of reconciliation with the Liberals. For its solution my Government holds out a standing invitation to conference and cooperation. Up to now they have preferred the armed aid of Mexico.

The espousal by the Mexican Government of the lost cause of a political minority in Nicaragua presents a problem which transcends the bounds of local politics and interests. We, the Conservatives, feel that Nicaraguan Liberals in soliciting and obtaining the aid of the Mexican Government have committed a grave offense against the sovereignty, independence, and best interests of Nicaragua. Frankly, we Conservatives do not want to be Mexicanized. We believe that, any assertion of Doctor Sacasa or the Liberals to the contrary notwithstanding, no unsuccessful political minority out of office could have itself violently placed in power by Mexico without later becoming the tool of the Mexican Government, to which it would owe its triumph.

"PROOFS" OF MEXICAN INTERVENTION

This Mexican armed intervention, of which both the American and Nicaraguan Governments have irrefutable proofs, has, without attaining as yet its ultimate object, created a situation in which my Government felt no humiliation in admitting that it could not guarantee the safety of life and property.

Obviously, if the Mexican Government elects and is permitted to pour money, arms, and men into a small country like mine to enable an unsuccessful minority to make war on the constitutional government, that government can not answer for the consequences for foreign lives in its territory.

So penetrated with the logic of this situation were the British and Italian, as well as other foreign representatives in Managua, that after learning from me the limit of our means for assuring order against Mexican invasion they went to the American minister forthwith to make representations in behalf of their menaced nationals.

This situation, and the preference felt by the Conservatives for American aid to Mexican domination, constitute the justification of my appeal to the United States Government to take necessary measures for the protection of American and foreign lives and interests in Nicaragua, and for the safeguarding of our national independence against Mexican intervention.

The Conservatives realize that Nicaragua is small and weak. In difficult situation such as that of the moment we solicit frankly the aid of the United States in an open and legal manner, while our Liberal adversaries seek the sinister help of Mexico in the form of filibustering expeditions. We feel that our country needs capital, just as the United States required European capital 50 years ago to build its railways. We understand that. We find that capital on fair terms in the United States, but not in Mexico, which is wholly dependent on foreign capital.

TRUSTS US—FEARS MEXICO

We need the cooperation and aid of foreign experts and enterprise for our financial, economical, and cultural development. For these elements, unlike the Liberals, we do not look to Mexico, now in a state of chaos, but to the United States, the foremost nation of the world. We have concrete proof in the withdrawal of the marines from Nicaragua in 1925, in American policy in Cuba, Santo Domingo, Haiti, and elsewhere, that the national sovereignty and best interests of small Latin-American countries are secure whenever any one of them finds it necessary in a difficult moment to seek the friendly aid of the United States. We have no such grounds for confidence in Mexico.

I believe the prospects of an early and just peace excellent. Of course, such a friendly agreement is only possible if and when our Liberal adversaries in arms reach the conclusion that they can not be placed in power by their Mexican supporters.

I may add that the majority of the Liberals in the interior, who are feeling the effects of the civil war and are not drawing official salaries from Mexican funds as members of the Sacasa government, earnestly desire peace.

Yesterday I transmitted a telegram signed by a group of such Liberals, indicating this feeling, to Doctor Sacasa. Most of the Liberals in the interior disapprove of and fear Mexican intervention, realizing what its triumph would mean for Nicaraguan prosperity, liberty, religious freedom, and future progress.

ADOLFO DIAZ.

MR. BINGHAM. Mr. President, I have listened to the reading of the message of the President with the very greatest interest, not only on account of its timeliness but also because I have been interested in the history of all Latin America for more than a quarter of a century. It is 26 years since I first began a study of the history of Central America; I have followed the events there recently with double interest, due in part to my occupation as a student of Spanish America and also in part to my being a Member of this body.

I have listened to what the President has had to say about the reasons why this Government has recognized President Diaz as the President of Nicaragua with much interest, because he has cleared up several points which have been misunderstood heretofore, because he has corrected several errors which have recently appeared in the public press, and several impressions which have been given out by various students of this subject.

In the first place, Mr. President, this Government has been accused at one time or another of dickered with Señor Chamorro, who, it is true, was the agent of Nicaragua in the negotiation of the treaty known as the Bryan-Chamorro treaty, which is the treaty in force with Nicaragua and which was ratified during the administration of President Wilson. It is to be noted from this message that we did not recognize Mr. Chamorro when he became President of Nicaragua. We believed that the theory laid down in the so-called treaty of Washington between the five Central American Republics should be upheld by us and given our moral support. The article in the treaty which refers to this matter is in the message of the President and has been read. It is clear that the Republics of Central America have agreed with one another not to recognize any president who may by coup d'état or by revolution succeed in securing the Presidency. Consequently, when General Chamorro by a coup d'état secured the Presidency of Nicaragua he was not recognized by the Central American Republics nor by ourselves; and his successor was not recognized by us.

MR. BORAH. Mr. President—

THE PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Idaho?

MR. BINGHAM. I yield.

MR. BORAH. Will the Senator inform us as to the relationship Diaz bore to Chamorro when he was achieving the coup d'état?

MR. BINGHAM. The Senator from Idaho in an interview given out a few days ago implied that President Diaz was General Diaz, an officer of the Nicaraguan army.

MR. BORAH. No; I did not give any such inference at all. My information in regard to this matter is more accurate than that. This is the same Diaz.

MR. BINGHAM. I am sorry the Senator was improperly quoted.

MR. BORAH. No; the Senator from Idaho was not improperly quoted. The Senator did not make any such statement. I was speaking of the Diaz who is now President.

MR. BINGHAM. The Diaz who is now President was formerly President of Nicaragua for a full term, but under the constitution of Nicaragua he could not succeed himself. He is not a military man. He was a member of the Congress, and, as I shall have occasion to state in a few moments, became the constitutional President of Nicaragua.

To go back, Mr. President, to where I was at the time of the interruption, Señor Solorzano ceased to be President due to pressure from General Chamorro. General Chamorro endeavored to secure recognition as President of Nicaragua, but failed for the reasons which I have stated. The Congress, under his orders, had unseated some 18 members of the so-called Liberal Party. I use the word "so called," Mr. President, because my studies of South American and Central American history for more than a quarter of a century have led me to believe that the words which fall so readily from our lips and which we understand as meaning one thing in the English-speaking world

mean quite another in Spanish-America. I do not mean to imply that the party is not liberal, but rather that the names of political parties in South and Central America do not have that significance which they have with us. Rather such parties are factions which follow certain popular leaders, and the names which they assume, whether "constitutional," or "liberal," or "conservative," or "republican," or "democratic," as the case may be, have not the same significance as with us. There are a great many people in this country who think because the "liberal" are fighting for recognition in Nicaragua that those who have liberal ideas in this country ought to support them. That is why I have stated that, in my belief, the one party is no more liberal than the other.

There were 18 members of the Liberal Party who were deprived of their seats in the Nicaraguan Legislature at the instigation of General Chamorro. The remainder of the legislature then proceeded to elect as President designate Señor Uriza. He was not recognized by the Republics of Central America, nor by the representatives of any of the governments represented in the capital, Managua, because they believed that the legislature which elected him had not been properly elected; 18 of its members had been deprived of their seats; and, consequently, he was not recognized by them nor by us. Later these 18 were reseated and then Señor Diaz was elected.

Mr. FLETCHER. Mr. President—

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

Mr. BINGHAM. I do.

Mr. FLETCHER. The Senator uses the term "legislature." I understand that the word "congress" has been applied to that branch of the government. Is it the legislature, or is it the Congress?

Mr. BINGHAM. I used the term loosely, Mr. President. It is commonly called the legislature, but the correct term is the "Congress."

In order to understand this matter, it is necessary to refer once more to the constitution of the Republic of Nicaragua, of which I hold an official copy in my hand and which is referred to by the President. In article 106 we find these words:

En caso de falta absoluta o temporal del Presidente de la República, el Poder Ejecutivo quedará a cargo del Vicepresidente.

Of which I will attempt to give a translation:

In case of the absolute or temporary absence of the President of the Republic, the executive power shall devolve upon the Vice President—

Mr. President, at the time that Señor Solorzano, a compromise candidate, was elected; part of the compromise was that the "liberal," Señor Sacasa, whose name has been frequently heard and is in the public press every day, should be the vice presidential candidate. It is believed that Señor Sacasa never could have been elected on a "liberal" platform by the "liberal" party; but, due to the compromise, he was elected properly as vice president at the time that Señor Solorzano was elected president. According to article 106, then, when Señor Solorzano resigned Señor Sacasa would have been president; but he was not in the country, he having left the country.

Now let us see what happens when the Vice President is away. The Constitution goes on to say:

y en defecto de éste, de uno de los designados en el orden de su elección. En este último caso, si el Congreso estuviere reunido, corresponderá a él autorizar el depósito en el Representante que designe, quien debe reunir las condiciones para ser Presidente de la República.

Which I translate as follows:

and in default of the latter—

That is, the Vice President—

upon one of the designates in the order of their election. In the latter case, should Congress be in session, it shall be its duty to authorize the intrustment of the office to the representative whom it may designate, who must fulfill the requirements for President of the Republic.

Mr. President, the first part of article 106 states that in the case of the absence, either permanent or temporary, of President and Vice President the power goes to the man who has been elected by the Congress, the President designate. There is a very distinct difference here between the constitution of Nicaragua and other constitutions with which we are familiar as to what happens when the President returns. In our own Constitution it is clearly stated, in Article II, section 1, that in the case of removal of the President from office, or inability to discharge the powers and duties of said office, the Vice President shall then act as President, and in case of the absence of the Vice President the Congress may designate what officer shall then act as President, and—

such officer shall act accordingly until the disability be removed or a President be elected.

The same clause occurs in our State constitutions. In that with which I am most familiar, the constitution of the State of Connecticut, article 34, it is stated that in case of the death, resignation, refusal to serve, inability to perform the powers and duties of his office, and so forth, of the governor, the Lieutenant governor shall exercise the powers and authority appertaining to the office of governor—

until another be chosen, or until the disability be removed, or until the governor impeached or absent shall be acquitted or return.

We are all familiar with provisions of this kind in our constitutions. Whenever it is intended that the man who is designated to take the place of the regularly elected President is to hold office only until his return, it distinctly so states; but in the case of the constitution of Nicaragua it does not so state.

Mr. President, if the Senate will pardon me for digressing on the reason for that, students of Spanish-American history will realize that presidents in Spanish America and vice presidents in Spanish America normally do not leave those countries voluntarily. They do not go away for pleasure. As a matter of fact, the constitution of Nicaragua provides that if the President leaves the country without the permission of congress he loses his job immediately. It is intended that when the President or the Vice President leaves there shall be somebody who will be the regular President until the next election; and that is what has happened in this case.

When the President resigned the Vice President was not in the country and could not take over the power. Consequently, the regularly elected Congress designated a man. He was duly inducted into office, and—as though to prove the point I am now making—he was recognized as the President of Nicaragua by every country that has diplomatic representatives at Managua, the capital of Nicaragua, except two; and one of the exceptions is significant. The only countries having representatives in Nicaragua who failed to recognize Señor Diaz as President were the Republic of Mexico and the Republic of Costa Rica. The Republic of Mexico has been engaged in endeavoring to overthrow the Government in Nicaragua and is engaged in furnishing arms and ammunition for that purpose, contrary to our request that no arms and ammunition be furnished to the revolutionists; a request which was acceded to by all the countries of the Caribbean Sea except Mexico.

This statement is not made on general rumor. It is a fact that Admiral Latimer discovered on the docks of one of the ports of the Caribbean shore of Nicaragua tens of thousands of rounds of ammunition bearing the Mexican seal and insignia made in the Mexican national factory, which could not possibly have reached Nicaragua without the permission and purpose of the Mexican Government.

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

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New Jersey?

Mr. BINGHAM. I do.

Mr. EDGE. Is the Senator familiar with the order of recognition of Diaz by the various countries following his succession? Was the United States the first country, or did it follow others?

Mr. BINGHAM. I am not advised as to that. Is the Senator familiar with that?

Mr. EDGE. I am not. I was asking for information.

Mr. BINGHAM. The point is that all the countries except Mexico and Costa Rica have recognized the Diaz government. The Republic of Colombia—which everybody will recognize is sometimes very much at odds with us, which after the taking over of the Canal Zone felt very deeply humiliated and hurt, and which has from time to time shown no particular interest in our policies, although a friendly nation—has recognized President Diaz. Great Britain has recognized President Diaz. Italy has recognized President Diaz. But these, to my mind, are not so significant as the fact that Nicaragua's immediate neighbors—Salvador and Honduras—which signed the treaty which said that they could not recognize a president not constitutionally one, have recognized President Diaz as the President of Nicaragua.

For that reason, Mr. President, it seems to me that the Senator from Idaho [Mr. BORAH], in his remarks a few moments ago, was hardly justified in the language he used, in view of the fact that this Government has officially recognized Señor Diaz as President and in view of the fact that the message which we have received from the President clearly lays down the reasons for that in a way to convince almost anyone not already committed to the other side that President Diaz is the properly recognized President of Nicaragua.

Articles 107 and 108 of the constitution of Nicaragua are as follows:

ART. 107. Mientras no reciba la Presidencia de la República el llamado por la ley, ejercerá el Poder Ejecutivo, el Ministro de la Gobernación, quien dará posesión al nuevo funcionario, si no estuviere reunido el Congreso.

ART. 108. El Presidente no podrá salir fuera del país, durante el ejercicio de sus funciones, sin permiso del Congreso; ni, concluido su periodo, si hubiere juicio pendiente contra él por delitos oficiales o comunes.

Which I translate as follows:

ART. 107. Until the person designated by law enters upon the office of the President of the Republic, the executive power shall be exercised by the Minister of the Interior, who shall give up possession to the new official if Congress is not in session.

ART. 108. The President shall not leave the country during the exercise of his functions without permission of Congress, nor shall he do so at the end of his term, if there are proceedings pending against him for official or common-law offenses.

Mr. President, on Saturday two attacks were delivered from the Democratic side of the Chamber on the policy of the administration in Nicaragua. I regret to be obliged to make these remarks in the absence of the Senators who made them. I dislike to call for a quorum at the luncheon hour. If there is anyone on the Democratic side who thinks that the Senators should be present when I make reply to their speeches, I shall be very glad to have him call for a quorum if he desires.

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

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

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

Ashurst	Fess	La Follette	Robinson, Ark.
Bayard	Fletcher	Lenroot	Robinson, Ind.
Bingham	Frazier	McKellar	Sackett
Blease	George	McLean	Schall
Borah	Gerry	McMaster	Sheppard
Braitton	Gillett	McNary	Shipstead
Broussard	Glass	Mayfield	Shortridge
Bruce	Gooding	Metcalfe	Smith
Cameron	Hale	Moses	Smoot
Capper	Harrel	Neely	Stephens
Caraway	Harris	Norris	Stewart
Copeland	Harrison	Nye	Swanson
Couzens	Hawes	Oddie	Trammell
Curtis	Hefflin	Overman	Tyson
Deneen	Johnson	Pepper	Wadsworth
Dill	Jones, N. Mex.	Phipps	Walsh, Mass.
Edge	Jones, Wash.	Pine	Walsh, Mont.
Edwards	Kendrick	Pittman	Weller
Ernst	Keyes	Ransdell	Wheeler
Ferris	Kling	Reed, Mo.	Willis

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

Mr. BINGHAM. Mr. President, on Saturday, the Senator from Alabama [Mr. HEFLIN] and the Senator from Montana [Mr. WHEELER], exercising their proper prerogatives as Members of the opposition, attacked the administration's policy in connection with Nicaragua. While I feel that the message from the President of the United States to-day has answered them very fully and accurately, I should like to call attention to one or two things in the RECORD for Saturday which need correction.

The Senator from Montana [Mr. WHEELER] on page 1273 of the RECORD, in response to a question from the Senator from New Jersey [Mr. Edge], desired to read a statement from John O. Sanders, of Cassville, Mo., which he called particularly to the attention of the Senator from New Jersey, in which Mr. Sanders writes as follows:

Having spent several years in Nicaragua (as United States consul, 1917-1920), knowing the background of the present situation perhaps more thoroughly than any other American, and being in complete sympathy—

And so forth. Then he said:

I do not know who is actually in charge of the present show. I have been a mere spectator for some time—having been squeezed out of the service following my perhaps too effective exposure of the methods of certain American financial and banking interests there in 1919.

I submit that on the face of it this letter appears to be from an individual who was formerly a United States consul in Nicaragua during the years 1917 to 1920, who was asked to resign, because, as he said, of his "too effective exposure of the methods of certain American financial and banking interests there in 1919."

That constitutes a pretty serious charge against the State Department, and I have asked questions to find out what is

the record of Mr. Sanders. I find that Mr. Sanders was appointed in the service as a consul in 1917, and went to Bluefields, Nicaragua; that he was promoted to be a consul of class 7 in September, 1919. That is the year in which he says he was disciplined for a "too effective exposure of the methods of certain American financial and banking interests." Promotion does not sound like discipline.

Mr. CARAWAY. Mr. President—

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

Mr. BINGHAM. I yield.

Mr. CARAWAY. I did not understand his letter to say he was disciplined in 1919. He said he was squeezed out of the service in 1920.

Mr. BINGHAM. That is correct. "He said he was squeezed out of the service in 1920." Now, let us look at the facts. In 1920 he was assigned as consul at Port William and Port Arthur, Canada. That looks as though he was "squeezed out of the service" in 1920, does it not? On September 21, 1921—I call especially to the attention of the Senator from Arkansas—Mr. Sanders having been, as he said, "squeezed out of the service" in 1920, was appointed consul at Maracaibo, in Venezuela, where he served for nearly three years, until May 15, 1924. In other words, all the implication in this letter, which misled the Senator from Arkansas, as it misled me, is incorrect and false. He did not leave the service in 1920. He stayed in it until 1924. After serving at several different posts, he having shown no special aptitude, his record being unsatisfactory, he was asked to leave the service; but he severed his connection with the department for reasons which had no connection whatever with support of American interests in Nicaragua. Had his statement been correct, of course he would have left the service at that time. His record as a consular officer, I find, is not a good one, and his statements are not considered reliable. So much for Mr. Sanders.

Mr. CARAWAY. Mr. President, the Senator just said they promoted him. Then he said that his record was bad and his word was not reliable. I presume that was the reason they promoted him.

Mr. BINGHAM. The Senator will notice that he was promoted quite early in his career. During the four years he was not in Nicaragua his record was unsatisfactory.

The Senator from Montana also referred quite feelingly to certain patriotic citizens of Nicaragua. The Senator from Montana said:

I desire to have inserted in the RECORD a letter from an association of patriotic Nicaraguans in New Orleans, La., in favor of the withdrawal of the marines.

Now, Mr. President, I have endeavored in vain to find any evidence of there being such an association in New Orleans, although it is quite likely that a small association of refugees does exist there; and the Senator from Montana was certainly quite right in thinking that there is, because the letter which he put into the RECORD is signed by J. P. Rodriguez Moreira, president of the Asociación Patriótica Nicaragüense.

I have been interested to find out who this patriotic Nicaraguan is, and I have learned that he styles himself the consul general of Nicaragua at New Orleans.

I assume that his title as consul general depends on whether Señor Sacasa is President or not, as he is an intimate personal friend of Doctor Sacasa, who claims to be President. And I find that this "patriotic Nicaraguan," who is working with Mexico in an endeavor to overthrow the constitutional government in Nicaragua, has been interested in trying to obtain arms in this country for the Sacasa revolutionary forces. So much for this very long and interesting letter from the president of the patriotic society.

Mr. WHEELER. Mr. President—

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

Mr. BINGHAM. I yield.

Mr. WHEELER. He would not have been doing anything different from what the State Department did when it permitted arms to be thrown across the Mexican border when they wanted Calles kept in office.

Mr. BINGHAM. At some later date I should be glad to discuss Mexico with the Senator at length.

Mr. WHEELER. But the Senator is discussing Mexico now.

Mr. BINGHAM. No; I am discussing the material which the Senator put into the RECORD, which I read with great interest, and which seemed to me of such importance that I endeavored to find out just how great weight should be given to it.

Mr. WHEELER. Oh, yes; but I do not think the statement should go unchallenged and be given to the country that

because of the fact that he did attempt to purchase arms in this country, if that is true, he was doing anything different from what a great many other citizens have done with the express knowledge of the State Department.

Mr. BINGHAM. I am not accusing him of any unpatriotic effort whatever in purchasing arms.

Mr. WHEELER. I thought that was the impression the Senator was trying to create.

Mr. BINGHAM. No. I am sorry if I gave that impression. Any inference I was drawing was that it was perfectly natural that he should send this letter to the Senator from Montana, because he was the agent in New Orleans of Doctor Sacasa, and endeavoring to purchase arms for his cause.

The PRESIDING OFFICER. The Senator will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is H. R. 7555, the maternity bill.

Mr. BINGHAM. Mr. President, there was also reference made on the other side of the aisle on Saturday by the Senator from Alabama [Mr. HEFLIN] to a confusion of interests, implying that the reason why we were interested in recognizing Diaz in Nicaragua and the reason why we were protecting American property down there was because of oil.

So far as anyone knows, oil has never been discovered in Nicaragua. There was also the implication that what we were doing was trying to defend the unholy big business interests who were engaged in speculating in foreign countries. It seemed to me that this ought not to go entirely unchallenged, and I endeavored to find the facts.

I regret that the hour is late, and I know that the chairman of the Committee on Foreign Relations desires to have the Senate go into executive session for the consideration of the Lusanne treaty, so that I shall not at this time refer to certain telegrams as fully as I shall at a later time. These telegrams were received by the State Department from various legally organized companies in different parts of the country, not from Wall Street, as my good friend from Alabama would have us believe. Here is one, for instance, from Louisville, Ky., as long ago as August, 1926, which states:

As our company and other American mahogany interests have approximately million dollars or more [worth of] logs in Bluefields harbor and river booms, such disturbance as experienced several months past would no doubt be very serious. If further revolutionary disturbances are occurring in Nicaragua, suggest United States gunboat be sent Bluefields immediately, as was done during previous disturbance.

I have also a telegram from Bluefields stating that the Chinese at Bluefields have appealed to the Chinese minister in Washington and asked him to use his—

best efforts with the American Government to obtain protection of life and property of our colony during the present revolutionary movement and wire results through the American consul at Bluefields.

It is quite evident that unless we are going to abandon the Monroe doctrine, we have got to do something to protect the interests of other nations in a revolution-torn country.

I have also a telegram from Cincinnati, Ohio, addressed to the State Department, in which it is said that—

Our representative in Bluefields advises revolution situation serious and it is imperative that our Government dispatch gunboat to Bluefields in order to protect our and other American interests.

From New Orleans, La., from the Bragmans Bluff Lumber Co.:

Wireless from Bragmans Bluff, Nicaragua, advises revolutionists heavily attacking us there. One of our officials seriously wounded. Requests your sending immediately gunboat.

I shall not take up the time of the Senate at present to read more of these, but it seems to me enough has been read to show the character of the appeals that have been made to the State Department.

Mr. EDGE. Are any of them from oil companies of the country which we hear discussed so frequently?

Mr. BINGHAM. There are no telegrams from large oil companies, or even from any large monopolies engaged in foreign business. They are mostly from small companies with headquarters in New Orleans, Cincinnati, Louisville, Chicago, Boston, and other places of the country, which are engaged in legitimate business there and have been so engaged for many years, and whose lives and property are endangered when revolutions break out.

Mr. EDGE. As a matter of fact, is there any considerable amount of oil in the country of Nicaragua?

Mr. BINGHAM. None that has ever been found.

In conclusion I should like to ask that there be read at the desk, as a part of my remarks, and with the understanding

that so far as I am able to do so I should like to declare my entire agreement with the sentiments therein expressed, a paragraph from a message of President Taft, then President of the United States, to the Senate on June 8, 1911, transmitting a convention between the United States and Nicaragua concerning a loan which Nicaragua contemplated making in the United States, in which President Taft made a statement with regard to the Monroe doctrine. I should like to have the statement read at the desk.

The PRESIDING OFFICER (Mr. CAPPER in the chair). Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

While it may not be claimed that by the Monroe doctrine we may be called upon to protect an American Republic from the payment of its just foreign claims, still complications might result from the attempted enforced collection of such claims, from the involutions of which this Government might not escape. Hence it should be the policy of this Government, especially with respect to countries in geographical proximity to the Canal Zone, to give to them when requested all proper assistance, within the scope of our limitations, in the promotion of peace, in the development of their resources, and in a sound reorganization of their fiscal systems, thus, by contributing to the removal of conditions of turbulence and instability, enabling them by better-established governments to take their rightful places among the law-abiding and progressive countries of the world. Better by far is this beneficial and constructive policy in the neighborhood of the Caribbean Sea, the Panama Canal, and the Central American Republics, based as it is on the logic of our geographical position, the development of our commerce in the immediate neighborhood of our shores, our moral responsibilities due to a long-standing policy in the region mentioned, as well, as respecting Central America, arising from our relations to the Washington conventions, than it is, with listless indifference, to view unconcernedly the whole region in fomentations of turbulence, irresponsibly contracting debts that by their own exertions they would never be able to discharge, or to be required, as in several instances in the past, to land our armed forces for the protection of American citizens and their interests from violence, and for the enforcement of the humane provisions of international law for the observance of which in the region concerned this Government, whether rightfully or wrongfully, is held responsible by the world.

Mr. BINGHAM. That seems to be a sound American policy, one which has been followed by administrations for a very long time and one which we may safely adopt in the future and ought to adopt as a sound policy in connection with the national defense and in connection with our dealings with the countries, particularly those bordering the Caribbean Sea, in the vicinity of the Canal Zone.

Mr. BORAH. Mr. President, in a moment I am going to make a motion that the Senate proceed to the consideration of executive business. Before I do so, however, I will say that I think the Nicaraguan situation is entitled to discussion. I am not discussing it at this time because of the fact that the Secretary of State is to appear before the Foreign Relations Committee on Wednesday, and I had an understanding with him that I would not discuss the matter until he had had an opportunity to present the views of the State Department. Of course, I did not know at that time that the President's message was coming in, but I feel disposed nevertheless to defer to that understanding.

I want to say, however, just one thing in passing. The Senator from Connecticut [Mr. BINGHAM] has referred to a certain loan convention or treaty which was sent in by President Taft and which was accompanied by a message which has been read. It is a matter of record that the loan convention was rejected by the Senate, as well as the doctrine upon which it was based. A second conclusive answer to that theory, to that doctrine which is now being advanced, may be found in an article prepared by one Prof. Hiram Bingham, entitled, "The Monroe doctrine, an obsolete shibboleth."

I now move—

Mr. BINGHAM. Mr. President, since the Senator has been so kind as to advertise a book which I wrote a great many years ago, I wish he also would add to his remarks the fact that that book was based on a premise which the Great War showed me was incorrect. As soon as I returned from France and was mustered out of the Army I proceeded to study the question further, and in that year read an article before the American Historical Association in which I frankly admitted my error and discussed the future of the Monroe doctrine, in which I stated that the conclusions in the previous book having been founded on incorrect premises, I desired to take a more correct position. I hope the Senator from Idaho agrees with the future of the Monroe doctrine rather than with my previous essay on the subject.

Mr. BORAH. It is very difficult to debate the matter with a gentleman who has been on both sides of the question. Perhaps when I get through I will gather a little from both of his views on the question and agree with him.

Mr. NORRIS. Mr. President, will the Senator yield for a suggestion?

Mr. BORAH. I yield.

Mr. NORRIS. I am led to make this suggestion because the able Senator from Connecticut has acknowledged that he has been on both sides of the question. I, therefore, hope that when we do get into a discussion of the Nicaraguan matter we will be permitted to take whichever side our consciences dictate we should be on, without being called Bolsheviks or enemies of the country.

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

Mr. BORAH. Certainly.

Mr. CARAWAY. There seems to be a rule that a man should prove his present position right because his first or former one was wrong. That is evidently the prevailing idea here.

The PRESIDING OFFICER (Mr. LENROOT in the chair). The message will be referred to the Committee on Foreign Relations and printed.

REPORT OF THE AMERICAN BATTLE MONUMENTS COMMISSION  
(H. DOC. NO. 636)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Military Affairs:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress the annual report of the American Battle Monuments Commission for the fiscal year 1926.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 10, 1927.

[NOTE.—Report accompanied similar message to the House of Representatives.]

NATIONAL ORIGIN PROVISION OF THE IMMIGRATION ACT OF 1924

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

*To the Senate:*

I am sending herewith a copy of the letter of transmission, which accompanied the report of the Secretary of State, the Secretary of Commerce, and the Secretary of Labor in the matter of the immigration law relating to national origins to replace an inaccurate copy which was inadvertently forwarded to the Senate with such report.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 10, 1927.

WITHDRAWALS AND RESTORATION OF PUBLIC LANDS

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a letter from the Commissioner of the General Land Office dated January 5, 1927, together with a list of the withdrawals and restoration of public lands, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

DISPOSITION OF USELESS PAPERS

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Navy, transmitting a list of papers and documents on the files of certain bureaus of the Navy Department not needed in the conduct of business and having no permanent value or historic interest and asking for action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Presiding Officer appointed Mr. HALE and Mr. SWANSON members of the committee on the part of the Senate.

REPORTS OF COMMITTEES

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 4711) to change the time of holding court at Jackson and at Memphis, Tenn., reported it without amendment.

Mr. EDGE, from the Committee on Interoceanic Canals, to which was referred the bill (S. 4882) relative to the pay of certain retired warrant officers and enlisted men and warrant officers and enlisted men of the reserve forces of the Army, Navy, Marine Corps, and the Coast Guard, fixed under the terms of the Panama Canal act, as amended, reported it without amendment.

TOMBIGBEE RIVER BRIDGE, ALABAMA

Mr. STEWART. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 14239) granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Naheola, Ala., and I submit a report (No. 1230) thereon. 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 bill was reported to the Senate without amendment; ordered to a third reading, read the third time, and passed.

DELAWARE RIVER BRIDGE

Mr. STEWART. I report back favorably with an amendment from the Committee on Commerce the bill (S. 4846) granting the consent of Congress to Tacony-Palmyra Bridge Co. to construct, maintain, and operate a bridge across the Delaware River at Palmyra, N. J., and I submit a report (No. 1231) thereon. I ask unanimous consent for its present consideration.

Mr. CURTIS. Is the bill in the usual form?

Mr. STEWART. It is in the usual form.

Mr. RANSDELL. I hope the bill will be considered. I do not think it will take any time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was to strike out all after the enacting clause and to insert:

That the consent of Congress is hereby granted to the Tacony-Palmyra Bridge Co., a corporation of the State of New Jersey, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Delaware River at a point suitable to the interests of navigation between Palmyra, county of Burlington, State of New Jersey, and Tacony, in the city of Philadelphia, county of Philadelphia, State of Pennsylvania, in accordance with the provisions of the act entitled, "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon said Tacony-Palmyra 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 and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other 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 Tacony-Palmyra 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, either the State of New Jersey, the State of Pennsylvania, any political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more 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 property 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 the sum of the 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 be taken over or acquired by the States or political subdivisions thereof as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of acquiring the same. After a sinking fund

sufficient to pay the cost of acquiring the bridge and its approaches 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, repair, 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 said Tacony-Palmyra Bridge Co., its successors and assigns, shall within 90 days 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 property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same and for such purpose the said Tacony-Palmyra 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 actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross 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 said Tacony-Palmyra 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 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.

#### MINNESOTA RIVER BRIDGE

Mr. SHIPSTEAD. I ask unanimous consent for the immediate consideration of the bill (S. 4813) granting the consent of Congress to the Minneapolis, Northfield & Southern Railway to construct, maintain, and operate a railroad bridge across the Minnesota River.

Mr. CURTIS. Is it in the usual form?

Mr. SHIPSTEAD. It is.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

[S. 4813, Sixty-ninth Congress, second session]

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the Minneapolis, Northfield & Southern Railway, a corporation organized under the laws of the State of South Dakota, its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Minnesota River at a point suitable to the interests of navigation near the intersection of the Minnesota River and the section line between sections 4 and 9, township 115 north, range 21 west, fifth principal meridian, counties of Hennepin and Scott, State of Minnesota, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Minneapolis, Northfield & Southern Railway, its successors and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage, foreclosure, or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, 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. HALE:

A bill (S. 5147) granting an increase of pension to Statira M. Carr (with accompanying papers); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5148) granting a pension to James T. Cass (with accompanying papers);

A bill (S. 5149) granting an increase of pension to Mary J. Chaput (with accompanying papers);

A bill (S. 5150) granting an increase of pension to Susan A. Valentine (with accompanying papers); and

A bill (S. 5151) granting an increase of pension to Ellen M. Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5152) to authorize an appropriation for an Indian memorial at Medicine Lodge, Kans.; to the Committee on Indian Affairs.

A bill (S. 5153) granting an increase of pension to Nancy Neal (with accompanying papers);

A bill (S. 5154) granting an increase of pension to Susanna Mog (with accompanying papers);

A bill (S. 5155) granting an increase of pension to Solomon Johnson (with accompanying papers);

A bill (S. 5156) granting an increase of pension to Sarah C. James (with accompanying papers);

A bill (S. 5157) granting an increase of pension to Flora Hartman (with accompanying papers);

A bill (S. 5158) granting an increase of pension to Lydia A. Holmes (with accompanying papers);

A bill (S. 5159) granting an increase of pension to Louisa C. Hotchkiss (with accompanying papers);

A bill (S. 5160) granting an increase of pension to Tennessee Hill (with accompanying papers);

A bill (S. 5161) granting an increase of pension to Mary C. Hunt (with accompanying papers);

A bill (S. 5162) granting an increase of pension to Andrew L. McCamish (with accompanying papers);

A bill (S. 5163) granting an increase of pension to Permelia A. Morse (with accompanying papers);

A bill (S. 5164) granting an increase of pension to Effie E. Milton (with accompanying papers);

A bill (S. 5165) granting an increase of pension to Lydia J. Barr (with accompanying papers);

A bill (S. 5166) granting an increase of pension to Malinda J. Bright (with accompanying papers);

A bill (S. 5167) granting an increase of pension to Mary E. Belleville (with accompanying papers);

A bill (S. 5168) granting an increase of pension to Margaret Trotter Conrad (with accompanying papers);

A bill (S. 5169) granting an increase of pension to Arra E. Everman (with accompanying papers);

A bill (S. 5170) granting an increase of pension to James P. Finlaw (with accompanying papers);

A bill (S. 5171) granting an increase of pension to Alice B. Griffitts (with accompanying papers);

A bill (S. 5172) granting an increase of pension to Lydia A. Gillmore (with accompanying papers);

A bill (S. 5173) granting an increase of pension to Ortha J. Harris (with accompanying papers);

A bill (S. 5174) granting a pension to Hugh Portwood (with accompanying papers);

A bill (S. 5175) granting a pension to George W. White (with accompanying papers);

A bill (S. 5176) granting a pension to John M. Wallace (with accompanying papers);

A bill (S. 5177) granting a pension to Julia F. Lane (with accompanying papers);

A bill (S. 5178) granting a pension to Elizabeth Jackson (with accompanying papers);

A bill (S. 5179) granting a pension to Julia A. Houghton (with accompanying papers);

A bill (S. 5180) granting a pension to Frank J. Andress, alias Frank Smith (with accompanying papers);

A bill (S. 5181) granting a pension to Martin Ames, correct name Martin Lynch (with accompanying papers);

A bill (S. 5182) granting a pension to Sarah S. Hagar Lewis (with accompanying papers);

A bill (S. 5183) granting a pension to Jennie M. Miller (with accompanying papers);

A bill (S. 5184) granting a pension to Florence G. Brooks (with accompanying papers);

A bill (S. 5185) granting a pension to Mary F. Brown (with accompanying papers); and

A bill (S. 5186) granting a pension to George W. Fowler (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 5187) granting an increase of pension to Carrie L. Stewart (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5188) to permit extension of period of detail by the President of officer from the Corps of Engineers as Engi-

neer Commissioner of the District of Columbia, and for other purposes; to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A bill (S. 5189) granting an increase of pension to Abel H. Hall (with accompanying papers); to the Committee on Pensions.

By Mr. McMASTER:

A bill (S. 5190) granting a pension to George C. Widlon; to the Committee on Military Affairs.

By Mr. NORBECK:

A bill (S. 5191) authorizing the Secretary of the Interior to transmit to Congress a final roll of Lakota and Dakota Indians on several Indian reservations; to the Committee on Indian Affairs.

A bill (S. 5192) for the relief of Theodore O. Black; to the Committee on Civil Service.

A bill (S. 5193) granting an increase of pension to Eliza M. Spencer (with accompanying papers);

A bill (S. 5194) granting an increase of pension to Mary H. Keck (with accompanying papers);

A bill (S. 5195) granting an increase of pension to Mary Noyes Farr; and

A bill (S. 5196) granting a pension to Lena Leuning (with accompanying papers); to the Committee on Pensions.

By Mr. BRATTON:

A bill (S. 5197) to authorize an appropriation for reconnaissance work in conjunction with the middle Rio Grande conservancy district, to determine whether certain lands of the Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians are susceptible of reclamation, drainage, and irrigation; to the Committee on Irrigation and Reclamation.

#### AMENDMENT TO LEGISLATIVE APPROPRIATION BILL

Mr. PHIPPS submitted an amendment proposing to increase the compensation of the assistant clerk to the Committee on Irrigation and Reclamation from \$1,940 to \$2,150, intended to be proposed by him to the legislative appropriation bill for the fiscal year 1928, which was referred to the Committee on Appropriations and ordered to be printed.

#### AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. BRATTON submitted an amendment proposing to appropriate \$50,000 to provide for reconnaissance work on the lands of the Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians, or so much thereof as may be susceptible of irrigation, lying within the exterior boundaries of the middle Rio Grande conservancy district, a political subdivision of the State of New Mexico, etc., intended to be proposed by him to the deficiency appropriation bill for the fiscal year 1927, which was ordered to lie on the table and to be printed.

#### ELIGIBILITY OF SENATORIAL CANDIDATES

Mr. BLEASER submitted the following resolution (S. Res. 323), which was referred to the Committee on the Judiciary:

#### Senate Resolution 323

*Resolved*, That the Judiciary Committee be requested to inform the Senate whether or not a candidate who announced himself as opposed to the Constitution of the United States, or any section thereof, and is in favor of the nonenforcement of a law passed to carry into effect a section of the Constitution, is eligible to a seat and qualified to be sworn in as a Member of the United States Senate.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 15649. An act to provide for the eradication or control of the European corn borer; to the Committee on Agriculture.

H. R. 12109. An act to amend section 115b of subchapter 3 of chapter 1 of the District of Columbia Code;

H. R. 12110. An act to amend section 1135, chapter 31, of the District of Columbia Code;

H. R. 12217. An act relating to the appointment of trustees and committees;

H. R. 12218. An act amending sections 1125 and 1127, chapter 31, of the District of Columbia Code; and

H. R. 15668. An act authorizing the acquisition of a site for the farmers' produce market, and for other purposes; to the Committee on the District of Columbia.

#### EXECUTIVE SESSION

Mr. BORAH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

#### SENATOR FROM PENNSYLVANIA

Mr. ROBINSON of Arkansas. Mr. President, I desire to present a privileged resolution, and ask that it be read.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The resolution will be read.

The Chief Clerk read the resolution (S. Res. 324), as follows:

#### Senate Resolution 324

Whereas William B. Wilson, of the State of Pennsylvania, has presented his petition to the Senate of the United States contesting the election of WILLIAM S. VARE as a Senator from Pennsylvania in the election held on the 2d day of November, 1926; and

Whereas the said William B. Wilson charges in his petition fraudulent and unlawful practices in connection with the nomination and in connection with the alleged election of the said VARE as Senator from the State of Pennsylvania; and that unless preserved for the use of the Senate certain evidence relating to said charges and said election will be lost or destroyed; and

Whereas the special committee of five organized under Senate Resolution No. 195, Sixty-ninth Congress, first session, by direction of the Senate has entered upon an investigation pertaining to alleged corrupt practices in the election held November 2, 1926, and in the primary preceding it in the State of Pennsylvania: Therefore be it

*Resolved*, That the special committee of five constituted under Senate Resolution No. 195, Sixty-ninth Congress, first session, in addition to and not in detraction from the powers conferred in said resolution, be, and it is hereby, authorized and empowered—

(1) To take possession, in the presence of the said WILLIAM S. VARE or his representative, if the said WILLIAM S. VARE desires to be present or to have a representative present, and preserve all ballot boxes and other containers of ballots, ballots, return sheets, voters' check lists, tally sheets, registration lists, and other records, books, and documents used in said senatorial election held in the State of Pennsylvania on the 2d day of November, 1926.

(2) To take and preserve all evidence as to the various matters alleged in said petition, including any alleged fraud, irregularity, unlawful expenditure of money, and intimidation of voters, or other acts or facts affecting the result of said election.

(3) That said committee is hereby vested with all powers of procedure with respect to the subject matter of this resolution that said committee possesses under Resolution No. 195, Sixty-ninth Congress, first session, with respect to the subject matter of that resolution.

(4) That the Sergeant at Arms of the Senate and his deputies are directed to attend the said special committee and to execute its directions. That the said special committee may appoint subcommittees of one or more members with power and authority to act for the full committee in taking possession of evidence and in the subpoenaing of witnesses and taking testimony.

*Resolved further*, That the expenses incurred in carrying out this resolution shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee or any subcommittee thereof and approved by the chairman of the committee, the cost of same not to exceed \$15,000.

Mr. ROBINSON of Arkansas. Mr. President, I had expected to ask for the present consideration of the resolution, and so informed the Senator from Pennsylvania [Mr. REED]. He stated that he was not in position at this time to state whether he would make any objection to the consideration of the resolution or not, but would request that it go over under the rule. Inasmuch as the resolution contains a provision authorizing the payment of the expenses of the committee out of the contingent fund of the Senate, it will be necessary for the resolution to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

I therefore suggest that reference at this time, and bring the resolution to the notice of the Committee to Audit and Control the Contingent Expenses of the Senate, so that a prompt report may be made.

In this connection I desire further to say, as stated to the Senate when the petition which is the basis of this resolution was filed a few days ago, that it will be necessary to make a prompt disposition of this resolution, because under the practice prevailing in Pennsylvania some of the ballots will be destroyed when the officers for a special State senatorial election in one of the districts are qualified on the 18th of January. I shall, therefore, ask prompt action by the Committee to Audit and Control the Contingent Expenses of the Senate, and shall ask for present consideration of the resolution when it has been reported by that committee.

The PRESIDING OFFICER. Without objection, the resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### DEVELOPMENT OF WATER RESOURCES ON THE COLORADO RIVER

Mr. ERNST. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by the senior

Senator from Colorado [Mr. PHIPPS] before the Denver Chamber of Commerce on December 31, 1920, relative to the proposed development of water resources on the Colorado River.

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

The address is as follows:

As a member of the Senate Committee on Irrigation and Reclamation I have always refrained from expressing my own views while questioning witnesses as to the provisions of the Swing-Johnson bill for the construction of a dam in the Colorado River, and for other purposes, but in the executive sessions of that committee my attitude has been made plain.

I have consistently advocated the construction of a dam on the lower reaches of the Colorado River for the primary purpose of flood control; secondarily, for irrigation and domestic uses; and thirdly, for the production of hydroelectric power.

My study of the Colorado River and its possibilities has covered a period of many years, but the conclusions I have reached may be expressed in simple and concise fashion. The Colorado River compact, or some similar agreement to divide equitably the waters of the stream, must be ratified by the seven States in the river basin. This is essential for the protection and development of each one of these States—Colorado, Wyoming, Utah, New Mexico, Arizona, Nevada, and California. Next, a dam must be built at Boulder Canyon or at some other suitable point on the lower Colorado River, primarily for flood control and incidentally for irrigation and power purposes. This is necessary for the protection and development of the lower-basin States—California, Arizona, and Nevada. In short, each State must have an unquestioned right to its proper share of the waters of the stream, and that water must actually be put to a beneficial use.

The first proposition—that of interstate agreement as to appropriations along the river—is the only one in which Colorado is directly interested, and naturally I regard it as the more important. At the same time citizens of our State have in their hearts the proper expansion and improvement of the entire western section of the country. What benefits one should benefit all.

As to this interstate agreement, I am firmly convinced that there must be voluntary ratification on the part of each interested State in order to make the compact effective. This is the only method of settling possible controversies permanently and of putting the water of the stream to its highest beneficial use. It is the only satisfactory method; it is the only legal method to avoid proceedings in the courts which would prove costly and almost interminable.

As is well known, only five States out of seven stand at this time as having approved the compact. Arizona and California still hold out, the latter having withdrawn her unconditional ratification some time ago. Senate bill S. 3331, the pending Swing-Johnson bill, which calls for the Federal construction of a flood control, irrigation, and power project in Boulder Canyon, which lies between Nevada and Arizona, provides as a condition precedent to starting the work that at least six States, inclusive of California, shall ratify the compact. If the bill passes, California's assent is certain, and it is almost equally certain that Arizona will not enter into the league of States, but will attack the constitutionality of the act in the courts.

I believe this attempted arrangement to be both unwise and dangerous. I believe that instead of settling water-right disputes among States, as was the original and main purpose, it will only lead to greater conflict and jeopardize Colorado River possibilities for years to come. Probably 10 to 15 years at least.

My conclusion is based on two reasons at least:

First. Forced settlements and coerced agreements are repugnant to the American theory of government, except possibly as a last resort when all other means have failed. While I hold no brief for Arizona, and have at all times urged that she ratify this compact, she should do so voluntarily, and it seems to me that any attempt to force her hand is poor policy, if not, indeed, poor statesmanship. On the other hand, why must the upper States, such as Colorado, accept this Boulder Canyon project in its present form, including features to which they might properly object? Bear in mind that it is a project from which they can hope to derive no direct benefit. Why must the upper States accept this bill—this or nothing—merely because of their natural desire for the ratification of the Colorado River compact, a ratification which will not be complete in any event and may cause conflict rather than harmony among the States it is designed to serve? The only real argument in favor of the bill which has been presented to Colorado citizens or which, in fact, can be offered, is that thereby the compact will be ratified; while as a matter of fact we already have the unconditional approval of five States and can only expect one more, that of California, if the bill becomes law. I believe this method of obtaining approval of the agreement among the States, which is based on necessity or expediency, should only be adopted as a last resort.

Each of the seven States admit that there should be a compact in order that they may have the benefit to be derived from the waters of the Colorado; most of them concur that the tentative agreement is an equitable one. California states that she will sign it if the Boulder

Canyon Dam is to be built, and Arizona indicates that a supplemental agreement among California, Nevada, and herself will solve the difficulty. True, these lower-basin States have not come together on the matter of division, but to agree is to the interest of each one of them. I can not, therefore, escape the conclusion that further attempts to arbitrate differences and to obtain approval of the compact on a voluntary basis will accomplish the desired result in a quicker, better, and more satisfactory manner than to force a partial adjustment through the agency of the Swing-Johnson bill.

During such interval, of course, there should be no permits granted or appropriation of waters made on the Colorado River, and I believe this matter can be worked out through the Federal Power Commission or through the enactment of legislation if deemed necessary.

Second. My second reason for opposing attempted ratification of the compact by the Swing-Johnson bill is that such action by less than seven States will probably have no legal efficacy. This argument is well summed up in the following words:

"If the six-State compact could be automatically put into effect by the building of the dam, or even if it were made effectual by a withdrawal of those conditions and an absolute ratification, I still say that that six-State compact does not protect the upper States. I have always been for that six-State compact. It is a good step as far as it goes. It protects the upper States in respect to any and all appropriation acts which occur within the boundaries of the States which sign it, and therefore against appropriation acts which take place in the States of California and Nevada. But manifestly it does not protect the upper States against appropriation acts which take place in the State of Arizona."

This is the language of the official representative of the city and county of Denver, a man who has made a study of water rights and who testified at hearings before the Senate Committee on Irrigation and Reclamation December 15, 1925, one year ago. He also stated:

"I do not believe it [the Swing-Johnson bill] can be drawn so as to protect the upper States with certainty in the absence of a universal ratification of the Colorado River compact, although several years ago in the infancy of this controversy I inclined to a different view. If the bill does attempt to protect the upper States it will be upon the theory of dividing in some fashion or other water between States. It will contain some imposed limitation in favor of the upper States as against the lower, and that limitation amounts to a division of water among States. And we have at once precipitated the question of whether or not Congress has the power to divide water between States."

True, Mr. Bannister, the witness in question, has changed his mind a second time and has recently come out for the Swing-Johnson bill, roundly criticizing all those who are even rumored to oppose it on the ground that "they are not always right." The very fact, however, that his and many other trained legal minds are so uncertain as to the efficacy of a six-State compact fully justifies my position that this plan should be adopted, if at all, only as a last desperate expedient. The time for desperation has not yet come so far as the Colorado River compact is concerned. I believe it will not come, for, if this matter of ratification is not forced upon the people of the West, the desired agreement or some similar one will be voluntarily approved and the dam on the lower Colorado will be built.

This brings me to a consideration of the merits of S. 3331, the pending bill, and to my second fundamental proposition, namely, a dam should be built at Boulder Canyon or at some other point on the lower Colorado River; first, for flood control; second, for irrigation and domestic uses; and, third, for hydroelectric power purposes. It should be constructed at a location most suitable from an engineering and economic standpoint. Probably Boulder Canyon is the place for the dam, although the opinion of engineers is not so unanimous on the subject as the advocates of the pending bill seem to insist.

The definite location should be determined after a complete examination and report with recommendations by a board of engineers composed of members of the United States Army, the Department of the Interior, and one or two civilians. The report should also include full information covering what other and further precautions will be necessary to insure flood control after the proposed dam has been completed.

Because of flood control, I believe the dam should be built by the Federal Government. I say this for three reasons:

First. There is ample precedent for the undertaking of such work by the United States in the case of an interstate stream such as the Colorado. Millions have been spent on the lower Mississippi for similar purposes, and rightly so. Similar protection has been assured other sections of the country in the case of other streams and lakes. Why, then, should not the central Government do the same in aid of the lower Colorado River section?

Second. By flood control this great river, which is now a source of danger and disaster to the lowlands of California and Arizona, can be so harnessed to beneficial uses as to be of inestimable aid to the same territory it has threatened and sometimes injured in the past.

Third. Inasmuch as flood control is the primary purpose of the dam, there must be some governing authority to see that such purpose is

maintained at all times. Occasions will probably arise when interests will conflict, for example, when flood control requires that water be let from the dam at a time which does not suit irrigation or power purposes, or both. Then, indeed, some arbiter must say that the primary purpose shall be carried out irrespective of other considerations, and the Federal Government appears to be the only agency which can conveniently or safely exercise such authority. The dam, therefore, should be publicly built.

When we come to irrigation and domestic uses, we find that this undertaking may mean a new era of development in the Southwest. Much Government land will probably be irrigated, affording another reason why it is proper for the Federal authorities to construct the dam. Precedent is again on our side, and advocates of the plan can point with the utmost propriety to reclamation projects and similar undertakings by the Federal Government in the semiarid regions of the West.

In connection with irrigation, the bill as now drafted provides for the construction of a so-called "all-American canal" in the Imperial and Coachella Valleys in California. I have personally inspected this section on several occasions and am not at all satisfied that such a canal would prove to be an economic success.

Certainly the Federal Government and the people who will eventually be obliged to pay for this construction work desire the adoption of the most feasible plan for the irrigation of these lands, which will yield a revenue sufficient to repay the investment, including the proper proportionate share of the cost of the dam structure. At the proper time I shall introduce an amendment to the bill which will not only compel the construction of this canal but will permit the use of the water for irrigation and domestic purposes in the most efficient and economical manner, whether that may be through the proposed works or through the erection of a pumping plant instead.

Let us take up for a moment the matter of power to be generated from water stored in the proposed dam. This properly ranks third. Not only is it less important in itself than flood control and irrigation, but it is also true that power can be secured from other sources if necessary. However, such possibilities in connection with the project should not be overlooked, for they can aid materially in the growth of the Southwest. The pending bill confers authority on the Secretary of the Interior to determine whether the Government shall expend some thirty-five to forty millions of dollars in the construction of hydroelectric power plants, operate them, and contract for the sale of power produced, or lease the right to use the water to municipalities or corporations that will construct and operate such plants. This responsibility is too great to load upon any member of a President's Cabinet, and the policy of either selling power or leasing the right to produce it should be determined by the Congress and set out in the bill itself.

I do not know the attitude of private or municipal corporations on this subject, nor have I attempted to find out. Off hand, however, it would be my impression that such corporations would prefer to have the Government put up the necessary \$35,000,000—it will probably cost more than the estimate—take all the risk of the great undertaking, and then, if it be successful, purchase their power from the Government. For one thing, the United States can obtain money more easily and more cheaply than the richest corporation, and this reason alone might bring about a disposition to allow the Federal Government to do the work. I am not sure, therefore, whether the Secretary of the Interior would have any real choice in the matter, and it is more than probable that the Government would be obliged to undertake the construction of these power units, so that the whole cost of the threefold undertaking will be borne by the American taxpayer in the first instance unless this provision of the pending measure is changed.

I believe it is just as easy and will be much better for the Congress to determine now whether the Government of the United States intends to go into the power business and, having reached a determination, write its conclusions into the pending bill. If private corporations secure these power privileges, they must do so, of course, as a result of rigid competitive bidding; and I call attention to the fact that they should and would be properly supervised by the Federal Power Commission in their exercise of those privileges. The public would be adequately protected, as private capital, if interested in such a project, is always limited to a reasonable return on the investment by the public utilities commission of the State and by the Federal Power Commission. As already pointed out, there will naturally be some risk in connection with this power project. Why should the Federal Government, representing the taxpayers of the country, assume that responsibility when it is needless for it to do so?

One thing is admitted on all sides—by those who favor Government ownership and by those who advocate private operation—there is a real need for this additional power in the West; there will be an ample market for it over and above the present consumption of power. Consequently, private and municipal corporations would welcome this additional supply, whether privately or publicly operated, and are anxious for the early construction of the dam on the lower Colorado River. Nevertheless, for the reasons I have given, I believe that the Congress should decide to lease the right to produce hydroelectric power and refuse to erect and operate the proposed power plants with Federal money and Government employees.

To summarize: The position of Congress should be one of extreme helpfulness to the States of the Colorado River Basin in their efforts to secure the water they so sorely need and to which they are entitled. In return we of the West should realize that the important question to be settled, before asking the Federal Government to spend any more money on the Colorado River, is an equitable division of the waters of the stream between the seven States—not six or five or four—in the river basin. Sovereign States can arbitrate their differences; they can get together; they can agree, and they will agree.

Meanwhile, the Federal Government should assure us through its representatives that there will be no water rights or privileges granted or priorities established, so as to affect in any way the future equitable distribution of water among the several States of the Colorado River Basin.

With the compact signed, Congress should then pass a measure somewhat similar to the pending bill but probably with several modifications. Especially should it consider the wisdom of building the all-American canal or of permitting the construction and management of hydroelectric power plants at Government expense. The important questions of economy and efficiency should always be kept in mind. For the American taxpayer must advance the total cost. He will suffer if the Government undertakes more than it should, and he will suffer at a time when he probably needs tax reduction more than anything else.

It has been asked: Why should Colorado be interested in the amount of money expended at Boulder Canyon or how it is to be expended, provided she gets her share of the waters of the stream? I will tell you why. In the first place, Colorado taxpayers will stand part of the cost of construction. Second and more important, upon the success or failure of this huge public undertaking, its economical construction and efficient management, will largely depend the attitude of the United States Government toward future irrigation or reclamation projects in Colorado, in Utah, in New Mexico, and in other Western States.

We are all vitally concerned in this matter, as the distribution and use of the water of the Colorado River will affect the whole Nation; may not be limited in fact to this country's boundaries, for this is an international stream. We must work and pray for the ratification of a water compact, free, fair, and just to each State in the river basin. We must work for the construction of a proper dam in the lower Colorado River, and above all, we must hasten the day when each State in the league shall secure the full benefit of the water to which it is justly entitled, thereby insuring proper development of our vast natural resources and a prosperity heretofore unequalled in the history of the West.

#### MATERNITY AND INFANT HYGIENE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Bayard	Fletcher	McKellar	Schall
Bingham	Frazier	McLean	Sheppard
Blease	George	McMaster	Shipstead
Borah	Gerry	McNary	Shortridge
Bratton	Gillet	Metcalf	Smoot
Broussard	Glass	Moses	Steck
Bruce	Gooding	Norbeck	Stephens
Cameron	Hale	Norris	Stewart
Capper	Harris	Nye	Swanson
Copeland	Harrison	Oddie	Trammell
Curtis	Hawes	Overman	Wadsworth
Deneen	Hedlin	Pepper	Walsh, Mont.
Dill	Johnson	Phipps	Warren
Edge	Jones, Wash.	Pittman	Wheeler
Edwards	Kendrick	Randsell	Willis
Ernst	Keyes	Reed, Mo.	
Ferris	King	Robinson, Ark.	
Fess	Lenroot	Robinson, Ind.	

Mr. GOODING. I wish to announce that the Senator from West Virginia [Mr. GOFF], the Senator from Oklahoma [Mr. PINEL], the Senator from Kentucky [Mr. SACKETT], the Senator from Michigan [Mr. COUZENS], the Senator from Rhode Island [Mr. METCALF], the Senator from Indiana [Mr. WATSON], the Senator from South Carolina [Mr. SMITH], the Senator from Tennessee [Mr. TYSON], the Senator from West Virginia [Mr. NEELY] are attending a meeting of the Interstate Commerce Committee.

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present. The Senator from Delaware [Mr. BAYARD] is entitled to the floor.

Mr. BAYARD. Mr. President, on Saturday last I was reading and commenting on a letter which I had received from Miss Kilbreth, president of the Woman Patriotic Publishing Association, written to me under date of December 13, 1926. I desire further to read from that letter and comment on it. I might say that the letter itself was in reply to a letter placed in the RECORD in December by the Senator from Texas [Mr. SHEPPARD]—the letter of Miss Abbott to the Senator from Texas, under date, I think, of November 23, 1926.

Senator SHEPPARD's "careful student," who statistically resurrected 10 dead infants, while we misplaced 2, is five times as much in error in three places in his or her table, including the total number of infant deaths in the five States, as we are in three places that do not affect the total in any way.

However, both the petition table and the "careful student" table show, with these minor copyist's errors, the fact that the group of States rejecting the maternity act had a lower infant mortality rate than the group of States accepting—the only point of material consequence.

Immediately following the infant mortality table in our petition, there is a maternal mortality table, containing 36 items, in which Miss Abbott does not allege a single error.

Therefore, her statement, without proof, that we made 14 errors in 18 items—when we actually made 3 in 48 items—is an unfair attempt to discredit us rather than an effort to inform the Senate, for in the latter case the errors of Senator SHEPPARD's "careful student" should have received as much notice as ours.

4. Miss Abbott declares that the statement in the petition about maternal mortality in Montana (petition, p. 34) is "both incorrect and misleading."

An examination of Mortality Statistics, for 1919, page 95 (issued by the Census Bureau), will show every figure given in the petition up to that date correct.

Moreover, her own table confirms, substantially, those figures.

Another striking fact noted in the petition (p. 34), namely, that the Montana septicemia rate is the highest of any State, and equaled only among the colored women of Mississippi (Mortality Statistics, 1923, p. 61), Miss Abbott does not mention or deny.

Neither does she deny the accuracy of the quotations from Children's Bureau pamphlets (petition, p. 34) showing how the "hazards of child-birth" are pictured to mothers.

On the other hand, she accuses us of arguing that puerperal septicemia "is caused by fear," despite the fact that the petition at least twice alludes to it as a "dreaded infection" and when our argument was and is that the mortality from this infection is influenced by abnormal fear, a reasonable argument that in no way contradicts the discoveries of Dr. Oliver Wendell Holmes, Semmelweis, and others. On the contrary, the "medical theory" of the Children's Bureau that this infection "could be practically eliminated" if surgical standards of asepsis were followed in obstetrics is discounted somewhat by the fact that Semmelweis himself died a raving maniac after contracting this infection in a surgical case, as other surgeons have done, and by the admission of the Children's Bureau in its latest booklet on "Maternal Mortality" (Bureau Publication No. 158, p. 65) that—

"In rare instances, furthermore, even with the most rigorous asepsis on the part of the physician, autoinfection may take place."

These quotations, Mr. President, plainly show a deliberate intent on Miss Abbott's part not only to distort but to misstate statements to which she herself had ready access, and the sources of these statements were readily ascertainable had she thought it worth while to verify her statement that the statements of the Woman Patriot petition were incorrect. She makes the mere allegation as to lack of veracity or lack of correctness and goes no further; but, as I have read from this letter of Miss Kilbreth, not only is Miss Abbott inaccurate, as proved by the figures from the source to which all of us must go—the Census Bureau—but, more than that, she is proved inaccurate by the publications of her own bureau; and, more than that, she is unwilling to cite anything in support of her statements on this particular point.

That morbid fears may lessen the resistance of a person infected with this and other germ diseases and thus influence fatality therefrom few physicians would deny. The discoveries of Holmes, Semmelweis, Pasteur, and others showing an infection necessary do not, as the Children's Bureau chief implies, eliminate the influence of morbid fear on mortality after the infection.

The Chief of the Children's Bureau declares that we gave the Montana maternal mortality rate "for only a few years," and that we did not make clear the two different methods of calculating the rates (by 100,000 population and by 1,000 live births).

On the contrary, the rates were given for all years (1915 to 1919) for which we had census figures, per 100,000 population, and it was explained (petition, p. 34): "The rate of maternal mortality for Montana is given by the 100,000 population, because Montana did not come into the birth-registration area until 1922."

That plainly shows that Miss Abbott had no intention of facing the facts. She simply grasped at something where, by innuendo and half statement, she might make it appear that the Patriot petition was misrepresentation, when as a matter of fact it was cold, sober fact, the source of which was accessible to her as well as to everybody else.

For 1923 the rate by 1,000 live births was given, showing Montana had the highest septicemia rate of any State, equaled only by the colored mothers of Mississippi—a statistical fact the Chief of the Children's Bureau prefers to evade, while accusing us of "misleading" statements by omission.

"No less inaccurate," declares Miss Abbott, are the tables on pages 10 and 11 of the petition, comparing the number of pages of "illegitimacy" reports with those instructing mothers in the care of children; and comparing the number of pages of Standards, Maternity Benefit Systems in Certain Foreign Countries, Infant Welfare Work in Europe, etc., with the two small reports on the maternity act.

As these tables were compiled from the Children's Bureau's own list of publications, they are no more inaccurate than its own official list, although they certainly could not be expected to cover the entire 156 titles in comparing four classes of reports only.

The Chief of the Children's Bureau asserts:

"No apology is needed for the illegitimacy reports of the Children's Bureau. They are scientific studies," etc.

The "scientific studies" are put out, however, to "win over public opinion" to the "high ideals" of the "Castberg law" of Norway!

The bureau's own Standards of Legal Protection for Children Born Out of Wedlock (Publication No. 77), page 27, declares:

"\* \* \* Those of us who sympathize with the high ideals represented by the Norway law should make our position with regard to it clear. The view that the interest of the child is paramount interest to which all other considerations should yield is not only attractive, but socially sound. The view, on the other hand, that in the interest of the institution of marriage the fruit of illicit relations must be penalized and made odious is intrinsically abhorrent.

I would call the attention of Senators to that. That doctrine which Miss Abbott puts forth is rather interesting, particularly from an unmarried woman.

But it is clear that intense prejudices prevail upon the subject. \* \* \* Whether resting upon fancied or upon real grounds, the objections to legislation of the most advanced type are for the present insuperable. It will take time to win over that public opinion which counts in practical reform. If immediate results are contemplated, the goal must not be unduly high. "The Castberg law or nothing" is not a practical program. Yet, if the Castberg law is the ultimate ideal, it should not be lost sight of.

Is this a "scientific study" or plain, unvarnished propaganda for the Castberg law of Norway as the "ultimate ideal" of these "studies" and "standards"?

Mr. REED of Missouri. 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	Fletcher	Lenroot	Robinson, Ark.
Bingham	Frazier	McKellar	Robinson, Ind.
Blease	George	McMaster	Schall
Borah	Gerry	McNary	Sheppard
Bratton	Glass	Mayfield	Shipstead
Bruce	Gooding	Moses	Steck
Cameron	Harris	Norbeck	Stephens
Capper	Harrison	Norris	Stewart
Copeland	Heflin	Nye	Swanson
Curtis	Johnson	Oddie	Trammell
Deneen	Jones, Wash.	Overman	Wadsworth
Edwards	Kendrick	Pepper	Walsh, Mont.
Ernst	Keyes	Phipps	Warren
Ferris	King	Ransdell	Wheeler
Fess	La Follette	Reed, Mo.	Willis

The PRESIDING OFFICER. Sixty Senators having answered to their names, a quorum is present.

Mr. COPELAND. Mr. President—

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

Mr. BAYARD. I yield.

#### BANK LOANS ON INSURANCE CERTIFICATES

Mr. COPELAND. On Saturday the Senator from Virginia [Mr. GLASS] made a very spirited defense of the banks regarding their attitude toward the loans on the bonus certificates. I think he was entirely right in what he said, and in that connection I want to have printed with my very brief remarks a letter that I have received to-day from F. L. Howard, president of the First National Bank of Waverly, N. Y. In this he says two things which I desire particularly to quote now, but I want all of the letter printed. Mr. Howard says:

I have talked with various officers of our local American Legion and with many individual members, and none of these members of the

Legion condemn or criticize the banks. It is the universal opinion that Congress, after eight years of failure to recognize their obligations, are now trying to relieve themselves of this burden of failure by criticizing others, and that it is time that the Members of Congress recognize the fact that they are the ones to whom the criticism should be directed, rather than those to whom they have tried to "pass the buck."

It is true, Mr. President, that the act, section 502, while making provision for the repayments of loans made by any bank, is, after all, wholly within the discretion of the Director of the Veterans' Bureau. So the banks can not be blamed particularly for being unwilling to make these loans.

It all demonstrates what many of us said, what I said, among others, during the debate on the bonus, that the veterans were getting a "gold brick," and that is what they did get.

We must find some way, however, to keep faith with the veterans in the face of the bill we did pass. I introduced a resolution the other day, which was passed, and which is now before the Secretary of the Treasury for reply, and I hope that out of that will grow some means of guaranteeing the banks against losses in order that these loans may be made. But I want every veteran in the country to know that it is because of the attitude of the Republican Party, and their failure to pass a decent bonus bill, that this situation has arisen; and this party, still in power, must find some way to pay the loans. Otherwise, every veteran in the country will know that he has been imposed upon and has received a "gold brick."

So, Mr. President, I ask that that letter be printed with these remarks in order that the veterans may know exactly where they stand as regards this particular matter.

The PRESIDING OFFICER. Is there objection?

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

THE FIRST NATIONAL BANK OF WAVERLY,  
Waverly, N. Y., January 5, 1927.

Hon. ROYAL S. COPELAND,

Senate Chamber, Washington, D. C.

MY DEAR SENATOR: As a citizen of the State which you have the honor to represent in the United States Senate, and as a banker, I noted with a good deal of interest the press-dispatch quotations from various Members of the United States Senate, among which was included a statement purporting to be made by you relative to the refusal of banks of the country to make loans upon the bonus certificates issued by the Federal Government to the veterans of the World War.

During the first two business days of the year 1927 approximately 35 or 40 applications have been made to me and to the institution which I represent for loans on such certificates. Out of this entire number only three were known to me, and only one of the parties has now or ever has had any connection with our business. In practically every instance where I talked personally with the applicant, as I did in most cases, the one seeking to borrow had no intention of repaying the loan, and looked upon it as an opportunity to get a small cash bonus from the Government which were to be paid through the banks, and then the bank to collect. If you have had called to your attention the regulations which have been issued by the Veterans' Bureau, in its regulation it notifies the banks that the director may, in his discretion, accept the certificate and note and pay the bank.

The Veterans' Bureau regulations further provide that it is the intention or policy of such bureau to redeem all loans when such loans are made in good faith to the veteran. Inasmuch as loans on these certificates can only be made by banks, the inference is that the banks would make loans other than in good faith. It is my judgment that the banks of the country have treated the veterans as fairly as have the Government and the Veterans' Bureau.

The average loan which is available on a veteran's certificate, in so far as they have come to my knowledge, is approximately \$100. After eight years since the signing of the armistice, the Federal Government has denied any relief to its men, and just why the Members of the Senate, of which you happen to be one, should charge the banks with being unpatriotic in refusing to make loans on these certificates where the borrower expressly states that he does not intend to pay it, and is getting all he can out of it in the way of cash—that you, being charged with the duty of caring for these men, refuse to do anything for them—I am at a loss to understand.

The matter of the profit which may or may not accrue to the bank by reason of the interest which can be charged on these loans does not enter into the mind of any banker, as all of the banks, particularly the country banks such as I represent, are rendering services every day to the people of the community without any hope of a money reward.

In several instances, in talking with these veterans, I find that they have been getting along as well as the average man placed in their situation, and they so admit, and that they can get along nicely in the future without such a loan. They have, however, been led to believe that this amount is simply a cash payment which the bank will

make, forward the matter to the Government, and the Government will repay the bank.

It is my judgment that the banks are acting as patriotically and as much for the interest of the World War veterans as are those who for eight years have refused to do anything for these veterans, although they had it in their power, but instead have spent much of their time in denouncing other people because they failed to do something.

The writer has spent considerable time and expense, both as a practicing attorney and as a banker, in dealing with Government bureaus in matters pertaining to the World War veterans, without any compensation and without any expectation of any reward except to help worthy veterans to get at least a fair deal and a fair degree of justice, which has been denied them; and if it is possible to avoid having to deal with such bureaus the writer is very desirous of doing so.

I have talked with various officers of our local American Legion and with many individual members, and none of these members of the Legion condemn or criticize the banks. It is the universal opinion that Congress after eight years of failure to recognize their obligations are now trying to relieve themselves of this burden of failure by criticizing others, and that it is time that the Members of Congress recognize the fact that they are the ones to whom the criticism should be directed rather than those to whom they have tried to "pass the buck."

Of course, I appreciate that the Members of Congress are much better qualified, in their judgment, to pass upon the wisdom of the banks to make loans to various applicants than are those called upon to make such loans, and that we ought to surrender our judgment as to the wisdom in these cases to a body of men who have so successfully dodged the issue themselves.

When Congress provides definitely that in the event of a loan being made by a bank upon a certificate is not paid by the borrower, that it will be paid by the Government, without leaving that determination to the whim of some individual in Washington who has no interest in the veteran or the bank making the loan, no veteran will experience any difficulty in securing a loan on his certificate if it is really needed by him and is to be used for some purpose beneficial to himself or family.

I have found it a pretty safe rule that one who goes about charging others with being unpatriotic is the one who should be watched. If one-half of the time that is now spent in criticism of others were devoted to constructive action, much more good could be accomplished for the benefit of the veterans.

Respectfully yours,

F. L. HOWARD.

Mr. CURTIS. Mr. President, I do not want to interfere with the Senator from Delaware, but if he will yield I might state to the Senator from New York that the provision of the bill to which he referred was drawn by the legislative representatives of the American Legion. They were satisfied with it. I can say, further, that I do not believe the bankers of the country, when the request was made of them, knew the provisions of the law.

Everything is being done that can be done to get the banks to loan money upon the certificates. If the Senator will read the provisions of the law, he will find that they are very liberal. They allow the banks to charge an interest rate not to exceed 2 per cent more than they charge for the discount of commercial paper. It provides that if the notes are not paid within six months after the maturity of the loan the Veterans' Bureau may take it up. I am informed that the bureau is able to take the loans up, and I hope arrangements will be made to take them up.

When all these facts are made plain to the bankers of this country, I feel confident that they will loan money upon the certificates.

Mr. COPELAND. Mr. President—

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

Mr. BAYARD. I yield.

Mr. COPELAND. I am very much interested in what the Senator from Kansas has said. I know how sincere he is, and how generous on all occasions. But the most interesting thing he has said is that he feels that some provision will be made. As a matter of fact, this law does not prescribe and direct the director to make good these loans.

Mr. CURTIS. Mr. President, that is why I said that I thought and believed provision would be made, because I have talked with officers of the Government, and they tell me that they are able to take care of the loans if the banks are required to carry them for the six months.

Mr. COPELAND. Mr. President, nothing that has been said here is more important than what the Senator from Kansas has said just now, because if some provision is not made, the banks can not make these loans. They can not put their money into solid assets; their assets must be liquid. Unless the Government makes some provision so that the banks will know that it is not at the discretion of the director that these pay-

ments are made, but that actually by some direction of the Government the banks are assured that the loans will be met, the matter is not taken care of. I am glad to hear the Senator say that some provision will be made.

Mr. HEFLIN. Mr. President, I can not permit the statement of the distinguished Senator from Kansas to go unchallenged that the veterans favored this legislation. They accepted it finally.

Mr. CURTIS. Just a moment. I introduced the measure in the Senate. It was brought to me by the legislative representatives of the American Legion. I therefore ought to know what I am talking about.

Mr. HEFLIN. Now, I will finish my statement. The veterans favored a cash bonus. There is no doubt about that proposition. My correspondence will show that they favored a cash bonus. They talked to me in favor of the cash bonus. They talked to other Senators in favor of the cash bonus. The Republican Party refused to give them a cash bonus. Finally this certificate plan was offered; it was all you would give them and then, rather than have nothing, they said "We will take it."

They have not been treated right. Those who bought Liberty bonds during the war and paid 100 cents on the dollar and who were told that they would always be worth 100 cents on the dollar and that they could obtain money on them at any time, were driven during the panic of 1920 and 1921 to sacrifice them for 80 and 85 cents on the dollar after having been turned down by the banks with a flat refusal to loan money on them. Here is what I fear is going on—a scheme amongst some of the bankers to bandy these certificates around and refuse to loan on them until these poor boys in sheer desperation will say, "How much will you give for them?" and these New York bankers will buy them at a miserable discount that would be disgraceful, as they bought the Liberty bonds.

Mr. CURTIS. The Senator knows very well that the bonds to which he refers depreciated in value while the Democratic administration was in power. He knows that the Democratic administration went into the market and bought those bonds at a discount.

Mr. HEFLIN. Why, Mr. President, the Senator has been dreaming. He has had a pipe dream of some sort. President Wilson was in the White House.

Mr. CURTIS. Yes.

Mr. HEFLIN. Crippled, stricken down, at the time this panic was pulled through a Republican House and a Republican Senate. That is the fact about it.

Mr. CURTIS. Does the Senator deny that a Democratic Secretary of the Treasury bought those bonds on the market?

Mr. HEFLIN. He might have bought some of them.

Mr. CURTIS. He did; about a billion dollars' worth of them.

Mr. HEFLIN. I am talking about the bonds that had been bought by and were in the hands of the people of the South and West; they were gotten by the bond sharks of Wall Street for 80 and 85 cents on the dollar, for 80 and 85 dollars on the hundred; and they will collect the money on them from the Government at 100 cents on the dollar. They are now clipping their coupons while the farmers of the South and West are suffering from the losses they sustained.

I am praying God that those brave boys who went abroad, 3,000 miles from home, to offer their lives on the battle front for the rights and liberties of the world will not be treated as the hundreds and thousands of patriotic bondholders were treated. I am hoping and praying that something will be done to take care of those boys to meet the honest obligations this Government owes them. What a shameful spectacle to have one of these brave, upstanding, manly young Americans walking up and down the country with a Government certificate in his hand begging somebody to relieve his distress by loaning him some money. I am not complaining about banks not loaning money on these certificates. I want the Government to pay these certificates. I am not going to forget those boys, and I do not intend that anyone on my side of the Chamber or the other side of the Chamber shall escape their responsibility to them. The Republican Party is responsible for the failure to pass a cash bonus bill. If we owed to these boys this amount, we ought to have paid them in money instead of giving them worthless certificates to peddle about the country. It is a shameful outrage.

Mr. COPELAND. Mr. President, I am very much interested in what the Senator from Alabama has said about the bonus, and I am in hearty sympathy with him, as he knows. If we had had the cash bonus, as we attempted to give it to the veterans, this state of affairs would not have arisen.

I want the Senate to know exactly what the issue is. Section 502 of the bonus act has one paragraph known as "loan

privileges," which provides that a loan may be made to a veteran upon certain conditions. Those conditions include such protection for the bank, that if at the end of six months the loan has not been repaid, then at his discretion the director of the bureau may accept the certificate and note and satisfy the claim and return the money to the bank. But unless some further legislation is had or some direct provision is made for the reimbursing of the banks, those loans will not be made and can not be made.

The Senator from Virginia [Mr. GLASS] was absolutely right in what he said the other day. It is not the fault of the banks, but, as the Senator from Alabama has said, it is the fault of this Republican-controlled Congress if it did not pass a decent bonus bill for the veterans and not give them what this is in effect, simply a death certificate. I hope that out of this promise which the Senator from Kansas [Mr. CURTIS] has made there will come a provision by which the bonus loans may be returned and then the banks will be justified in making the loans, but not until then.

**SENATOR FROM PENNSYLVANIA**

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Governor of Pennsylvania, which the clerk will read.

Mr. HEFLIN. Mr. President, I object to the reading of the communication at this time if it purports to be a certificate about Mr. VARE. I move that it be referred to the Committee on Privileges and Elections.

Mr. WALSH of Montana. I think the Senator is misinformed about the communication. I trust it may be read for the information of the Senate.

The VICE PRESIDENT. Under the rule the Chair has a right to hand down a message at any time. The clerk will read it.

The Chief Clerk read as follows:

COMMONWEALTH OF PENNSYLVANIA,  
GOVERNOR'S OFFICE,  
Harrisburg, January 8, 1927.

THE PRESIDENT OF THE SENATE OF THE UNITED STATES,

Washington, D. C.

SIR: I have the honor to transmit herewith the returns of the election of United States Senator, held on November 2, 1926, as the law of this Commonwealth directs.

I have the honor also to inform you that I have to-day signed and by registered mail delivered to Hon. WILLIAM S. VARE, in conformity with the statute in such case made and provided, a certificate which is as follows:

*"To the President of the Senate of the United States:*

"This is to certify that on the face of the returns filed in the office of the secretary of the Commonwealth of the election held on the 2d day of November, 1926, WILLIAM S. VARE appears to have been chosen by the qualified electors of the State of Pennsylvania a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1927."

The form of words customarily used for such certificates by the governors of this Commonwealth and the form recommended by the Senate of the United States both include certification that the candidate in question has been "duly chosen by the qualified electors" of the Commonwealth.

I can not so certify, because I do not believe that Mr. VARE has been duly chosen. On the contrary, I am convinced, and have repeatedly declared, that his nomination was partly bought and partly stolen, and that frauds committed in his interest have tainted both the primary and the general election. But even if there had been no fraud in the election, a man who was not honestly nominated can not be honestly entitled to a seat.

The stealing of votes for Mr. VARE, and the amount and the sources of the money spent in his behalf, make it clear to me that the election returns do not in fact correctly represent the will of the sovereign voters of Pennsylvania.

Therefore, I have so worded the certificate required by law that I can sign it without distorting the truth.

I have the honor to be, sir,  
Very respectfully yours,

GIFFORD PINCHOT, Governor.

(Inclosure)

OFFICE OF THE SECRETARY OF THE  
COMMONWEALTH OF PENNSYLVANIA,  
Harrisburg, January 8, 1927.

PENNSYLVANIA, ss:

I, E. H. Conarroe, secretary of the Commonwealth of Pennsylvania, having the custody of the great seal of Pennsylvania, do hereby certify that at the general election held on Tuesday, November 2, 1926, the following-named candidates for the office of United States Senator received the number of votes set opposite their names, respectively:

William S. Vare	822, 187
William B. Wilson	648, 680
George W. Snyder	9, 869
Elisha Kent Kane	19, 523
Robert C. Macauley	1, 053
A. J. Carey	3, 094
Scattering votes	200

In testimony whereof I have hereunto set my hand and caused the great seal of the State to be affixed, the day and year above written.

[SEAL.]

E. H. CONARROE,

*Secretary of the Commonwealth.*

Mr. DILL. Mr. President, I have a resolution, which is on the table, on this very subject, and I had an understanding that the credentials would not be presented without previous notification.

The VICE PRESIDENT. These are not credentials.

Mr. DILL. Then I have nothing more to say.

Mr. ROBINSON of Arkansas. Mr. President, I was absent from the Chamber when the Chair laid before the Senate the paper which is the subject matter of this discussion. My information is that it is a communication to the Senate from the Governor of Pennsylvania. I suggest that the message lie on the table.

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

Mr. DILL. I understand the credentials were not presented.

Mr. ROBINSON of Arkansas. They were not.

ADDRESS OF HON. THOMAS J. WALSH, OF MONTANA

Mr. SWANSON. Mr. President, on the 28th of December last, which was a day commemorating the birth of Woodrow Wilson, the senior Senator from Montana [Mr. WALSH], at Louisville, Ky., made an unusually eloquent and instructive speech. I ask unanimous consent that it be published in the RECORD.

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

COMMEMORATION OF BIRTH OF WOODROW WILSON

Senator WALSH of Montana. It is to a remarkable combination of affection and reverence for the late President of the United States, Woodrow Wilson, that the annual gatherings of which this meeting is representative owe their origin. The sentiment back of them is rare if not unique. Other robust characters that have figured in our history are remembered with admiration for their talents and with gratitude for their services. Another element enters into the regard widely entertained toward Mr. Wilson. It has its source in his sympathy with and devotion to the struggling masses, the lofty ideals by which he was animated throughout his public career, in some measure becoming those of his country when he became the first statesman and the most conspicuous figure in the world. Jefferson, Lincoln, and Wilson share the homage of the American people as leaders of democracy. The fame of Jefferson, however, consummate politician that he was, suffers from the belief that he was not above intrigue in party contests. Lincoln living in a time when the question of slavery was all absorbing was afforded little, if any, opportunity to champion the rights and liberties of the oppressed outside those held in bondage. Industrialism had not yet, at the time of his death, become a problem. The day of the concentration of capital had not arrived, the West was still absorbing every excess in the field of labor, and every inducement was being extended to promote the construction of railroads. Wilson assumed the Executive office at a time when, by the common conviction of his party and the oft-repeated assertion of the spokesman of the major part of that displaced on his accession, the country awaited release from the galling domination of a plutocracy, desperately clinging to the privileges through which its ascendancy had been gained and critical of any remedy for admitted evils not dictated by it.

With a Jeffersonian confidence in the judgment of the plain people he courted enlightenment from that source, sagaciously discerning their voice in a Babel of tongues. Industry and business were unshackled and the exploitation of labor curbed. When he visited Europe at the close of the war and was acclaimed as was no other man of which history tells us, those in authority thought of him as the head of a great nation which, under his leadership, had turned the tide of war, as the consummate statesman whose utterances had done more than many battalions to bring it to a glorious end, but the multitude paid him deference as the friend of humanity and the defender of the rights and liberties of mankind. To him they looked nor looked in vain for some system that would at least tend to relieve the poor from the miseries incident to recurring wars, and it is to his compassion for them that the world is indebted for the League of Nations. As in the case of Lincoln his tragic death gives an added tenderness to the regard in which his memory is held, but it rests upon the sure foundation of his love for men in the aggregate and his devotion to the cause of the many against the injustices of the few. It in no wise lessens either the depth or the intensity of the affection he inspired that his attachment to the causes he espoused was intellectual rather than emotional. It is because of the traits of character to which reference

has been made that the passerby bares his head as he traverses the street opposite the house in which the first citizen of the world breathed his last, and throngs daily wend their way to the shrine where are immured all that is mortal of this matchless tribune.

Looked at from the standpoint of to-day it is inexpressibly to be regretted that he should have taxed his energies so fatally to secure the approbation by the Senate of the covenant. I say the covenant rather than the treaty, since it was against the former, largely because it was regarded as his work, that the main attack was leveled. If other features were assailed it was in the hope that a general antagonism involving the covenant would be engendered. It is sad, in view of the event, that after the terrific labors of the war period and the even more exacting demands of the Peace Conference he did not await with more unanimity the action of the Senate. The league is established on an enduring basis. Its activities widen with the passing years. Despite internal strife naturally to be expected, with occasional manifestations of petulance, it acquires vigor, its deliberations become more and more significant.

The annual meetings of the assembly, generously attended by premiers and ministers of foreign affairs, promote those intimacies so important in crises in international relations; they afford a forum for the discussion of international problems in which every speaker is perforce obliged to profess the attachment of his country to the cause of peace. The small nations, equally with the great, may be heard. Their statesmen have made notable contributions to the work of that branch of the league. The council, readily assembled whenever conferences of the leading powers seems advisable, is performing its functions in the delicate task of keeping the world at peace. The peace-loving, war-weary nations of Europe are enamored of the league. Whether it will go to smash some day when controversies between two or more of the great powers defy adjustment, no man is sufficiently gifted to say. That it is a powerful agency for peace none not warped by inveterate prejudice or ignorant of its history will deny. It is getting along nicely without the support of the United States. It is doubtful if it would have functioned more effectively or successfully had our country been a member from the beginning. As most of the problems threatening world peace are European or involve the European powers, it is quite likely that had America been a member she would have studiously held aloof from them, at least as far as conditions would permit, engaging actively in the humanitarian work of the league and in its efforts to secure general recognition of the principles of international law. The loss flowing from our policy of isolation has been ours, not the league's. We have been playing and are doomed to play a secondary and subordinate part in all movements for world betterment, arresting the spread from one country to another of contagious diseases and suppressing or controlling the traffic in opium, in women and children and in obscene literature, regulating the traffic in arms, codifying international law, and, above all, the institution of a permanent court of international justice.

It is quite to be expected that the proponents of any project requiring the cooperation of the nations generally will invoke the league as the most convenient and expeditious method of securing the necessary assent and equally to be expected that when secured the league will be empowered to carry it out, the organization for setting it on foot being at hand. In some of the activities of the league of the nature indicated we have grudgingly participated for very shame at having no hand in world enterprises approved by the common opinion of mankind. There are reasons other than our insistence on the payment of loans made during and since the war to the nations associated with us in it for the hatred exhibited toward us among them, notwithstanding the relief so lavishly extended by our people to those suffering from the devastation wrought by that cataclysm in the causation of which we had no part either near or remote. How can we expect to be regarded with any warmth of friendliness by the people of Europe when we maintain a position of aloofness while they set on foot a plan to establish and maintain a permanent international court, an institution repeatedly extolled by our statesmen and by the leading jurists of the world as a most desirable, if not an indispensable, agency for the preservation of peace, our attitude, as in the case of other equally commendable enterprises to which we contribute nothing having no better basis than that it was inaugurated under the auspices of the league. It is deeply to be regretted that the effort to give to the tribunal thus set up and which has now functioned successfully for four years the prestige of the moral support of the United States has apparently come to an impasse. I trust it will not seem inappropriate to this occasion to elucidate the situation with respect to that effort concerning which there is no little confusion in the minds of many, even among those who might be expected to be quite thoroughly informed.

Pursuant to the injunction of the covenant the Council of the League of Nations, calling to its aid a committee of experts—international jurists of renown—prepared a statute or constitution for a permanent court of international justice which, after being approved by the assembly, was submitted to the various powers for their indorsement, to be expressed by signing a protocol or treaty through which those thus assenting became sponsors for the court.

After approximately 50 nations had so become participants in the establishment and maintenance of the court, President Harding in February, 1923, asked the Senate to advise and consent to the United States becoming a signatory to the protocol with four reservations or upon four conditions proposed by Secretary of State Hughes, as follows:

1. That the United States should by signing assume no relationship with the League of Nations or any obligation under the covenant thereof.
2. That the United States should be entitled to participate in the election of judges of the court.
3. That it should pay its fair share of the expense of maintaining the court, and that the United States might at any time withdraw its adherence.
4. That the statute of the court should not be amended without its consent.

The Senate advised and consented to the signing of the protocol with the Hughes reservations and another, for convenience No. V, which reads as follows:

"That the court shall not render any advisory opinion except publicly, after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned; nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

As this reservation has proven the chief obstacle to an unqualified acceptance by the other signatories to the treaty of the conditions upon which the United States proposed to join them, a study of its provisions is essential to an understanding of the case as it stands.

The covenant of the league in its provisions directing the initiation of proceedings for the establishment of the court declared that in addition to hearing and deciding controversies which might be submitted to it by the nations involved, it should have power to give advisory opinions on request to either branch of the league, and, in general terms, the court was, by its organic statute, invested with such authority. The power thus reposed in the court was made the basis of attack upon it—perhaps the main basis—in the debate in the Senate on the resolution of ratification. Some few American courts of last resort are authorized by the constitutions under which they exist to render such opinions, upon the request of the legislature or governor, to aid or guide in the discharge of their or his duties. The prevailing American opinion, however, as indicated in Constitutions, State and Federal, is against reposing such power in courts, an inherited prejudice, no such practice being known in the English system. It is argued that it is the function of attorneys general to advise the executive or the legislature, and that courts ought not to commit themselves either as to the validity or the construction of statutes or to express an opinion on the law unless in bona fide cases before them. It is said that it is difficult, indeed impossible, to anticipate the infinite variety of circumstances under which the principle involved may be presented, and that contentions made concerning it are much more safely tested when the facts to which it is to be applied are before the court. Moreover, and this perhaps constitutes the most forceful ground of objection to such grant of power, the court might and often would be unaided by the discussion of opposing counsel, each diligently advancing every consideration favorable to his contention, ingenious in meeting the argument of his adversary. Indeed, under the system in vogue in some States the court hears no argument.

So strong are the predilections of the American bar touching the exercise of such a power by the courts that both Senator Root, in the discussions before the committee of experts, of which he was a member, which framed the statute of the court, and Hon. John Bassett Moore, a member of the court since its institution, in the exchanges occurring in connection with the preparation of its rules, expressed misgivings as to the wisdom or propriety of investing the international court with authority to render advisory opinions to the league. It should, however, be stated that both acquiesced, realizing that some concessions must be made in such a work of statesmanship, and both have been reassured by the manner in which the power has been exercised by the court. And it may be added that the system, whatever may have been its origin, has vindicated itself. It has been proven that it may be a valuable aid to the resolution of a dispute involving, often as a controlling element, a question of international law, the determination of which may render comparatively easy an amicable adjustment.

The court might conceivably respond to a request for an advisory opinion without giving interested parties an opportunity to be heard or without publicity, in camera as it is expressed on the Continent, but its rules provide that notice must be given to all members of the league and to all other nations that may appear to be interested, implying a right on their part to be heard, and that its opinions must be publicly announced. Those rules, however, are subject to change, and the opponents of ratification did not omit to call attention to the

fact that it was advanced by one of the judges when they were being prepared that a situation might arise when it would be in the interest of peace that the determination of the court should not be made public, at least at the time it was reached. Though this suggestion appears to have had scant support, it was thought best, at least to still apprehensions in this country, to crystallize the rule through a reservation which on being accepted by the other signatories would have the force and effect of a statute of the court. Hence the first paragraph of the fifth reservation, as follows:

"That the court shall not render any advisory opinion, except publicly, after due notice to all states adhering to the court, and to all interested states and after public hearing or opportunity for hearing given to any state concerned."

The second paragraph thereof reads as follows:

"Nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

Four of the leading powers—Great Britain, France, Italy, and Japan—have permanent places on the council on which it was contemplated in the covenant the United States should likewise always be represented. Remaining outside the league, our country has no seat therein. It was understood at the time reservation 5 was proposed and adopted that unanimity in the council is necessary to the adoption of a resolution to submit to the court a request for an advisory opinion, the covenant providing that questions of procedure before the council or the assembly may be determined by a majority vote, on all others unanimity being required. In this view it may be said there was general concurrence in the Senate. It may have been advanced that a contrary view was arguable, but the opposition, fertile in objections to the plan under which the court was organized, offered none in seriousness based upon a doubt as to whether a bare majority of the council may call for an opinion from the court. It will, then, be realized that if a unanimous vote in the council is requisite, that a request for an advisory opinion be submitted to the court, any nation represented thereon may interpose a veto. If it is proposed to submit a question the determination of which might for any reason be embarrassing to Great Britain or to France or Italy or Japan, or even to one of the lesser powers holding temporary membership in the council, it may offer a forbidding nay, though every other nation votes contrariwise. It was thought that the United States should be equally privileged, indeed, that it would otherwise be in on a footing of inequality. But it refrained from asking as much, contenting itself with reserving the right to object only in case it should be proposed to submit a question in which it had or claimed an interest. It restricted itself in accordance with its policy of not interfering in the controversies of European powers, the fruitful source, as heretofore remarked, of business for an international court.

The reservation carried an implication of perfect willingness on the part of the United States to let the other powers represented on the council submit to the court, or not submit, as they saw fit, a question of law involved in a controversy, for instance, between Italy and Yugoslavia, or between Germany and Poland. Some criticism has been directed against the Senate by Americans emotionally attached to the cause of the court for having imperiled adherence by offering Reservation V, but among them are few, I venture to say, who understand its purport or the conditions giving rise to it.

The action of the Senate was regularly communicated to the powers signatory to the protocol with a view to elicit their assent to the conditions under which the United States proposed to adhere. Several small nations have signified their acceptance of the terms, but the remainder withheld any official expression to await the result of a conference at Geneva looking to unanimity among them in their replies, or at least to an exchange of views concerning the proposed American reservations. The conference was called by the Council of the League to which Secretary Kellogg had transmitted information of the action taken by the Senate on the proposal to adhere and of his having sought the assent of the governments of the countries involved.

At the meeting of the council following the receipt of the letter of Secretary Kellogg referred to the British foreign minister, Sir Austen Chamberlain remarked that Reservation V was susceptible of an interpretation which would hamper the work of the council and prejudice the rights of members of the league, though he expressed the conviction that it was not intended it should bear any such meaning. He suggested that the correct interpretation of the reservation be made the subject of discussion and agreement with the United States. The secretary of the league, presumably at the direction of the council, sent an invitation to our Government to participate in the conference, taking pains, doubtless in view of his experience and in recognition of some sensitiveness of which he could not be unaware, to explain that it was not to be a league conference but a conference of the powers signatory to the court protocol.

The invitation was declined, the President through the Secretary of State saying that the "reservations are plain and unequivocal," and

that he had no authority to "modify" or "interpret" them. It is, of course, quite true that the President has no authority to modify a draft of a treaty as it had the approval of the Senate, or to interpret it, if by interpretation is meant to give it a construction of binding force and effect. But undeniably he has plenary power to negotiate with a view to either a modification or an interpretation, using the term in the sense indicated, which was the limit of what he was asked to do. It did not follow that the conference would result in any proposal either to change or to "interpret." All hesitancy about accepting the reservations might have been removed by a frank exchange of views and a free discussion of the reservations. To say the least, the reply betrayed no warmth of desire to see the United States a supporter of the court.

The conference unaided by anyone, speaking from the standpoint of the United States, recommended the unconditional acceptance of the first three reservations and of the first part of the fourth according to the United States liberty to withdraw its adherence at any time. As to the second part of the fourth reservation, to the effect that the statute of the court should not be amended without the consent of the United States, it was proposed as a substitute that the statute be amended so as to provide that no amendment thereof should be made without the consent of all the signatories, that all might in that regard be on the same footing. In the debate in the Senate it was advanced that the clause in question was unnecessary, the protocol being a multiparty treaty which under universally accepted rules can not be changed without the consent of all signatories. This view was expressed without dissent in the conference, but to remove all doubt and to dispel even the appearance of a favored position on the part of the United States the alternative was proposed, to which there can, of course, be no possible objection, though a resubmission of the protocol to the Senate would be imperative that its assent to the substitute might be secured.

Reaching the fifth reservation the conference assented to the first part thereof, heretofore quoted, as follows:

"V. That the court shall not render any advisory opinion except publicly, after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned;" proposing to add: "The court shall render advisory opinions in public session," apparently overlooking the fact that the reservation so provides.

The second part of the fifth reservation gave rise to not a little discussion before the conference. Misgiving concerning it was assigned as a reason for calling the same. It reads, to repeat, as follows:

"nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest."

The propriety of, according to the United States, the same right as that enjoyed by other signatories represented on the council or in the assembly, for that matter, should it be asked to request an advisory opinion, was recognized, but it was advanced that it had never been decided whether unanimity is required in order that such a request may be submitted to the court or whether a bare majority vote suffices. If, it was argued, a majority vote only is required, the United States would, were the reservation accepted, occupy a position denied to other signatories. Reciting that it was realized that the United States was seeking only equality of right, it was proposed, in effect, that if unanimity is required, if any nation represented on the council or in the assembly, as the case may be, may veto the submission of a request for an advisory opinion, the United States should be accorded such right, but that if a majority vote only is required, it should be entitled to a single but not necessarily determinative vote.

Such uncertainty concerning the state of the vote necessary to the submission of a request having been suggested, the representative from Belgium very sensibly proposed that the question be by the council submitted to the court for determination. The doubt, if there be a doubt, arises by reason of the provision of the covenant governing the proceedings of the council and the assembly that at meetings thereof questions of procedure may be decided by a majority, other decisions requiring the agreement of all members present. The idea advanced by the Belgian representative, M. Rollin, brought an observation from Sir Cecil Hurst, speaking for Great Britain, to the effect that the proposal to have the doubt removed by an authoritative adjudication in advance required reflection and careful study. Continuing in language in which diplomatically an objection is understood to be made without objecting, he remarked that his hesitancy might perhaps be due to his Anglo-Saxon indisposition to be committed to general principles, and to his predilection for the policy of deferring the decision of any question of law or perhaps of policy until a resolution was required through its involvement in an actual case or controversy demanding determination or solution.

I listened at the meeting of the assembly in September, 1925, to Sir Austen Chamberlain assigning similar grounds for the declination on

the part of Great Britain to subscribe to the Geneva protocol of the year before, and recalled the saying attributed to Talleyrand that language was made to conceal thought, not to express it. It could not have failed to occur to most of Sir Austen's auditors that Great Britain having departed so far from her historic policy, as he outlined it, as to subscribe to the covenant of the League of Nations must have had some additional reasons she did not care to avow for rejecting the protocol. It may be idle to speculate on whether Sir Cecil Hurst disclosed in full the basis of the objection of the government he represented to the perfectly logical course proposed by M. Rollin. However, it proved effective, barring temporarily, at least, an accord, and, what is worse, it is impossible to divest the occurrence of a sinister aspect. If it means anything it means that Great Britain desired to reserve the right as the exigencies of the future might suggest, without embarrassment to contend that unanimity is or that it is not essential to affirmative action on a proposal that an advisory opinion be asked of the court, affording its enemies an opportunity to charge that the notion prevails, even among its leading supporters, that it is subject to influence other than such as result from open debate before it.

It is to me an astonishing thing that it should even be proposed that nations deliberately enter into a treaty under which their rights and obligations should be left in doubt. Experience has shown that it is well nigh impossible to frame a treaty, statute, or contract over the construction of which controversies may not arise. It is the business of the lawyer draftsman to anticipate such and to guard against them by appropriate provisions. In the field of diplomacy it is by some thought to be clever to introduce ambiguity which will permit the assertion of claims that were made during the negotiations would wreck them or be disposed of by the use of unmistakable language. It was charged in the debate on the Panama Canal tolls bill that the Hay-Pauncefote treaty had been couched in language that would not preclude the parties to it from making diametrically opposite claims concerning its construction. It was against the practice adverted to that our hero set his face when he declared in happy phrase for "open covenants, openly arrived at."

The signatories to the covenant and to the protocol are now involved in obscurity, such as it is, as to whether any one of them may or may not veto a request for an advisory opinion by the assembly, or by the council, assuming it is represented therein. Why should the United States not so embarrassed deliberately assume the same position of uncertainty, particularly when that uncertainty may be so easily removed? The occasion ought to be eagerly seized to dispel whatever doubt there may be rather than to await its presentation in connection with some possibly heated controversy, when, through the passions aroused by such, the decision of the court might be made the subject of acrid and disturbing criticism. There would be no adversary parties should the council, for the enlightenment of the signatories now considering the American reservations, seek the advice of the court concerning the meaning of the language of the organic law of the league in the particular referred to. Undoubtedly the most eminent international lawyers would, at the request of the court, as *amici curia*, present the opposing views concerning the question at issue. Our Supreme Court, finding itself recently confronted with a serious question of constitutional law, mooted since the organization of our Government, arising out of a conflict between the executive and the legislative branch, the former being ably represented before the court by the Solicitor General and the latter only indifferently by counsel for a private claimant, the Chief Justice requested the chairman of the Judiciary Committee of the Senate to procure some Member equipped for the task to present the argument in support of the authority claimed by the Congress and denied by the President. Senator PEPPER obligingly undertook the work and discharged it with lawyerlike fidelity and with such ability as to win for him the unusual honor of being complimented in the opinion handed down by the court.

It should not be inferred from what has been by me said, nor from what has been learned of the discussions before the Geneva conference, nor from any action taken by it, that the question at issue is particularly intricate or the correct solution open to grave doubt. It turns upon what is "procedure" before the council or the assembly, which, it will be recalled, may be determined by a majority vote. Procedure before courts and deliberative bodies comprises that system of rules pursuant to which they discharge their functions, adopted either by the tribunal or body or prescribed for its government and regulation by law. Codes of procedure governing courts provide how causes may be brought before them, whether the claimant may state orally his case for which he asks relief or whether he must reduce his claim to a formal complaint in writing, how the party impleaded shall be notified, how and when he shall answer. A multiplicity of details are provided for arising out of the experience of the courts through the centuries. Similarly in the criminal law the procedure prescribes how the accused shall be charged, whether by indictment, information, or informal complaint; how he shall be brought into court and admitted to bail, if the offense charged against him be bailable; how he may attack the accusation, whatever form it assumes; what

plea he may make; and how and when he shall be tried. So the Senate of the United States has adopted rules for the orderly transaction of its business and reasonably to insure considerate attention to the legislation to which it is asked to give its approval.

The Permanent Court of International Justice has adopted a code of rules regulating the procedure before it, including rules in relation to requests for advisory opinions, the following being of interest in this connection, namely:

"ART. 72. Questions upon which the advisory opinion of the court is asked shall be laid before the court by means of a written request, signed either by the president of the assembly or the president of the Council of the League of Nations, or by the secretary general of the league under instructions from the assembly or the council.

"The request shall contain an exact statement of the question upon which an opinion is required and shall be accompanied by all documents likely to throw light upon the question.

"ART. 73. The registrar shall forthwith give notice of the request for an advisory opinion to the members of the court and to the members of the League of Nations through the secretary general of the league and to the states mentioned in the annex to the covenant."

I am not advised whether the council of the league or the assembly has established rules governing the procedure before them, respectively. Presumably they have, but obviously such rules can not undertake to settle the question as to whether the council shall or shall not in any particular case submit to the court a request for an advisory opinion.

The Supreme Court of the United States in the opinion in *Kring v. Missouri* (107 U. S. 221-232) quoted the opinion of a law writer defining procedure, as follows:

"The word means those legal rules which direct the course of proceeding to bring parties into the court and the course of the court after they are brought in."

I dare say the view, if it is seriously entertained by anyone, that to request or not to request is a matter of procedure, arises from attributing undue weight to the fact that such request is not infrequently preferred as an incident to the solution of a controversy of which the council has either by the consent of the parties or otherwise taken jurisdiction. In such a case it may be assumed that the council reflects on the question, "How shall we proceed? Shall we determine the whole controversy, embracing the question of international law involved, resolving it according to our best judgment, or shall we seek first the opinion of the court?" It must not be overlooked, however, that a request for an advisory opinion may be preferred by the council when there is no general controversy before it. The request is not incidental to any matter upon which the council is deliberating. It is the very thing to be decided and the only thing. If the council were asked by some signatory to the treaty to request an opinion of the court on the question here discussed, not for the guidance of the council, for there is no matter pending before the council with respect to which it needs the guidance which would be afforded by such an opinion, it is difficult, if indeed it is possible, to conceive of its complying or not complying as being a matter of procedure which is in its very nature incidental.

There was no controversy before the council inducing it to submit any one of the first three requests it sent to the court. They all arose out of controversies before the International Labor Bureau, on whose suggestion they were preferred, and called for the construction or interpretation of certain provisions of the treaty of Versailles. The fourth advisory opinion was rendered at the instance of two states between which a difference had arisen of which the council had indeed taken notice, though the submission took place just as if the matter had otherwise been strange to it.

Great Britain and France being at odds concerning whether certain decrees authorized by the French Government in Tunis and Morocco affecting subjects of Great Britain were violative of treaty rights of the latter, the two powers joined in a request that the council seek the opinion of the court on the question at issue. It was undoubtedly contemplated from the beginning that the court should, through the exercise of this jurisdiction, aid states engaged in an amicable effort through diplomatic channels to settle differences that had arisen between them and which they had neither occasion nor desire to submit to the arbitrament of the council.

The covenant carries no specific provisions for the adjustment or settlement of controversies by or before the assembly, though the council is intrusted with extensive powers in that regard.

It was apparently not designed that the assembly should sit as a tribunal before which specific disputes should be heard. Yet under Article XIV, imported into the statute of the court, the assembly may request its opinion as well as the council. It is indisputable that a request for an opinion may be preferred quite apart from any proceeding pending before either the council or the assembly, the sole question before either being whether the request shall or shall not be submitted. In such a situation the determination can not possibly be with respect to a matter of "procedure."

In the above views here expressed I am able to say that ex-Senator Elihu Root concurs. Of the contention which gave rise to hesitancy in accepting unqualifiedly the American reservations David Hunter Miller remarked, "It seems to me to be in principle wholly unfounded; certainly authority is lacking." If the question should be submitted to the court and it should adopt the view in the light of which the reservations were proposed, unconditional acceptance by the signatories might be looked for, the other suggestions of the conference offering no serious obstacles to complete agreement.

It is unnecessary to speculate on what course the President ought to take or the Senate would take in the event the court held unanimity is not required. It is easily conceivable that a question might be submitted to the court by a majority of the council, the determination of which, were the United States one of its sponsors, would cause it some embarrassment, as, for instance, whether the acquisition of territory by another power such as that the report of which gave rise to the Magdalena Bay incident is forbidden by international law. Perhaps it would be equally embarrassing to Great Britain to have submitted the question raised by an Irish representative at the meeting of the Inter-Parliamentary Union in 1925 as to whether, if she became involved in a war, any of the other autonomous units of the British Empire, being members of the League of Nations and maintaining diplomatic relations with other governments, might proclaim their neutrality and enjoy the rights and privileges of neutrals.

The suggestion of the Geneva conference to put the United States on a footing of equality with a vote in the council on a proposal to submit an inquiry to the court, with whatever force a vote by any member may have, is by no means as just as it might seem, assuming a majority only to be required for action.

The association of the representative of the states members of the council in its work, the obligations arising out of controversies in the past and the hope of favors earned or unearned in the future or actual understandings with reference to the same would operate altogether to the disadvantage of the United States in a contest for votes in the council. It is in the last degree doubtful that its responsible agents would care to enter into an agreement through which our Government might be driven to such a disagreeable necessity.

The conference prepared a draft of a protocol which it proposed, as it is understood, should take the place of the American reservations, expressing in lieu thereof the conditions and agreements under which the United States adheres to that by virtue of which the court exists. It fails in a number of particulars to meet the situation, as it arises from the assent of the conference to certain of the American proposals, a discrepancy that need occasion no concern, though it might, were there no more substantial differences, result in some delay. The paragraph dealing with advisory opinions widens the gap, as it appeared from the discussions and conclusions of the conference. It is as follows:

"Should the United States offer objection to an advisory opinion being given by the court, at the request of the council or the assembly, concerning a dispute to which the United States is not a party, or concerning a question other than a dispute between states, the court will attribute to such objection the same force and effect as attaches to a vote against asking for the opinion given by a member of the League of Nations either in the assembly or in the council."

This paragraph would deny to the United States a vote on the submission of a dispute to which it is a party. If that dispute turned upon or involved a question of international law which the United States declined to submit to the court, it could nevertheless be submitted by the council at the instance of the other party in the form of a request for an advisory opinion. Doubtless this opinion was inserted in view of the rule in the Mosul case, in which the court held that though unanimity is required in reaching the final result before the council, the votes of states parties to the dispute can not be counted. As heretofore explained, the United States, not being entitled to participate in the debates of the council, would be at a disadvantage under such a rule. A constituency that might vote but could not speak in a parliamentary body would be only half represented. It would be still further handicapped were it entitled to vote on only one question. In the second place, under the proposed protocol the United States would have no vote in the case of the submission of a question over which two or more states dispute. Nothing in the discussions before the conference seems to warrant any such restriction on the rights of the United States, denied to no state represented on the council. Generally speaking, the draft accords to the United States rights it has not asked and does not care to exercise, and withholds the very privileges the Senate deemed essential to safeguard the interests of our country in view of its position outside the league.

It is quite likely that the presence of some one competent to speak the views of the reflecting friends of the court in the United States at the conference, though he occupied no official position, would have resulted in the dissipation of all minor differences. It seems altogether probable that an accommodation can not be reached on those of a

graver nature in the absence of a determination by the court of the legal question heretofore herein canvassed.

MONUMENT ON KILL DEVIL HILL, N. C.

Mr. BINGHAM. Mr. President, I invite the attention of the senior Senator from Arkansas [Mr. ROBINSON]. I ask unanimous consent for the immediate consideration of Calendar 1259, the bill (S. 4876) providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful attempt in history of power-driven airplane flight, which was reported unanimously and favorably from the Committee on Military Affairs.

In this connection I would like to state that there is in my possession, addressed to Hon. LINDSAY WARREN, a Member of the House of Representatives from this district, a telegram from the owners of the land where the first flight took place, stating that they have won a law suit over the property and that they will gladly deed the hills and adjacent lands required for the monument and reservation to the Government without cost. I ask that this telegram may be printed in the RECORD.

The VICE PRESIDENT. Without objection, leave is granted. The telegram is as follows:

[Telegram]

ASBURY PARK, N. J., January 5, 1927, 5:05 p. m.

Hon. LINDSAY WARREN,

House of Representatives, Washington, D. C.:

My associates and myself greatly interested in your bill for monument commemorating first airplane flight. We own Kill Devil Hills tract and will gladly deed these hills and adjacent land required for monument and reservation to Government without cost.

FRANK STICK.

Mr. BINGHAM. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection?

Mr. WILLIS. Mr. President, I am in favor of the measure advocated by the Senator, but I desire, before having unanimous consent granted, to propound a parliamentary inquiry to the Chair. If this action is had, as requested by the Senator from Connecticut, will it displace the unfinished business?

Mr. BINGHAM. I should have prefaced my request with the request that the unfinished business, of course, be temporarily laid aside for that purpose.

Mr. WILLIS. I have no objection to that.

Mr. ROBINSON of Arkansas. Under the practice of the Senate, where unanimous consent is granted to take up a measure of this nature, it does not displace the unfinished business. At any rate, that has been the practice here from time immemorial.

Mr. WILLIS. Particularly not if the request is submitted as it is now submitted by the Senator from Connecticut, that the unfinished business be temporarily laid aside.

Mr. ROBINSON of Arkansas. I do not think it is necessary to lay aside the unfinished business temporarily, but I have no objection, of course, to doing that. I have no objection to the consideration of the measure which the Senator from Connecticut presents. It is eminently proper that the very important event which it signalizes should be commemorated in an appropriate way, and I think this proposed legislation, if enacted, will accomplish that purpose.

Mr. SHEPPARD. Mr. President, with the understanding that the consideration of the bill asked for by the Senator from Connecticut does not displace the unfinished business, and that the consideration of the unfinished business will be resumed after the passage of the bill, I do not object.

The VICE PRESIDENT. The unfinished business will not be displaced by the consideration of the bill.

Mr. SHEPPARD. Very well.

The VICE PRESIDENT. Is there objection to the request of the Senator from Connecticut [Mr. BINGHAM] for the consideration of the bill named by him?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4876) providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, N. C., commemorative of the first successful attempt in history of power-driven airplane flight, which was read, as follows:

[S. 4876, Sixty-ninth Congress, second session]

*Be it enacted, etc.*, That there shall be erected on Kill Devil Hill, at Kitty Hawk, in the State of North Carolina, a monument in commemoration of the first successful attempt in all history at power-driven airplane flight, achieved by Orville Wright on December 17, 1903; and a commission to be composed of the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce is hereby created to carry out the purposes of this act.

SEC. 2. That it shall be the duty of the said commission to select a suitable location for said monument, which shall be as near as possible to the actual site of said flight; to acquire the necessary land therefor; to superintend the erection of the said monument; and to make all necessary and appropriate arrangements for the unveiling and dedication of the same when it shall have been completed.

SEC. 3. That such sum or sums as Congress may hereafter appropriate for the purposes of this act are hereby authorized to be appropriated.

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

PENSIONS OF CIVIL WAR WIDOWS

Mr. NORBECK. Mr. President, I have a letter from a member of the legislative committee of the Grand Army of the Republic pleading for an increase in the pensions of widows of Civil War soldiers. I ask that the letter may be printed in the RECORD.

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

The letter referred to is as follows:

NATIONAL HEADQUARTERS GRAND ARMY OF THE REPUBLIC,

Minneapolis, Minn., January 5, 1927.

Hon. PETER NORBECK,

Chairman United States Senate Committee on Pensions,

Washington, D. C.

DEAR SENATOR NORBECK: I regret that ill health prevents me from accompanying Commander in Chief Walsh and Past Commander in Chief Van Sant, who is chairman of the national committee of the Grand Army of the Republic having in charge pension legislation advocated by the Grand Army at its sixtieth national encampment.

As you are aware, I am the advisory member of the committee and have kept in touch with and am familiar with the proceedings had and taken in said matter up to the present time.

As usual, many resolutions were submitted to said encampment relating to pensions. These were all carefully considered by the committee on resolutions, consisting of 44 members, representing each State department of the Grand Army of the Republic, and as a substitute for them all a resolution was adopted by the encampment requesting the incoming administration to use their best efforts to secure an increase of pensions to the widows now on the roll from \$30 to \$50 per month.

This action of the encampment renders the duty of our committee very simple and removes all complications that might arise from differences of opinion.

Already the House Committee on Invalid Pensions has unanimously recommended for passage the Elliott bill, which conforms to the request of the Grand Army of the Republic, and I am advised by your telegram to Governor Van Sant that your committee will doubtless recommend as liberal legislation as there is any chance of securing. This is very satisfactory to our committee, as was the prompt and favorable action of the House committee.

The question now arises: What legislation can be reasonably expected?

The situation is one of great interest, as for the first time in the Nation's history 200,000 widows of Union veterans of the Civil War ask Congress for just and sympathetic legislation in their behalf. They are a great cloud of witnesses and for a few years to come will constitute the crowning glory of the Republic.

On the 3d of July last Congress passed a bill increasing the pensions of widows who were married prior to and during the war from \$30 to \$50 per month, which takes care, as I understand, of approximately 21,000 widows. This legislation was good as far as it went, but was wholly inadequate, as every one realized, and should be corrected so far as practicable at the earliest possible moment.

At the close of the war for the preservation of the Union a very large proportion of the soldiers had not reached their majority; they were too young to marry before entering the Army; their first duty was to their country, so the farm was temporarily abandoned, school books closed, and all plans for the future laid aside that they might of their own free will offer their lives in defense of their country. When the war was over they returned home, with the satisfaction of having performed their full duty under most severe and trying circumstances. Having confidence in themselves, the great majority of these young soldiers immediately married and took up the pursuits of peace in all portions of our country. The great majority of the widows whom we represent were the wives of these young but veteran soldiers, and if their husbands still survived they would have celebrated their golden wedding.

I am aware, and so are the members of my committee, that a financial question is involved in securing this legislation, but, strange as it may seem, there is now a question before the country as to what shall be done with the surplus revenues in the United States Treasury at this time. Suggestions have been made that it be returned to the taxpayers, or that it be applied in reduction of the national debt, but

here stand the 200,000 aged widows, representing the heroic age of the Republic, their memories running back to every battle field of the Civil War, most of them poor and struggling to obtain the simplest comforts of life. They make no demands or threats; they are too patriotic and brave to do that; they are thankful for what the Government has already done for them, but it would make the sunset of their lives so much more beautiful and peaceful if the legislation we ask should be enacted.

With assurances of my high regard, I remain

Very truly yours,

ELL TORRANCE,

Advisory Member G. A. R. Legislative Committee.

AFFAIRS IN NICARAGUA

Mr. NORBECK. Mr. President, I have a telegram from a prominent citizen of South Dakota, a former State senator, protesting against our national policy in Nicaragua. I ask that the telegram may be printed in the RECORD.

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

The telegram referred to is as follows:

DEADWOOD, S. DAK., January 9, 1927.

Senator PETER NORBECK,

Washington, D. C.:

National self-respect, interest, and regard for the good opinion of the rest of humanity calls for condemnation of the State Department course in Nicaragua. Forty years' Pan-Americanism is being destroyed ruthlessly. Your arguments that all the United States west of the Allegheny Mountains is a mere tail to the New York kite seems have some foundation.

ROBERT C. HAYES.

#### MATERNITY AND INFANT HYGIENE

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921.

Mr. BAYARD. Mr. President, reading further from the letter of Miss Kilbreh to me, under date of December 13, 1926:

The Chief of the Children's Bureau next declares, without even alleging that the Woman Patriot has ever asked such a question, that opponents of the maternity act have often asked women:

"Do you want a Japanese doctor to examine you?"

Miss Abbott offers no evidence that this question has been asked by anybody, at any time, anywhere, but asserts, nevertheless, that it is "often asked."

This publication, which has covered the opposition to the maternity act more completely than any other, has never heard of any such question being asked anywhere.

Senator REED of Missouri, in his speech of June 29, 1921, after reading a list of foreign guests invited by the Children's Bureau to attend its "conference on child welfare standards," including Mr. Takayuki Namaye, of Japan, and a number of others, declared:

"Think of importing a Jap to tell an American mother how to take care of her baby?"

Senator REED's statement was not only accurate but, if anything, an understatement of the fact, for these foreigners were imported (including the Jap) not merely "to tell an American mother how to take care of her baby" but to help frame "minimum standards for the health, education, and work of normal children and for the protection of special classes of children in the United States." (Children's Bureau Annual, 1919, p. 13. See also p. 24.)

Thus the foreigners were "imported," including the Jap, to help frame "minimum standards" for Congress and the State legislatures on health, education, and child-labor legislation. There is hardly a "minimum standard" in the book that can be put into effect without legislation; so that remark of Senator REED's is rather mild, in fact, however striking.

Next the Chief of the Children's Bureau quotes a statement about this conference from the Woman Patriot petition (p. 11) as "wholly misleading" but fails to show any misleading statement therein. On the contrary, investigation of the Children's Bureau's Standards of Child Welfare (No. 60, 459 pp.) and the Annual Report of the Children's Bureau, 1919, will demonstrate the fairness and accuracy of each statement of fact made in the petition on this point.

In other words, Miss Kilbreh is able not only to quote Miss Abbott against Miss Abbott, but to show that Miss Abbott has made these statements in a reckless way, in spite of the fact that she is charged with knowledge of the contents of her own publication and is unwilling to admit it.

As "another sample of misrepresentation" Miss Abbott herself admits and confirms the accuracy of the Woman Patriot quotation of the indorsement of Alexandra Kollontay's book, in the Children's Bureau

book, *Maternity Benefit Systems in Certain Foreign Countries*, by quoting it likewise herself, except that she adds five Russian words without English translations.

Next, calling quotations about Kollontay in the petition (pp. 24, 25) "wholly false" that documentary references therein given prove strictly accurate, the Chief of the Children's Bureau proceeds to prove another point made in the petition, as follows:

Miss Abbott. On this same page the Woman Patriot says that the Children's Bureau "has not published one word of exposure or of criticism of the Bolshevik corruption and nationalization of children in Soviet Russia—the greatest crime against childhood and motherhood recorded in history." A reply to this seems unnecessary. The business of the Children's Bureau is not the exposure of political corruption in foreign countries, etc., etc.

First of all, why did the Chief of the Children's Bureau cut off the first sentence in the paragraph, and the first clause preceding the quotation from the petition, and the sentence following it, all of them materially related?

Is this "an example" of the "partial quotation" of which she accuses others of using to misrepresent facts, and which she herself employs to evade unpleasant and unanswerable facts? The part of the paragraph omitted by Miss Abbott is given additional weight by her suppression of it. It is as follows:

"And the Children's Bureau has never withdrawn or modified that indorsement [of Kollontay's book] notwithstanding severe criticism in the United States Senate and elsewhere, since Senator JAMES A. REED, of Missouri, first exposed and denounced it in June, 1921. It persists in recommending Kollontay's book—at the expense of American taxpayers—and although the Children's Bureau has 'investigated and reported' almost everything under the sun, from the illegitimacy laws of Norway to the amount of 'hoeing in the home garden' done by children in North Dakota, it has not published one word," etc., etc.

It appears that it is not the business of the Children's Bureau to repudiate, criticize, or denounce either the great communist leader (now Soviet minister to Mexico) or any of her doctrines and practices as head of the Soviet Department of Social Welfare (her former position) but the "business" of circulating an indorsement of this Bolshevik's book on maternity benefits is still carried on.

Could there be more convincing proof than this of either sympathy for Kollontay, or lack of courage or unwillingness to either withdraw the indorsement of her maternity benefits book, or to report anything whatever against the soviet nationalization of children?

The Children's Bureau published a book on Norwegian illegitimacy laws (No. 31), a long and useless report of Russian maternity laws under the Czar two years after the Bolshevik revolution (in *Maternity Benefits Systems in Certain Foreign Countries*, No. 57, issued in 1919), a book of 169 pages on "Infant Welfare Work in Europe," several other reports on European conditions, etc.; but it can not, or will not, say a single word against the "maternity system" of the Bolshevik under Kollontay. Why? Is it because the great communist leader (who made two tours of America, making pacifist and communist speeches, in 1915 and 1916) knows things about the pacifists in this country they do not dare to risk having made public by Kollontay if they in any way criticize her? Is it because Anna Louise Strong, former "exhibit expert" of the Children's Bureau, has herself become a sort of successor to Kollontay in "colonizing children" for the soviets, as shown in the Woman Patriot petition (p. 25)? These are fair questions suggested by the most remarkable reluctance revealed by Miss Abbott in her letter to say anything whatever in criticism of Kollontay.

Instead of showing any misstatements or misrepresentation of the Children's Bureau's strange and inexplicable attitude on Kollontay, Miss Abbott's letter strongly suggests that much further investigation than has been made by the Woman Patriot is warranted to disclose the reasons why the Chief of the Children's Bureau of the United States is either unwilling or afraid to repudiate Kollontay or even withdraw an indorsement of her book.

It is respectfully submitted that the clear evasion of any criticism whatever of Alexandra Kollontay or the soviet colonization of children system manifested in Miss Abbott's letter indicates that there is some secret and sinister sympathy or connection here that warrants official investigation.

A group of private citizens, with access to nothing but public documents and statements, without power to examine any witnesses, etc., can not fairly be expected to have uncovered all the facts in this case. We have uncovered enough, however, to demonstrate to any reasonable mind, we believe, that here is a case for official investigation if there ever was one.

After evading any criticism of Kollontay, Miss Abbott takes up the "compulsory registration of expectant mothers," which was advocated, as she herself admits, at a conference called by the Children's Bureau. The advocacy was printed by the bureau in its official book, "Standards of Child Welfare" (No. 60, p. 148), without any reservations or exceptions whatever noted by the Children's Bureau, although a British doctor in the discussion following (p. 148) mildly remarked that in his country they had hitherto preferred to "induce" registration without making it "obligatory."

Miss Abbott herself was secretary of that conference (*Ibid.*, p. 9), and as the facts about it are completely covered in the speech of Senator JAMES A. REED, of Missouri, in the Senate, June 29, 1921, and the book itself is filed herewith, further comment here is superfluous.

Finally, the Chief of the Children's Bureau launches into blanket charges (without a particle of proof or even indication that her assertions are true) that the Woman Patriot petition contains a "maze of misquotation," that the Woman Patriot "obviously regards as communistic or socialistic anything it opposes," etc., and adroitly suggests, while evading all the indisputable and undisputed facts regarding Mrs. Florence Kelley's 40-year campaign for socialist legislation revealed in part in the petition, that all these facts, official records, and quotations from the communist manifesto, the communist international, the official proceedings of national Socialist Party conventions, the letters, books, speeches, etc., of Engels, Lenin, Kollontay, Mrs. Kelley, etc., contained in the petition are not to be believed because, as she asserts (without any basis for the assertion), "whether a measure is or is not socialist or communist (the two terms are used interchangeably) becomes for the Woman Patriot a matter of definition by the Woman Patriot."

An examination of the petition itself, or of the files of the Woman Patriot, will demonstrate that there is no publication in the country which more accurately quotes the official proceedings, manifestos, proclamations, and organs of the respective communist organizations or socialist parties and the terms are used, not "interchangeably" but with careful accuracy, and using both terms only where the measure or person mentioned is officially affiliated with or indorsed by or plainly a part of the communist and the socialist movements, as defined officially by themselves.

Respectfully submitted by

THE WOMAN PATRIOT PUBLISHING CO.  
By M. G. KILBRETH, President.

Mr. President, I have read that letter at length and have commented upon it, because it seems to me that if the Members of this body care to pay attention to the matter they will plainly see that Miss Abbott, in undertaking to attack the petition filed by me here in the Senate last July, has not only woefully failed, but by her method of attack in her letter to Senator SHEPPARD under date of November 23, 1926, confesses herself without material, without ammunition, and nothing at all is left to her except innuendo and false accusation.

Now, Mr. President, to turn more directly back to the bill, a number of statements have been made as to the efficiency—

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

The PRESIDING OFFICER (Mr. BLEASE in the chair). Does the Senator from Delaware yield to the Senator from Utah?

Mr. BAYARD. I yield.

Mr. KING. I should like to ask what is the view of the Senator as to the propriety of executive officials spending time and incidentally funds which are appropriated for their particular bureaus and departments in propaganda, in attending meetings and conventions of various organizations held throughout the country for the purpose of spreading their views before the people and influencing them to memorialize Congress to secure legislation that will extend their functions and their powers? Does the Senator believe that it is consistent with our theory of government for the executive departments and bureaus to become propagandists for legislation, and to go out to various organizations and try to secure their indorsement and their approval of legislation which they seek to have enacted, extending their functions, and, of course, diminishing the powers of the States?

Mr. BAYARD. I will say to the Senator, in answer to his question, that in civil life, if funds are intrusted by one person to another for a definite purpose, and they are expended but not for the purpose for which they are given, that is commonly called embezzlement. The best answer I can suggest to the Senator is that, in my opinion, if these people are not committing actual financial embezzlement, they are certainly committing a moral embezzlement.

Mr. KING. I agree with the Senator.

Mr. BAYARD. Mr. President, a great many statements have been made by the proponents of this measure for the purpose of trying to persuade the Members of this body and the members of the community and the country, as a whole, to favor this bill by claiming that certain results have flowed from the passage and operation of the present act; and upon the assumption that these statements are based in fact and are verified by general conditions and statistics, they ask for an extension of the terms of the act.

I do not concede that the claim made by these good people is a fair one or a true one. I dispute it. I think it is a general claim, made without any specific citation of the facts

applicable to the claim. They take a great mass of facts from one part of the country or the country at large, if you please; they show a certain degree of material prosperity or of physical prosperity, and they lay that at the door of this act. It is not unlike what happened here last January, upon the anniversary of the coming into effect of the laws passed under the eighteenth amendment, when the senior Senator from Washington [Mr. JONES] made a very interesting speech, and among other things which he claimed credit for and laid at the door of the eighteenth amendment and the Volstead Act as amended was this: That inasmuch as the vital statistics of the country showed a reduction of the death rate of the country during the past six years from 11 plus per thousand to 9 plus per thousand, the whole thing, the whole credit, the sole credit, was to be laid to the passage and the enforcement, so called, of the Volstead Act.

Why, it is perfectly absurd on the face of it; and why do I say it is absurd? He said he got those figures from the Census Bureau. Within a very few hours the senior Senator from New Jersey [Mr. EDGE] went to the same bureau and asked for a set of figures relative to the decrease or increase, or the stationary figures, if you please—whatever they might be—in regard to deaths from alcoholism, which was the only proper and practical test to be made of the efficiency of the Volstead Act as amended; and, lo and behold, the Senator from New Jersey came back with figures from exactly the same source in which it appeared—and I think I am fair when I say this—that on the average throughout the States of the Union there had been an increase of between 150 and 200 per cent in deaths from alcoholism during the same six years in which the Senator from Washington was claiming these wonderful benefits which should be credited to the Volstead Act. I think in pretty much the same way the proponents of this measure are claiming innumerable things in a broad and general way for the operations under this maternity act.

I say that, Mr. President, for reasons which I will give in just a moment or two.

I desire first to read a letter and then to put into the RECORD a series of figures given out under date of January 4, 1927, by the Department of Commerce, Bureau of the Census. I shall read first a letter written by Dr. William H. Davis, chief statistician for vital statistics in the Bureau of the Census, written to Mr. J. S. Eichelberger, under date of January 4, 1927. Mr. Eichelberger is the editor of the Woman Patriot, published in this city:

DEPARTMENT OF COMMERCE,  
BUREAU OF THE CENSUS,  
Washington, January 4, 1927.

Mr. J. S. EICHELBERGER,  
*Editor, The Woman Patriot,*

726 Fourteenth Street NW, Washington, D. C.

DEAR MR. EICHELBERGER: As requested in your letter of December 30, 1926, I inclose 1925 press summaries listed by you.

- (1) Principal causes of death, 1925.
- (2) Mortality statistics by individual States.
- (3) Summary of provision birth, death, and infant mortality figures, 1925.

(4) Birth statistics are not presented separately in summaries for each State.

I will go back here and call attention to the fact that one of the strongest bits of innuendo made by Miss Abbott in her letter of last November to the Senator from Texas [Mr. SHEPPARD] was based upon the claim that the figures were not accurate. The figures quoted in the Woman Patriot were figures coming directly from the Bureau of the Census, up to that date as perfect as might be. If Miss Abbott had other and better figures to quote, why did she not quote them; and why did she say that there might be later figures, insinuating that the Woman Patriot had not taken advantage of those figures?

The reports on mortality and birth statistics for 1924 have not been received from the Government Printing Office. In fact, the report on mortality statistics has not been put in page proof. It is impossible to say at this time when these reports will be available. For your information I inclose a copy of a joint resolution by Congress passed in 1903, providing for the collection of vital statistics for the Bureau of the Census.

Your name has been listed to receive future press announcements.  
Very truly yours,

WILLIAM H. DAVIS, M. D.,  
*Chief Statistician for Vital Statistics.*

Then follows these statistics, which are entitled "Summary of provisional birth, death, and infant-mortality figures in the birth registration area, 1925." I ask that that be printed in the RECORD, Mr. President. It is quite long, and I do not intend to read it in full.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

The matter referred to is as follows:

DEPARTMENT OF COMMERCE,  
BUREAU OF THE CENSUS,  
Washington.

SUMMARY OF PROVISIONAL BIRTH, DEATH, AND INFANT-MORTALITY FIGURES IN THE BIRTH REGISTRATION AREA, 1925  
(Exclusive of Massachusetts and Utah, from which complete transcripts for 1925 have not been received)

WASHINGTON, D. C.—The Department of Commerce announces that birth rates for 1925 were lower than for 1924 in 26 of the 30 States for which figures for the two years are shown in the following summary.

*Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925*

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births	
	Births	Deaths		Births		Deaths			
		All ages	Under year	1925	1924	1925	1924	1925	1924
Total	1,727,467	955,074	123,512 <sup>1</sup>	21.2	22.6	11.7	11.8	71.5	71.0
<b>STATES</b>									
California	85,096	56,762	5,850	20.4	22.2	13.6	14.5	68.7	67.1
Connecticut	29,680	17,682	2,180	18.9	21.1	11.3	11.3	73.5	68.7
Delaware	4,674	3,115	422	19.7	19.0	13.1	13.0	90.3	95.0
Florida	20,042	16,872	2,188	23.0	21.8	13.4	12.9	75.3	81.8
Illinois	135,439	81,597	9,826	19.1	19.9	11.5	11.2	72.5	71.0
Indiana	64,342	38,632	4,370	20.8	22.3	12.5	12.2	67.9	65.2
Iowa	47,760	24,263	2,672	19.7	20.3	10.0	9.8	55.9	54.9
Kansas	36,716	18,521	2,261	20.3	21.0	10.2	9.9	61.6	59.0
Kentucky	63,002	28,110	4,437	25.1	26.9	11.2	10.8	70.4	64.6
Maine	17,372	10,792	1,332	22.1	23.7	13.7	13.8	76.7	80.3
Maryland	33,734	21,625	3,049	21.6	22.8	13.9	13.8	90.4	86.2
Michigan	99,022	49,322	7,381	23.1	24.1	11.5	11.6	74.5	72.3
Minnesota	53,776	25,439	3,246	20.6	22.0	9.7	9.7	60.4	56.7
Mississippi	45,183	22,158	3,094	25.2	24.4	12.4	11.8	68.5	71.3
Montana	10,185	5,159	709	15.1	16.2	7.7	7.9	69.6	66.9
Nebraska	28,739	12,371	1,678	21.0	22.4	9.0	9.2	58.4	55.3
New Hampshire	9,404	6,655	717	20.3	28.5	14.5	14.2	76.2	79.5
New Jersey	74,181	42,193	5,112	20.6	22.3	11.7	11.9	68.9	70.0
New York	229,714	142,491	15,453	20.6	21.1	12.8	12.7	67.3	60.2
North Carolina	80,882	31,471	6,387	28.8	32.2	11.2	12.2	79.0	82.3
North Dakota	13,235	4,960	1,011	20.6	22.2	7.7	7.6	66.7	
Ohio	126,877	73,605	8,841	19.6	21.2	11.4	11.2	69.7	66.6
Oregon	15,425	9,603	789	17.9	18.8	11.1	11.4	51.2	53.6
Pennsylvania	214,916	115,664	17,633	22.7	24.2	12.2	12.3	82.0	73.5
Rhode Island	14,400	8,225	1,048	21.2	22.4	12.1	12.5	72.8	79.9
Vermont	7,487	5,133	545	21.2	21.0	14.6	13.8	72.8	70.2
Virginia	61,199	29,276	4,935	24.6	26.5	11.8	12.0	80.6	77.6
Washington	24,721	15,277	1,396	16.4	17.4	10.1	10.0	56.5	56.2
West Virginia	45,311	17,153	3,615	27.7	( <sup>2</sup> )	10.5	( <sup>2</sup> )	79.8	
Wisconsin	57,324	29,285	3,845	20.1	21.4	10.3	10.2	67.1	64.7
Wyoming	4,833	1,891	309	21.1	24.1	8.2	9.5	63.9	64.3
<b>REGISTRATION CITIES</b>									
<b>CALIFORNIA</b>									
Alameda	526	319	28	16.5	17.1	10.0	10.1	53.2	50.4
Bakersfield	705	388	61	30.0	31.7	16.5	19.2	86.5	95.2
Berkeley	893	628	44	13.5	14.1	9.5	9.8	49.3	50.3
Eureka	429	275	23	31.7	30.8	20.3	19.1	53.6	58.1
Fresno	1,234	531	86	21.1	24.0	9.1	9.9	69.7	60.8
Glendale	713	523	29	33.5	39.8	24.6	24.8	40.7	47.8
Long Beach	2,133	1,261	107	23.4	27.8	13.5	14.4	50.2	40.6
Los Angeles	18,691	11,474	1,246	( <sup>2</sup> )	( <sup>2</sup> )	( <sup>2</sup> )	( <sup>2</sup> )	66.7	65.6
Oakland	4,490	2,586	233	17.7	18.4	10.2	11.2	51.9	65.5
Pasadena	1,289	824	59	22.7	24.9	14.5	15.3	45.8	45.3
Pomona	352	218	18	22.9	23.0	14.2	13.8	51.1	49.6
Richmond	371	123	18	16.5	16.2	5.5	6.0	48.5	60.2
Riverside	575	388	53	( <sup>2</sup> )	26.3	( <sup>2</sup> )	17.8	92.2	91.4
Sacramento	2,040	1,392	156	28.2	28.6	19.3	17.6	76.5	69.7
San Bernardino	879	520	79	35.9	35.9	22.8	23.3	89.9	101.0
San Diego	2,458	1,770	135	23.2	23.1	16.7	17.3	54.9	54.7
San Francisco	8,635	7,397	479	15.5	16.5	13.3	13.6	55.5	55.7
San Jose	886	499	41	20.3	20.6	11.5	11.1	46.3	52.1
Santa Ana	585	272	35	30.0	28.7	14.0	17.2	59.8	111.3
Santa Barbara	551	339	42	22.9	20.4	14.1	12.1	76.2	63.4
Santa Cruz	240	108	10	22.0	21.4	18.1	19.3	41.7	29.9
Santa Monica	596	361	36	30.7	33.2	18.6	21.2	60.4	54.8
Stockton	896	582	64	18.9	20.2	12.3	13.4	71.4	64.4
Vallejo	235	171	15	8.8	8.8	6.4	7.5	63.8	66.7
Venice	125	107	8	8.6	10.2	7.4	9.1	64.0	71.1
<b>CONNECTICUT</b>									
Ansonia	284	156	27	14.9	16.0	8.2	8.2	95.1	116.3
Bridgeport	3,060	1,541	164	( <sup>2</sup> )	( <sup>2</sup> )	( <sup>2</sup> )	( <sup>2</sup> )	55.6	55.9
Bristol	593	220	49	24.1	25.2	8.9	8.9	82.6	79.6
Danbury town	521	367	48	23.3	23.2	16.4	14.3	92.1	63.8
Derby	421	189	34	33.7	35.9	15.1	14.6	80.8	72.6
East Hartford town	145	93	10	10.6	11.2	6.8	7.5	69.0	67.1
Enfield town	281	109	23	21.9	23.4	8.5	10.7	81.9	67.6
Fairfield town	179	95	10	12.3	15.7	6.6	7.8	55.9	73.1
Greenwich town	457	264	24	18.0	19.2	10.4	10.6	52.5	69.3
Harford	3,943	2,051	284	24.6	25.9	12.8	11.6	72.0	61.8
Manchester town	451	213	30	21.4	22.2	10.1	8.7	66.5	52.3
Meriden town	754	466	42	20.8	19.4	12.8	12.4	55.7	67.3
Middletown town	575	550	33	25.1	26.3	24.0	22.2	57.4	70.1

<sup>1</sup> Birth registration area exclusive of Massachusetts, Utah, and West Virginia for both years. The 1925 data for Massachusetts and Utah are incomplete; West Virginia not in the registration area in 1924.

<sup>2</sup> Not in registration area in 1924.

\* Population not estimated.

The highest 1925 birth rate (28.8 per 1,000 population) is shown for North Carolina, and the lowest (15.1) is for Montana.

Death rates for 1925 were higher than for 1924 in 16 of the 30 States shown for both years. The highest 1925 death rate (14.6 per 1,000 population) is shown for Vermont and the lowest (7.7) for Montana and North Dakota.

Infant mortality rates for 1925 were generally higher than those for 1924, as 19 of the 30 States show higher rates in 1925. The highest 1925 infant mortality rate (90.4) appears for Maryland and the lowest (51.2) for Oregon. Infant mortality rates are shown for both years for 48 cities of 100,000 population or more in 1920. For 24 of these cities the 1925 infant mortality rates were higher than those of the previous year. The highest 1925 rate (96.7) was for Norfolk and the lowest (44.9) for Seattle.

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births				
	Births	Deaths		Births		Deaths						
		All ages	Under year	1925	1924	1925	1924					
REGISTRATION CITIES—Continued												
CONNECTICUT—continued												
Milford town	132	136	7	9.8	12.2	10.1	9.3	53.0	63.7			
Naugatuck	131	97	6	8.0	10.4	5.9	5.5	45.8	65.5			
New Britain	1,646	632	170	24.2	24.8	9.3	9.6	103.3	77.1			
New Haven	3,813	2,172	252	21.3	22.9	12.1	12.2	66.0	72.1			
New London	739	424	51	25.4	27.8	14.6	14.5	69.0	59.3			
Norwalk	642	406	35	21.6	24.0	13.7	12.5	54.5	58.2			
Norwich town	708	501	68	25.2	27.2	16.4	17.3	88.5	70.2			
Orange town	389	268	18	19.8	22.2	13.6	14.0	46.3	66.0			
Stamford town	1,120	578	82	24.1	26.0	12.4	11.8	73.2	67.2			
Stonington town	157	109	5	14.5	16.0	10.0	9.1	31.8	58.1			
Stratford town	207	119	9	12.9	15.2	7.4	8.8	43.5	72.6			
Torrington town	485	198	32	18.6	20.8	7.6	9.5	66.0	56.6			
Wallingford town	140	128	8	11.2	14.9	10.2	8.4	57.1	43.2			
Waterbury	2,208	1,083	183	(1)	(1)	(1)	(1)	82.9	77.0			
Windham town	321	199	24	22.2	24.1	13.7	12.4	74.8	49.1			
DELAWARE												
Wilmington	2,345	1,435	204	19.2	19.2	11.8	11.7	87.0	90.9			
DISTRICT OF COLUMBIA												
Washington	9,107	7,015	796	17.7	19.1	13.6	13.5	87.5	76.0			
FLORIDA												
Jacksonville	2,507	1,947	197	26.3	25.1	20.4	19.1	78.6	93.2			
Key West	317	211	20	23.1	25.6	15.4	16.0	91.5	89.9			
Miami	2,421	1,398	242	34.7	25.6	20.0	14.1	100.0	101.7			
Rensselaer	669	469	83	26.4	28.0	18.5	19.0	124.1	90.0			
St. Petersburg	791	652	64	29.5	19.6	24.3	19.3	80.9	88.9			
Tampa	2,271	1,271	174	23.8	20.6	13.4	10.9	77.3	61.3			
ILLINOIS												
Alton	655	390	60	24.4	25.7	14.6	14.6	91.6	91.2			
Aurora	1,025	527	78	25.5	25.3	13.1	12.6	76.1	54.9			
Belleview	504	345	22	18.7	17.5	12.8	12.5	43.7	79.6			
Berwyn	303	164	24	16.1	15.9	8.7	7.1	79.2	52.4			
Bloomington	597	433	47	19.6	18.1	14.2	13.5	78.7	73.4			
Blue Island	386	180	31	29.3	29.8	13.7	14.1	80.3	72.9			
Cairo	224	301	29	14.4	16.9	19.3	17.7	129.5	141.2			
Canton	236	190	25	21.4	21.7	17.2	14.6	105.9	71.1			
Centralia	273	156	14	19.4	24.7	11.1	12.0	51.3	91.2			
Champaign	409	236	38	22.5	21.8	13.0	12.1	92.9	92.3			
Chicago	59,639	34,318	4,459	19.9	20.0	11.5	11.2	74.8	76.8			
Chicago Heights	334	231	45	17.4	19.5	10.4	9.2	117.2	82.9			
Cicero	595	349	50	9.6	10.4	5.6	4.8	84.0	87.8			
Danville	837	571	88	22.6	21.1	15.4	14.3	105.1	75.5			
Decatur	1,126	660	74	20.9	20.6	12.3	11.5	65.7	77.0			
East St. Louis	1,454	890	138	20.4	20.6	12.5	11.9	94.9	105.7			
Elgin	635	705	31	19.0	22.1	21.1	21.5	48.8	58.0			
Evanston	1,528	570	60	34.8	34.7	13.0	11.2	43.2	43.2			
Forest Park	92	90	3	7.0	6.3	6.9	9.0	32.6	112.5			
Freeport	487	308	26	23.5	24.6	14.9	15.2	53.4	49.5			
Galesburg	572	340	37	23.0	24.0	13.7	14.0	64.7	64.2			
Granite City	559	224	61	30.8	32.3	12.3	12.2	109.1	83.2			
Herrin	255	164	26	19.1	26.4	12.3	11.1	102.0	94.1			
Jacksonville	337	511	23	21.2	20.1	32.1	32.6	68.2	71.9			
Joliet	747	527	71	18.4	19.9	13.0	11.9	95.0	91.2			
Kankakee	465	248	36	25.2	25.8	13.4	14.0	77.4	74.5			
Kewanee	379	199	30	19.2	18.5	10.1	10.0	79.2	91.9			
La Salle	310	161	29	22.3	25.3	11.6	11.7	93.5	77.6			
Lincoln	238	266	19	19.1	21.7	21.4	16.0	79.8	67.2			
Mattoon	330	199	27	22.4	25.3	13.5	15.7	81.8	89.9			
Maywood	152	123	14	10.7	12.8	8.6	7.4	92.1	67.8			
Moline	643	347	27	19.0	18.9	10.2	9.3	42.0	61.9			
Murphysboro	199	295	21	15.9	16.1	23.6	12.0	105.5	66.3			
Oak Park	2,280	757	79	44.3	43.5	14.7	14.4	34.6	29.4			
Ottawa	231	161	21	24.3	27.1	13.9	13.6	74.7	68.0			
Peking	320	154	23	24.0	24.0	11.6	12.5	71.9	66.9			
Peoria	1,517	1,126	109	18.6	16.3	13.8	13.7	71.9	84.5			
Quincy	798	585	73	20.4	20.4	14.9	14.3	91.5	64.0			
Rock Island	399	325	30	10.0	11.5	8.1	8.8	75.2	51.1			
Rockford	1,578	683	83	20.6	21.3	8.9	9.1	52.6	57.4			
Springfield	1,394	1,121	119	21.8	22.5	17.5	15.5	85.4	69.4			
Streator	399	227	33	25.5	30.6	15.1	14.8	82.7	45.7			
Urbana	207	147	16	18.2	18.8	13.0	13.2	77.3	66.7			
Waukegan	413	213	26	18.8	20.4	9.7	10.2	63.0	68.6			
INDIANA												
Anderson	727	401	47	21.5	21.1	11.8	12.1	64.6	68.8			
Bloomington	435	211	45	34.6	35.1	16.8	13.7	103.4	52.8			
Clinton	189	146	23	13.9	16.8	10.7	8.4	121.7	122.2			
Crawfordsville	187	137	13	17.8	18.6	13.0	16.4	69.5	35.9			
East Chicago	1,073	409	121	23.5	24.4	9.0	10.3	112.8	130.5			
Elkhart	604	344	41	22.3	23.4	12.7	11.1	67.9	54.7			
Elwood	284	138	17	26.3	24.2	12.8	11.7	59.9	83.7			
Evansville	1,640	1,161	110	17.5	19.5	12.4	11.9	67.1	65.7			
Fort Wayne	2,381	1,151	152	24.3	25.2	11.8	11.1	63.8	58.8			
Frankfort	242	185	20	18.5	23.2	14.2	12.2	82.6	64.0			
Gary	1,998	1,030	190	26.0	27.4	13.4	13.0	95.1	87.2			
Hammond	1,275	510	97	25.3	27.0	10.1	9.1	76.1	72.5			
Huntington	345	185	32	21.7	23.8	11.6	11.3	92.8	56.8			
Indianapolis	6,896	4,931	479	19.2	20.9	13.8	13.1	69.5	77.1			
Jeffersonville	262	180	21	25.9	23.6	17.8	16.3	80.2	105.0			
Kokomo	773	384	58	21.0	22.5	10.4	10.6	75.0	77.0			
La Porte	403	232	27	23.0	24.7	13.2	11.9	67.0	35.5			
Lafayette	681	461	50	23.6	29.1	19.4	19.0	73.4	53.9			
Logansport	397	261	26	17.2	18.7	11.3	11.0	65.5	44.5			

\* Population not estimated.

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births		
	Births	Deaths		Births		Deaths				
		All ages	Under year	1925	1924	1925	1924	1925	1924	
REGISTRATION CITIES—Continued										
INDIANA—continued										
Marion	510	320	35	10.8	21.6	12.2	11.9	67.4	64.6	
Michigan City	555	263	39	27.3	29.7	14.4	14.6	70.3	70.2	
Mishawaka	753	262	60	45.2	45.0	15.7	15.5	79.7	57.1	
Muncie	819	473	53	19.3	21.3	11.1	12.1	70.8	83.7	
New Albany	545	322	25	23.7	23.4	14.0	13.7	45.9	42.7	
New Castle	349	181	24	20.6	19.1	10.7	9.3	68.8	73.0	
Peru	259	155	22	20.4	23.1	12.2	12.7	84.9	75.3	
Richmond	445	331	33	14.6	16.2	10.9	10.2	74.2	57.4	
South Bend	2,340	968	145	29.2	30.9	12.1	12.0	62.0	64.3	
Terre Haute	1,272	1,029	130	17.9	21.0	14.5	13.9	102.2	77.9	
Vincennes	445	301	42	24.4	24.8	16.5	16.7	94.4	91.5	
Whiting	211	81	26	17.4	21.5	6.7	7.0	123.2	82.7	
IOWA										
Boone	243	147	13	19.0	18.6	11.5	10.6	53.5	50.4	
Burlington	533	337	35	20.2	19.2	14.7	12.9	65.7	35.9	
Cedar Rapids	918	541	55	18.2	18.9	10.7	10.4	59.9	56.1	
Clinton	435	401	38	16.5	17.0	15.2	13.3	87.4	76.2	
Council Bluffs	1,007	528	85	25.3	23.8	13.3	13.4	84.4	100.1	
Davenport	953	696	51	18.2	17.0	13.3	12.5	53.5	64.4	
Des Moines	3,119	1,518	183	22.1	22.1	10.7	10.8	60.3	57.3	
Dubuque	906	618	69	22.1	21.1	15.1	14.7	76.2	71.9	
Fort Dodge	457	272	34	21.1	23.1	12.5	10.2	74.4	66.7	
Fort Madison	263	173	35	23.4	23.7	15.4	14.3	133.1	74.6	
Iowa City	466	458	44	30.5	31.5	30.0	25.1	94.4	59.7	
Keokuk	347	273	20	23.9	24.1	18.8	17.3	57.6	77.1	
Marshalltown	393	311	32	23.3	20.1	18.4	17.2	81.4	44.5	
Mason City	537	232	32	23.7	23.2	10.2	11.4	59.6	84.6	
Muscatine	318	236	16	18.9	18.2	14.0	14.9	50.3	72.1	
Ottumwa	593	353	40	22.5	22.5	13.4	13.4	67.5	71.8	
Sioux City	1,788	905	159	23.4	23.5	11.8	11.1	88.9	67.7	
Waterloo	746	376	37	20.3	20.3	10.2	10.6	49.6	72.6	
KANSAS										
Arkansas City	381	185	23	27.2	27.3	13.2	14.3	60.4	80.4	
Atchison	273	205	17	18.2	16.9	13.6	13.0	62.3	60.5	
Chanute	204	139	9	20.8	27.0	14.1	14.5	44.1	74.9	
Coffeyville	355	168	33	21.9	26.0	10.4	10.9	93.0	55.8	
El Dorado	242	110	15	25.5	31.0	11.6	10.5	62.0	43.3	
Emporia	303	215	22	24.7	30.4	17.6	17.2	72.6	81.5	
Fort Scott	262	213	14	22.3	24.2	18.1	17.7	53.4	60.5	
Hutchinson	498	293	29	19.2	20.4	11.3	10.1	58.2	53.6	
Independence	219	131	13	20.1	27.5	12.0	12.6	59.4	65.8	
Kansas City	2,685	1,653	235	23.1	22.7	14.2	13.2	87.5	94.1	
Lawrence	235	184	9	19.0	21.8	14.9	15.4	38.3	78.1	
Leavenworth	300	265	35	14.4	14.9	12.7	14.5	116.7	88.8	
Parsons	290	221	16	19.5	21.1	14.9	11.7	55.2	41.1	
Pittsburg	353	174	20	18.4	24.2	9.1	11.3	56.7	43.4	
Salina	354	199	27	22.7	26.9	12.7	14.0	76.3	64.6	
Topeka	1,280	796	89	23.1	24.9	14.4	14.4	69.5	70.9	
Wichita	2,099	1,093	140	23.8	22.8	12.4	11.7	66.7	57.7	
KENTUCKY										
Ashland	875	375	79	35.8	29.9	15.3	11.9	90.3	80.6	
Covington	1,503	914	99	25.8	24.0	15.7	14.1	65.9	64.5	
Henderson	259	217	30	20.6	22.2	17.3	18.1	115.8	93.5	
Lexington	998	978	81	21.3	22.7	20.9	22.9	81.2	100.6	
Louisville	6,088	4,302	494	19.9	21.2	14.1	13.5	81.1	71.0	
Newport	559	332	52	19.1	17.5	11.3	10.5	93.0	89.7	
Owensboro	544	343	54	24.7	26.2	15.6	17.1	99.3	94.4	
Paducah	514	473	74	19.9	20.5	18.3	16.3	144.0	115.7	
Auburn	277	211	24	15.3	14.4	11.7	10.5	86.6	85.6	
Augusta	319	304	26	21.8	24.9	20.8	22.8	81.5	96.7	
Bangor	575	494	43	21.6	21.2	18.5	19.4	74.8	67.7	
Bath	166	132	18	9.4	12.7	7.4	8.8	108.4	100.9	
Biddeford	502	282	45	31.9	36.9	15.2	14.7	70.0	85.3	
Lewiston	974	604	118	27.9	30.6	17.3	16.6	121.1	117.8	
Portland	1,627	1,118	105	21.6	21.8	14.8	14.3	64.5	79.6	
Sanford (town)	401	130	22	34.5	39.2	11.2	9.7	54.9	60.1	
Waterville	431	185	23	29.9	31.8	12.8	14.4	53.4	92.7	
MARYLAND										
Annapolis	253	146	19	20.0	21.3	11.6	11.9	75.1	79.8	
Baltimore	17,041	11,648	1,394	21.4	22.2	14.6	14.4	81.8	84.9	
Cumberland	908	500	76	26.9	26.8	15.1	13.9	83.7	79.0	
Frederick	344	258	28	28.6	26.8	21.4	20.5	81.4	93.5	
Hagerstown	658	360	59	21.0	22.1	11.5	13.0	89.7	79.3	
MICHIGAN										
Adrian	295	202	23	23.6	24.4	16.1	15.6	78.0	43.0	
Alpena	294	172	23	26.5	31.9	15.5	14.9	78.2	70.6	
Ann Arbor	719	708	76	32.4	31.7	31.9	29.7	105.7	66.9	
Battle Creek	875	537	83	20.7	19.4	13.9	13.2	94.9	80.1	
Bay City	1,064	632	71	21.8	23.1	12.9	12.6	60.7	49.8	
Benton Harbor	374	213	29	26.8	30.5	15.3	16.3	77.5	84.1	
Detroit	31,953	13,587	2,466	25.7	25.4	10.9	10.8	77.2	78.2	
Escanaba	451	213	29	34.6	35.6	16.3	14.8	63.9	70.8	
Flint	3,075	1,007	229	23.6	26.5	7.7	7.7	74.4	68.9	
Grand Rapids	3,631	1,767	249	23.6	22.3	11.5	10.3	68.6	52.9	
Hamtramck	1,428	353	106	17.5	19.7	4.3	5.4	74.2	108.2	
Highland Park	1,597	559	84	22.1	22.9	7.7	8.2	52.6	71.7	
Holland	323	111	17	24.6	26.5	8.4	10.0	52.6	58.1	
Ironwood	371	152	24	21.3	23.2	8.7	11.4	64.7	121.2	
Ishpeming	216	131	13	20.6	25.5	12.5	11.5	60.2	56.0	
Jackson	1,099	723	95	19.0	20.2	12.5	11.6	86.4	61.7	
Kalamazoo	1,262	941	92	23.5	26.4	17.6	16.6	72.9	54.0	
Lansing	1,644	747	135	23.2	24.3	10.6	10.7	82.1	74.7	

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births		
	Births	Deaths		Births		Deaths				
		All ages	Under year	1925	1924	1925	1924	1925	1924	
<b>REGISTRATION CITIES—Continued</b>										
MICHIGAN—continued										
Marquette	385	188	32	28.7	27.7	14.0	14.0	83.1	78.8	
Monroe	374	150	29	26.3	24.2	10.5	11.4	77.5	144.1	
Muskegon	1,136	510	104	26.4	28.0	11.8	12.2	91.5	70.8	
Owosso	367	219	28	25.8	23.8	15.4	13.6	76.3	63.3	
Pontiac	1,059	671	81	22.3	22.8	14.1	14.3	76.5	92.8	
Port Huron	727	399	75	24.3	24.1	13.3	14.3	103.2	78.1	
Saginaw	1,562	923	128	21.7	23.2	12.8	12.5	81.9	75.5	
Sault Ste. Marie	296	175	34	24.5	27.4	14.5	11.7	114.9	63.4	
Traverse City	231	332	15	21.1	17.2	30.4	30.2	64.9	69.1	
Wyandotte	680	302	62	27.8	28.0	12.3	9.0	91.2	80.9	
MINNESOTA										
Austin	316	113	18	26.5	24.2	9.5	9.8	57.0	67.9	
Duluth	2,244	1,114	149	20.3	22.3	10.1	9.6	66.4	63.8	
Faribault	328	222	14	26.7	24.1	18.1	16.6	42.7	48.3	
Hibbing	519	177	32	28.9	31.4	9.9	8.0	61.7	56.3	
Mankato	428	223	30	31.3	29.8	16.3	14.8	70.1	44.9	
Minneapolis	9,438	4,929	571	22.2	23.4	11.6	11.2	60.5	53.5	
Rochester	424	863	26	24.9	23.0	50.9	50.7	61.3	55.6	
St. Cloud	585	252	54	31.0	34.3	13.4	11.6	92.3	54.1	
St. Paul	5,926	3,121	344	24.1	25.2	12.7	12.0	58.0	56.5	
Virginia	287	122	23	17.9	21.1	7.6	7.7	80.1	60.4	
Winona	432	208	14	22.2	25.3	10.7	13.6	32.4	55.0	
MISSISSIPPI										
Biloxi	402	179	31	32.0	31.1	14.2	16.6	77.1	112.6	
Columbus	238	210	23	21.0	19.2	18.5	15.4	96.6	93.0	
Greenville	323	362	39	21.3	22.4	23.9	23.9	120.7	95.5	
Hattiesburg	403	262	42	28.6	30.5	18.6	16.5	104.2	75.3	
Jackson	774	615	63	32.7	31.4	26.0	24.3	81.4	135.5	
Laurel	608	271	41	38.7	38.8	17.2	16.8	67.4	47.9	
Meridian	583	458	40	24.0	24.4	18.8	18.0	68.6	96.6	
Natchez	220	277	26	16.8	20.6	21.2	21.6	118.2	108.6	
Vicksburg	435	651	43	24.1	26.6	36.0	38.7	98.9	74.8	
MONTANA										
Anaconda	251	140	15	20.0	18.0	11.2	9.9	59.8	67.3	
Billings	446	211	42	24.8	22.0	11.7	12.3	94.2	93.8	
Butte	662	597	59	15.4	14.2	13.9	13.7	89.1	87.5	
Great Falls	689	278	40	23.1	25.5	9.3	10.7	58.1	62.9	
Helena	205	164	18	17.0	22.8	13.6	15.1	87.8	65.5	
Missoula	384	214	20	30.3	33.3	16.9	16.9	52.1	52.1	
NEBRASKA										
Grand Island	362	224	34	23.2	24.1	14.4	17.6	93.9	94.9	
Hastings	333	177	25	25.7	24.5	13.7	14.8	75.1	89.7	
Lincoln	1,316	783	85	21.6	22.6	12.8	12.1	64.6	57.0	
North Platte	209	119	20	15.3	19.4	8.7	10.4	95.7	90.6	
Omaha	4,871	2,810	329	23.0	24.4	13.3	12.7	67.5	67.2	
NEW HAMPSHIRE										
Berlin	517	173	45	27.9	30.6	9.3	10.3	87.0	84.4	
Concord	463	459	28	20.5	21.5	21.7	19.0	60.5	53.8	
Dover	284	232	18	21.8	23.8	17.8	14.4	63.4	87.8	
Keene	326	206	20	27.5	26.8	17.4	16.3	61.3	76.1	
Laconia	276	229	33	24.4	29.4	20.3	16.5	119.6	63.6	
Manchester	1,838	921	184	22.1	25.7	11.1	11.9	100.1	93.1	
Nashua	791	416	68	26.6	28.3	14.0	12.4	86.0	73.2	
Portsmouth	329	196	25	22.1	18.2	13.2	12.5	76.0	71.2	
NEW JERSEY										
Asbury Park	227	145	12	16.6	15.0	10.6	10.8	52.9	59.7	
Atlantic City	1,232	1,076	93	23.1	23.9	20.2	18.6	75.5	76.9	
Bayonne	2,155	714	147	24.3	24.5	8.0	8.4	68.2	71.6	
Bellville	346	232	28	18.3	19.0	12.3	13.1	80.9	88.8	
Bloomfield	268	188	111	10.2	11.2	7.2	7.1	41.4	77.7	
Bridgeton	340	238	28	23.6	24.4	16.5	15.3	82.4	85.5	
Camden	8,109	1,775	271	24.2	25.9	13.8	13.8	87.2	90.6	
Carteret	285	76	22	20.3	22.5	5.4	6.5	77.2	92.1	
Clifton	549	212	28	15.8	16.9	6.1	6.9	51.0	78.4	
East Orange	282	453	19	4.7	5.2	7.6	6.3	67.4	62.9	
Elizabeth	2,586	1,198	154	(3)	(3)	(3)	(3)	59.6	66.6	
Englewood	600	273	40	47.7	48.7	21.7	19.9	66.7	72.8	
Garfield	662	141	44	26.9	27.9	5.7	6.8	60.5	66.7	
Gloucester	234	119	24	17.1	17.6	8.7	10.1	102.6	63.6	
Hackensack	950	419	58	48.2	43.9	21.3	19.7	61.1	58.8	
Harrison	302	145	25	18.4	23.7	8.8	8.8	82.8	69.9	
Hoboken	1,326	904	84	19.5	21.6	13.3	14.0	63.3	71.3	
Irvington	598	328	43	18.0	16.8	9.9	8.9	71.9	44.9	
Jersey City	6,904	3,675	471	21.9	23.6	11.7	12.2	68.2	76.6	
Kearny	534	285	34	17.1	16.0	9.1	10.0	63.7	65.6	
Long Branch	611	471	52	44.8	41.6	34.5	29.0	85.1	84.7	
Millville	303	182	25	19.0	23.0	11.4	10.9	82.5	74.6	
Montclair	363	290	32	11.0	10.9	8.8	7.1	88.2	88.6	
Morristown	572	360	52	45.5	42.6	28.6	22.8	90.9	61.7	
New Brunswick	979	495	60	25.8	30.3	13.0	14.2	61.3	58.8	
Newark	10,860	5,308	734	24.0	25.7	11.7	11.2	67.6	64.6	
Orange	1,779	619	89	50.3	49.5	17.5	15.0	50.0	45.1	
Passaic	1,764	726	117	25.6	28.0	10.5	9.2	66.3	64.6	
Paterson	3,088	1,711	195	21.8	22.0	12.1	12.1	63.1	64.9	
Perth Amboy	1,084	484	107	23.0	26.3	10.3	10.5	98.7	79.9	
Phillipsburg	401	205	28	21.5	20.8	11.0	11.5	69.8	86.4	
Plainfield	919	427	59	28.9	31.5	13.4	13.7	64.2	55.3	
Rahway	291	162	16	24.2	19.4	13.5	10.9	55.0	69.9	
Summit	320	168	16	27.4	27.2	14.4	14.9	50.0	54.8	
Trenton	3,072	1,874	245	23.3	24.5	14.2	14.4	79.8	92.6	

\* Population not estimated.

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births		
	Births	Deaths		Births		Deaths				
		All ages	Under year	1925	1924	1925	1924	1925	1924	
REGISTRATION CITIES—Continued										
NEW JERSEY—continued										
Union City	1,082	417	41	17.1	19.4	6.6	7.1	37.9	55.0	
West New York	678	225	35	17.3	17.5	5.7	5.4	51.6	33.6	
West Orange	153	127	7	8.4	11.0	7.0	7.5	45.8	67.0	
NEW YORK										
Albany	2,518	1,846	190	21.4	20.5	15.7	15.6	75.5	71.8	
Amsterdam	832	392	59	23.0	23.7	11.1	11.5	70.9	52.0	
Auburn	774	515	57	21.7	21.0	14.4	13.1	73.6	76.0	
Batavia	475	268	30	30.4	27.1	17.1	15.2	63.2	60.4	
Bescon	150	158	7	13.7	18.1	13.6	16.3	44.0	101.0	
Binghamton	1,512	1,055	108	21.0	21.6	14.7	15.1	71.4	74.1	
Buffalo	12,473	7,437	1,076	23.2	24.2	13.8	13.1	86.3	84.0	
Cohoes	476	292	38	20.4	22.7	12.5	12.5	79.8	83.3	
Corning	392	185	18	24.9	26.0	11.8	14.0	45.9	70.7	
Cortland	365	270	24	26.3	26.7	19.5	19.1	65.8	103.3	
Dunkirk	425	221	27	21.3	25.5	11.1	13.7	63.5	81.2	
Elmira	1,055	734	88	21.9	23.3	15.2	13.7	83.2	88.9	
Fulton	335	177	19	26.6	27.0	14.1	12.6	56.7	76.2	
Geneva	401	208	30	25.2	24.5	13.1	13.8	74.8	65.1	
Glens Falls	335	313	31	21.6	23.8	17.5	17.9	80.5	95.2	
Gloversville	370	372	24	16.7	18.7	16.8	16.6	64.9	58.1	
Herkimer	254	131	16	23.3	24.1	12.0	12.3	63.0	65.1	
Hornell	296	202	16	18.8	19.0	12.8	12.5	54.1	63.8	
Hudson	407	288	41	34.6	31.2	24.5	19.3	100.7	73.6	
Ilion	162	121	12	15.5	21.1	11.6	15.8	74.1	86.8	
Ithaca	401	296	29	21.2	24.0	15.6	16.5	72.3	53.7	
Jamestown	1,011	527	65	23.3	21.8	12.1	12.6	64.3	70.0	
Johnstown	129	112	9	12.0	11.0	10.5	12.2	69.8	42.4	
Kingston	588	546	49	20.4	21.5	10.4	18.4	83.3	66.8	
Lackawanna	928	344	111	45.9	46.0	17.0	14.3	119.6	102.1	
Little Falls	250	169	18	20.1	26.2	13.6	14.0	72.0	82.3	
Lockport	469	327	38	21.6	22.5	15.1	13.9	81.0	41.1	
Middletown	330	409	23	16.2	18.6	20.0	21.9	69.7	56.1	
Mount Vernon	1,030	455	43	20.4	20.8	9.0	9.0	41.7	61.8	
New Rochelle	869	382	40	19.7	18.5	8.6	9.0	46.0	49.1	
New York (total)	128,288	71,819	8,234	21.8	22.3	12.2	12.2	64.2	67.7	
Bronx Borough	15,660	8,355	870	18.0	17.9	9.6	9.3	55.6	59.7	
Brooklyn Borough	51,147	23,748	3,034	23.2	23.3	10.8	11.3	59.3	63.5	
Manhattan Borough	47,030	31,374	3,349	24.2	25.0	16.1	15.3	71.2	73.9	
Queens Borough	11,445	6,124	800	16.0	16.7	8.6	9.7	69.9	69.2	
Richmond Borough	2,976	2,215	181	21.5	21.7	16.0	12.8	60.8	69.5	
Newburgh	638	501	44	20.9	20.6	16.5	15.7	69.2	62.4	
Niagara Falls	1,579	688	134	27.7	28.7	12.1	10.1	84.9	62.3	
North Tonawanda	411	191	29	23.7	20.8	11.0	11.8	70.6	93.0	
Ogdensburg	428	432	47	25.1	25.1	25.3	27.4	109.8	107.7	
Olean	544	280	44	25.5	23.7	13.1	13.4	80.9	73.6	
Oneida	232	163	16	21.8	25.9	15.3	15.2	69.0	50.7	
Oneonta	266	188	21	22.1	22.5	15.6	16.1	78.9	74.3	
Ossining	285	181	13	22.3	21.0	14.2	14.1	45.6	46.0	
Oswego	462	285	31	20.7	20.1	12.7	13.2	67.1	92.5	
Peekskill	301	214	14	16.7	21.0	11.9	10.8	46.5	70.1	
Plattsburg	237	230	24	29.2	30.2	19.9	20.9	100.9	89.6	
Port Chester	580	193	30	30.1	34.0	10.0	10.9	51.7	53.1	
Port Jervis	212	172	19	20.2	21.4	16.4	18.2	89.6	93.8	
Poughkeepsie	673	498	48	18.9	19.3	14.0	14.3	71.3	91.8	
Rensselaer	89	98	6	7.8	8.9	8.6	9.4	67.4	79.2	
Rochester	6,583	3,839	424	20.8	20.9	12.1	11.6	64.4	58.8	
Rome	689	482	58	22.7	24.8	15.9	16.8	84.2	58.4	
Saratoga Springs	292	301	18	21.0	21.6	21.7	20.3	61.6	37.0	
Schenectady	1,819	1,057	124	19.6	20.0	11.4	10.9	68.2	65.7	
Syracuse	4,120	2,292	280	22.6	23.0	12.6	12.5	68.0	69.4	
Tonawanda	249	101	26	22.1	20.5	8.9	9.4	104.4	70.5	
Troy	1,485	1,354	146	20.6	20.9	18.7	18.3	98.3	92.0	
Utica	2,290	1,516	172	22.5	24.1	14.9	15.6	75.1	81.1	
Watertown	855	540	66	26.0	26.0	16.4	16.4	77.2	95.7	
Watervliet	213	184	18	13.2	13.7	11.4	10.4	84.5	122.2	
White Plains	585	312	30	21.3	20.6	11.4	10.2	51.3	47.9	
Yonkers	2,317	1,143	159	20.4	21.4	10.1	9.8	68.6	72.1	
NORTH CAROLINA										
Asheville	933	705	92	29.6	31.5	22.4	24.0	98.6	105.6	
Charlotte	1,616	833	155	30.3	32.0	15.6	15.7	95.9	79.2	
Durham	1,069	583	127	25.3	25.6	13.8	17.7	118.8	118.7	
Gastonia	576	202	47	34.1	41.0	12.0	10.8	81.6	55.8	
Goldsboro	413	233	48	29.0	27.4	16.4	17.6	116.2	125.0	
Greensboro	1,242	568	108	26.4	31.0	12.1	11.8	87.0	68.0	
High Point	808	319	85	34.2	34.0	13.5	14.2	105.2	93.2	
New Bern	278	231	40	22.8	24.6	18.9	18.3	143.9	130.0	
Raleigh	845	672	87	27.8	30.1	22.1	20.7	103.0	108.3	
Rocky Mount	480	274	59	31.8	34.5	18.1	18.9	122.9	92.9	
Salisbury	449	191	35	25.4	27.3	10.8	10.7	78.0	60.3	
Wilmington	1,009	550	110	27.2	27.1	14.8	15.7	109.0	127.9	
Wilson	420	264	61	32.8	36.5	20.6	17.6	145.2	101.5	
Winston-Salem	1,837	877	215	26.6	29.2	12.7	15.9	117.0	136.5	
NORTH DAKOTA										
Fargo	794	304	34	31.9	32.3	12.2	13.7	42.8	78.2	
Grand Forks	497	151	17	32.8	32.8	10.0	10.9	34.2	40.6	
Minot	273	210	28	22.3	26.4	17.1	13.1	102.6	85.4	
OHIO										
Akron	4,836	1,901	311	(1)	(2)	(3)	(4)	64.3	60.9	
Alliance	440	280	30	17.6	21.1	11.2	10.6	68.2	79.9	
Ashtrabula	592	299	32	23.6	24.6	11.9	11.4	54.1	61.1	
Barberton	562	204	48	24.1	22.0	8.8	9.9	85.4	87.0	

\*Population not estimated.

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925		Rate per 1,000 population				Deaths under 1 year per 1,000 births			
	Births	Deaths		Births		Deaths				
		All ages	Under year	1925	1924	1925	1924	1925	1924	
REGISTRATION CITIES—Continued										
OHIO—continued										
Bellaire	354	175	21	21.8	24.4	10.8	12.0	59.3	115.1	
Bucyrus	205	149	10	17.5	12.7	11.0	48.8	58.5	58.5	
Cambridge	296	211	20	21.1	23.2	15.0	13.1	67.6	40.5	
Canton	2,376	1,109	180	22.4	24.2	10.4	10.1	75.8	80.5	
Chillicothe	434	236	28	26.1	25.0	14.2	14.2	64.5	75.4	
Cincinnati	8,365	6,526	647	20.4	21.6	15.9	15.2	77.3	78.7	
Cleveland	20,047	9,709	1,325	21.4	23.0	10.4	10.2	66.1	66.1	
Cleveland Heights	49	207	7	2.2	4.1	9.3	8.6	142.9	46.5	
Columbus	5,575	3,894	446	19.9	21.2	13.9	13.2	80.0	65.3	
Coshocton	267	142	11	23.1	17.9	12.3	12.0	41.2	83.3	
Cuyahoga Falls	244	110	8	17.8	18.9	8.0	7.4	32.8	28.3	
Dayton	3,172	1,962	182	18.3	19.6	11.3	10.9	57.4	72.1	
East Cleveland	116	212	6	3.1	3.2	5.6	6.4	51.7	149.1	
East Liverpool	582	370	43	26.5	30.1	16.8	14.1	73.9	60.8	
East Youngstown	423	115	58	26.5	27.6	7.2	7.8	137.1	108.5	
Elyria	554	272	32	23.2	22.7	11.4	11.2	57.8	56.8	
Findlay	409	267	23	22.4	20.6	14.6	13.6	56.2	78.0	
Fremont	217	121	12	15.6	15.6	8.7	8.8	55.3	75.1	
Hamilton	1,202	576	89	28.4	27.7	13.6	12.7	74.0	69.9	
Ironton	399	228	32	27.5	27.0	15.7	15.8	80.2	90.0	
Kenmore	389	104	24	20.1	20.3	5.4	4.4	61.7	62.0	
Lakewood	672	430	31	11.8	13.1	7.6	7.4	46.1	54.9	
Lancaster	350	207	33	21.8	23.3	12.9	14.4	94.3	70.3	
Lima	1,074	583	75	23.0	24.1	12.5	12.4	69.8	72.6	
Lorain	985	417	73	23.3	25.6	9.9	10.2	74.1	54.8	
Mansfield	622	391	48	19.5	21.2	12.3	10.7	77.2	68.2	
Marietta	297	194	22	19.5	20.9	12.7	14.6	74.1	100.6	
Marion	626	332	35	19.3	20.6	10.2	10.2	55.9	59.8	
Martins Ferry	368	215	30	23.7	19.4	13.8	13.5	81.5	107.7	
Massillon	467	242	22	24.2	23.7	12.5	13.0	47.1	64.6	
Middletown	843	285	54	27.3	29.1	9.2	9.8	64.1	73.0	
New Philadelphia	301	100	16	25.1	23.4	8.3	9.4	53.2	25.4	
Newark	568	379	32	18.6	20.2	12.4	12.5	56.3	81.4	
Niles	262	106	24	15.8	20.9	6.4	5.8	91.6	62.5	
Norwood	205	178	9	6.8	7.0	5.9	6.4	43.9	93.1	
Piqua	299	229	24	18.7	19.2	14.3	15.1	80.3	79.2	
Portsmouth	1,046	529	102	26.8	29.1	13.5	13.6	97.5	88.6	
Salem	284	176	14	25.6	26.3	15.9	15.5	49.3	59.0	
Sandusky	489	318	29	19.9	22.3	13.0	13.0	59.3	53.7	
Springfield	1,300	893	100	18.9	18.7	12.1	13.0	76.9	50.6	
Steubenville	751	460	85	23.5	25.1	14.4	15.2	113.2	94.0	
Tiffin	318	223	15	20.4	17.1	14.3	13.7	47.2	106.9	
Toledo	5,415	3,494	438	18.8	20.7	12.2	11.7	80.9	69.1	
Warren	885	462	73	25.5	26.2	13.3	12.0	82.5	65.4	
Youngstown	4,133	1,706	304	25.8	27.5	10.7	10.7	73.6	72.3	
Zanesville	781	510	58	25.7	26.9	16.8	16.0	74.3	80.7	
OREGON										
Astoria	247	139	19	14.9	17.8	8.4	9.8	76.9	42.0	
Eugene	452	274	24	39.6	39.4	24.0	20.8	53.1	29.7	
Portland	5,183	3,330	238	( <sup>1</sup> )	18.7	( <sup>1</sup> )	11.7	45.9	53.6	
Salem	395	664	23	20.0	20.0	33.7	32.8	58.2	54.3	
PENNSYLVANIA										
Allentown	1,912	1,283	176	20.7	20.9	13.9	13.1	92.1	97.7	
Altoona	1,694	812	142	25.6	26.6	12.3	11.0	83.8	54.7	
Ambridge	417	110	28	24.5	21.6	6.5	5.5	67.1	71.2	
Beaver Falls	346	213	40	26.3	24.2	16.2	16.6	115.6	91.5	
Berwick	296	131	16	20.9	25.7	9.3	10.3	54.1	72.2	
Bethlehem	1,217	421	93	19.4	21.9	6.7	7.6	76.4	63.4	
Braddock	733	323	68	33.7	33.3	14.9	18.1	92.8	116.8	
Bradford	435	253	34	27.5	25.1	16.0	15.9	78.2	50.5	
Bristol	337	132	28	26.2	28.2	10.3	10.4	83.1	80.6	
Butler	525	310	48	20.8	23.2	12.3	10.8	91.4	57.0	
Canonsburg	327	114	22	24.2	25.4	8.5	9.7	67.3	75.8	
Carbondale	551	319	64	28.2	30.4	16.3	15.1	116.2	98.5	
Carlisle	296	179	16	25.9	24.6	15.6	18.1	54.1	79.4	
Carnegie	268	85	16	21.7	25.4	6.9	8.4	59.7	77.4	
Carrick	209	102	15	16.1	20.0	7.9	7.8	71.8	71.7	
Chambersburg	287	211	20	20.6	22.5	15.1	13.8	69.7	74.0	
Charleroi	290	88	18	23.0	21.9	7.0	8.3	62.1	103.3	
Chester	1,287	749	135	18.8	23.4	10.9	10.3	104.9	87.3	
Coatesville	254	132	22	15.4	17.4	8.0	7.1	86.6	75.0	
Columbia	275	159	22	25.4	26.3	14.7	14.5	80.0	101.8	
Connellsburg	318	159	24	22.2	21.9	11.1	12.2	75.5	80.1	
Dickson City	314	106	31	26.1	30.1	8.8	7.8	98.7	78.7	
Demora	397	121	38	23.3	29.0	7.1	7.3	95.7	91.9	
Du Bois	321	174	28	22.5	27.2	12.2	12.1	87.2	62.2	
Dunmore	459	260	62	21.1	24.2	12.0	11.9	135.1	142.3	
Duquesne	545	157	45	26.1	25.1	7.5	9.0	82.6	120.4	
Easton	850	641	69	23.1	21.6	17.4	17.0	81.2	84.4	
Erie	2,671	1,296	173	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )	64.8	66.7	
Farrell	414	118	29	22.2	23.1	6.3	9.2	70.0	143.6	
Greensburg	438	262	30	27.3	27.9	16.3	17.1	68.5	56.4	
Harrisburg	1,607	1,176	132	19.3	20.6	14.1	14.3	82.1	75.7	
Hazleton	1,025	488	93	28.4	28.6	13.5	12.4	90.7	75.9	
Homestead	560	254	50	26.1	24.8	11.8	14.6	89.3	115.7	
Jeannette	379	119	31	32.3	28.9	10.1	7.5	81.8	38.9	
Johnstown	2,180	1,020	191	30.5	32.3	14.3	13.2	87.6	82.8	
Lancaster	1,475	957	131	26.1	25.9	16.9	17.2	88.8	84.3	
Lebanon	589	353	36	23.4	23.5	14.0	16.4	61.1	90.0	
McKees Rocks	463	138	32	25.6	25.6	7.6	8.1	69.1	72.1	
McKeesport	1,329	690	108	27.1	28.6	14.1	16.4	81.3	97.6	
Mahanoy City	357	205	45	22.9	22.2	13.1	11.0	126.1	95.1	
Meadville	390	270	32	25.0	24.4	17.3	14.1	82.1	61.3	
Monessen	560	123	40	26.4	27.5	5.8	8.5	71.4	105.4	
Mount Carmel	505	180	44	28.9	33.8	10.3	11.8	87.1	84.7	
Nanticoke	737	366	80	29.8	31.3	14.8	14.2	108.5	87.9	

<sup>1</sup> Population not estimated.

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births		
	Births	Deaths		Births		Deaths				
		All ages	Under year	1925	1924	1925	1924	1925	1924	
REGISTRATION CITIES—Continued										
PENNSYLVANIA—continued										
New Castle.....	1,319	588	94	26.5	28.9	11.8	12.3	71.3	77.7	
New Kensington.....	445	220	28	30.9	32.6	15.3	14.5	62.9	65.9	
Norristown.....	820	704	86	23.5	24.3	20.2	20.2	104.9	83.9	
North Braddock.....	387	117	23	23.2	25.8	7.0	8.0	59.4	118.2	
Oil City.....	565	271	37	24.3	23.6	11.7	11.6	65.5	70.4	
Old Forge.....	355	112	38	27.8	30.0	8.8	12.3	107.0	94.7	
Olyphant.....	242	113	18	21.6	23.3	10.1	7.6	74.4	116.7	
Philadelphia.....	39,145	26,047	3,005	19.8	21.3	13.2	12.9	76.8	74.7	
Phoenixville.....	286	148	23	27.3	31.1	14.1	18.1	80.4	70.8	
Pittsburgh.....	15,705	9,383	1,280	24.9	25.1	14.9	15.5	81.5	91.8	
Pittston.....	573	247	69	29.0	33.9	12.5	11.8	120.4	80.1	
Plymouth.....	452	162	39	27.4	29.5	9.8	10.0	86.3	76.1	
Pottstown.....	415	274	45	22.5	23.7	14.8	14.6	108.4	64.5	
Pottsville.....	572	466	63	25.1	27.1	20.4	20.5	110.1	93.0	
Punxsutawney.....	223	145	18	20.2	25.5	13.2	15.1	80.7	89.9	
Reading.....	2,260	1,474	180	20.1	21.2	13.1	13.5	79.6	79.0	
Scranton.....	3,162	1,957	274	22.2	23.2	13.8	14.0	86.7	85.8	
Shamokin.....	509	203	33	23.4	23.6	9.3	9.1	74.7	58.7	
Sharon.....	607	282	36	24.3	23.0	11.3	12.4	59.3	78.4	
Shenandoah.....	620	288	90	25.1	29.8	11.6	11.7	145.2	100.5	
Steelton.....	309	144	20	23.0	21.9	10.7	9.5	64.7	105.4	
Sunbury.....	367	180	15	21.8	20.7	10.7	11.0	40.9	58.1	
Swissvale.....	198	110	8	15.3	16.2	8.5	8.0	40.4	59.1	
Tamaqua.....	262	122	17	18.7	19.8	8.7	7.0	64.9	55.4	
Uniontown.....	523	414	44	33.3	39.4	26.4	21.8	84.1	58.2	
Warren.....	375	201	15	24.8	28.7	13.3	14.6	40.0	65.1	
Washington.....	675	396	67	29.3	31.9	17.2	14.1	99.3	89.8	
West Chester.....	383	312	51	32.7	35.0	26.6	25.8	133.2	117.1	
Wilkes-Barre.....	2,271	1,170	184	29.2	29.9	15.1	15.9	81.0	65.2	
Wilkinsburg.....	591	354	23	21.6	23.6	12.9	14.6	38.9	53.7	
Williamsport.....	1,018	568	98	23.9	23.0	13.3	14.0	96.3	66.0	
Woodlawn.....	535	123	41	28.3	27.0	6.5	7.6	76.6	86.6	
York.....	1,050	738	97	21.4	23.1	15.0	13.7	92.4	75.4	
RHODE ISLAND										
Bristol town.....	250	141	22	19.7	22.9	11.1	10.5	88.0	111.9	
Central Falls.....	555	221	49	21.8	25.5	8.7	9.2	88.3	91.8	
Cranston.....	574	641	34	16.7	19.1	18.6	18.4	59.2	79.2	
Cumberland town.....	175	100	17	17.1	21.0	9.8	11.4	97.1	84.1	
East Providence town.....	467	268	41	17.9	17.7	10.3	10.9	87.8	80.0	
Newport.....	479	396	26	17.3	17.3	14.3	11.8	54.3	63.5	
Pawtucket.....	1,475	892	146	21.1	22.2	12.8	12.9	99.0	84.4	
Providence.....	6,280	3,308	398	23.4	24.9	12.3	13.3	63.4	78.7	
Warwick town.....	276	206	20	15.1	15.3	11.3	13.0	72.5	81.8	
West Warwick town.....	380	181	32	20.9	23.7	9.9	10.2	84.2	94.8	
Woonsocket.....	1,435	522	126	28.9	27.5	10.5	10.4	87.8	80.4	
VERMONT										
Barre.....	279	157	12	27.9	24.2	15.7	13.9	43.0	74.4	
Burlington.....	670	376	41	27.8	30.7	15.6	16.5	61.2	88.7	
Rutland.....	355	292	33	22.5	22.6	18.5	16.3	93.0	59.7	
VIRGINIA										
Alexandria.....	499	304	58	27.0	28.9	16.5	16.4	116.2	99.8	
Charlottesville.....	284	145	27	25.3	22.1	13.0	12.9	95.1	89.4	
Danville.....	610	341	72	27.0	28.1	14.8	15.5	116.3	103.4	
Lynchburg.....	731	518	67	24.1	27.3	17.0	15.3	91.7	76.0	
Newport News.....	582	342	52	12.3	14.8	7.3	9.6	89.3	91.1	
Norfolk.....	2,584	1,775	250	(1)	(1)	(1)	(1)	96.7	81.6	
Petersburg.....	705	539	87	19.7	21.7	15.1	15.2	123.4	143.8	
Portsmouth.....	1,007	643	97	17.1	19.2	10.9	12.0	96.3	122.9	
Richmond.....	4,189	2,740	379	22.5	23.7	14.7	15.3	90.5	87.6	
Roanoke.....	1,777	839	166	30.5	31.9	14.4	13.6	93.4	85.0	
Staunton.....	153	279	16	14.4	17.9	26.2	23.1	104.6	126.3	
WASHINGTON										
Aberdeen.....	396	247	21	24.5	24.0	15.3	10.9	53.0	31.2	
Bellingham.....	679	382	34	25.9	23.6	14.6	12.3	50.1	58.3	
Everett.....	594	333	29	20.3	20.9	11.4	11.5	48.8	56.1	
Hoquiam.....	211	115	15	19.2	23.0	10.3	9.0	70.1	67.7	
Seattle.....	5,415	3,372	243	(1)	(1)	(1)	(1)	44.9	46.0	
Spokane.....	2,248	1,386	123	20.6	22.2	12.7	12.5	54.7	51.7	
Tacoma.....	2,207	1,243	97	21.1	21.7	11.9	11.1	44.0	56.3	
Vancouver.....	298	156	13	20.5	17.8	10.7	11.0	43.6	71.4	
Walla Walla.....	300	215	22	19.4	21.5	13.9	13.5	73.3	48.0	
Yakima.....	621	348	48	27.4	27.9	15.4	15.6	77.3	75.8	
WEST VIRGINIA										
Bluefield.....	585	257	61	30.2	(2)	13.3	(2)	104.3	(2)	
Charleston.....	1,401	809	136	28.6	(2)	16.5	(2)	97.1	(2)	
Clarksburg.....	921	381	66	30.3	(2)	12.3	(2)	71.7	(2)	
Fairmont.....	546	305	41	26.1	(2)	14.6	(2)	75.1	(2)	
Huntington.....	1,667	980	183	26.3	(2)	15.4	(2)	109.8	(2)	
Martinsburg.....	353	270	55	26.1	(2)	19.9	(2)	155.8	(2)	
Morgantown.....	519	230	42	37.6	(2)	16.7	(2)	80.9	(2)	
Moundsville.....	372	141	23	31.0	(2)	12.1	(2)	61.8	(2)	
Parkersburg.....	494	307	42	23.2	(2)	14.4	(2)	85.0	(2)	
Wheeling.....	1,633	1,001	137	29.1	(2)	17.8	(2)	83.6	(2)	
WISCONSIN										
Appleton.....	521	270	37	24.6	23.8	12.8	15.6	71.0	100.8	
Ashland.....	321	263	25	28.3	28.2	23.2	23.1	77.9	75.0	
Beloit.....	538	258	43	21.7	22.7	10.4	9.9	79.9	51.0	
Eau Claire.....	683	386	39	30.5	29.1	17.3	15.4	57.1	70.0	
Fond du Lac.....	718	396	49	27.6	28.0	15.2	14.1	68.2	58.7	
Green Bay.....	970	543	73	28.3	30.2	15.8	15.7	75.3	64.8	
Janesville.....	410	254	27	19.7	21.1	12.2	11.2	65.9	65.1	

\* Not in the registration area in 1924.

† Population not estimated.

Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area, 1925—Continued

Area	Number, 1925			Rate per 1,000 population				Deaths under 1 year per 1,000 births		
	Births	Deaths		Births		Deaths				
		All ages	Under year	1925	1924	1925	1924	1925	1924	
REGISTRATION CITIES—Continued										
WISCONSIN—continued										
Kenosha	1,116	387	62	21.9	22.4	7.6	7.3	55.6	55.7	
La Crosse	958	518	51	31.5	30.3	17.0	17.3	53.2	56.3	
Madison	1,251	598	54	27.0	25.3	12.9	11.9	43.2	48.2	
Manitowoc	533	231	37	24.1	23.6	10.4	11.3	69.4	77.4	
Marinette	340	170	26	25.0	24.5	12.5	14.7	76.5	123.1	
Milwaukee	11,059	5,601	900	21.7	22.9	11.0	9.8	81.4	60.6	
Oshkosh	778	431	35	23.4	23.1	13.0	13.6	45.0	71.8	
Racine	1,373	672	86	20.3	19.8	8.4	8.1	62.6	61.8	
Sheboygan	851	398	53	25.4	25.2	11.9	11.6	62.3	55.2	
Stevens Point	323	139	23	25.1	27.2	10.8	13.0	71.2	87.5	
Superior	778	456	45	19.6	22.4	11.5	11.0	57.8	64.0	
Waukesha	334	144	21	22.7	23.2	9.8	9.0	62.9	69.1	
Wausau	613	259	47	30.5	29.9	12.9	14.7	76.7	85.9	
West Allis	444	135	38	24.2	26.3	7.4	7.7	85.6	60.0	
WYOMING										
Casper	611	237	33	(*)	(*)	(*)	(*)	54.0	73.9	
Cheyenne	394	176	18	25.5	25.8	11.4	11.4	45.7	71.4	

\* Population not estimated.

Mr. BAYARD. I desire to read part of this statement:

SUMMARY OF PROVISIONAL BIRTH, DEATH, AND INFANT MORTALITY FIGURES  
IN THE BIRTH REGISTRATION AREA, 1925

(Exclusive of Massachusetts and Utah, from which complete transcripts for 1925 have not been received.)

WASHINGTON, D. C.—The Department of Commerce announces that birth rates for 1925 were lower than for 1924 in 26 of the 30 States for which figures for the two years are shown in the following summary. The highest 1925 birth rate (28.8 per 1,000 population) is shown for North Carolina and the lowest (15.1) is for Montana.

Death rates for 1925 were higher than for 1924 in 16 of the 30 States shown for both years. The highest 1925 death rate (14.6 per 1,000 population) is shown for Vermont and the lowest (7.7) for Montana and North Dakota.

Infant mortality rates for 1925 were generally higher than those for 1924, as 19 of the 30 States show higher rates in 1925. The highest 1925 infant mortality rate (90.4) appears for Maryland and the lowest (51.2) for Oregon. Infant mortality rates are shown for both years for 48 cities of 100,000 population or more in 1920. For 24 of these cities the 1925 infant mortality rates were higher than those of the previous years. The highest 1925 rate (96.7) was for Norfolk and the lowest (44.9) for Seattle.

Then follows this table: "Births and deaths (exclusive of stillbirths), with rates per 1,000 population, and infant mortality, in the birth registration area."

I beg you to realize, Senators, just exactly what these figures mean. I stated a moment ago that your department and my department, the department of the whole country—the Census Bureau of the Department of Commerce—states that 19 out of 30 States in the registration area—and that is the only area from which we can get reliable statistics; the rest is all guess-work—showed an increase in infant mortality; and yet these good people who are the proponents of the pending measure insist that the administration of the measure itself shows a tremendous accomplishment for the good and benefit of this country. I submit that the statistics, if they mean anything, do not show that. I want to read from some of them.

For instance, California shows, in regard to infant mortality, an increase per thousand children under one year of 67.1 to 68.7. Connecticut shows an increase from 68.7 to 73.5; Illinois from 71 to 72.5; Indiana from 65.2 to 67.9; Iowa from 54.9 to 55.9; Kansas from 59 to 61.6; Kentucky from 64.6 to 70.4; Maine shows a decrease. I am not reading the decreases; I am reading the increases and the relative proportions. Maryland shows an increase from 86.2 to 90.4; Michigan from 72.3 to 74.5; Minnesota from 56.7 to 60.4; Nebraska from 55.3 to 58.4; North Dakota from 66.7 to 76.4; Ohio from 66.6 to 69.7; Pennsylvania from 78.5 to 82; Vermont from 70.2 to 72.8; Virginia from 77.6 to 80.6; the State of Washington from 56.2 to 56.5; and Wisconsin from 64.7 to 67.1.

That shows the States generally. Then follow the figures which the statistician has given for certain cities of the country. He has given a selected number of cities, as stated there, showing whether or not the infant mortality has increased. I shall not take up the time of the Senate by reading at large from this rather voluminous set of statistics. I do

not want to do that; it will appear in the RECORD; but I do want to call attention to some interesting facts.

For instance, in the State of Illinois the statistician reports 44 cities, and 26 out of the 44 cities show an increase in infant mortality under the age of 1 year. But, more than that—now, this is very interesting—in these statistics, where there is an increase in infant mortality under the age of 1 year, you also very frequently find in the same State for the same year a decrease in the birth rate. How that fits in with the theory of our good friends on the other side of this measure I do not quite see, but I think it will bear some explanation; otherwise they should recede from their claims if they are based upon statistics.

For instance, I will take some of these at random. Here is the city of Blue Island, Ill., where the death rate in 1924 was 72.9 per 1,000 for children of 1 year of age and under, and in 1925 it was 80.3. Now, the birth rate went down ever so little. It diminished five-tenths of 1 per cent. That is a very simple case; but let us take another one.

In the city of Canton, Ill., the 1924 death rate was 71.1. The 1925 death rate was 105.9. Yet the birth rate had gone down from 21.7 to 21.4 in the same year.

Mr. President, in the city of Chicago Heights the death rate in 1924 was 82.2, and in 1925 it was 117.2. The birth rate in 1924 was 19.5, and it dropped in 1925 to 17.4, while there was this tremendous increase in the death rate.

I could go through innumerable cases of this kind. For instance, a similar thing occurred in the city of Freeport. The same thing occurred in the city of Galesburg, and in Granite City, and in Herrin. The deaths in Herrin can not be charged to the playful habit the people of that community seem to have of shooting each other, because all of these figures refer to the deaths of children 1 year old and under, and I do not believe even out there children of that age are able to carry guns. In all, in the State of Illinois, as I have said, out of the 44 towns and cities reporting, 26 of them show that there is an increase in the death rate.

Again, in the State of Indiana, out of 31 towns and cities reporting, 19 cities show an increase in the death rate, as well as a decrease in the birth rate.

In the State of Iowa, out of 16 cities reporting, 11 show an increase in the death rate of children under 1 year of age.

We heard a great deal about the State of New York from the junior Senator from New York [Mr. COPELAND], when he was pleading for this appropriation, and pleading for it because of the benefits the act conferred. If those benefits are to be tested by statistics, it is interesting to notice that out of 58 cities and towns reporting, 27 show an increase in the death rate.

In the State of Ohio, out of 49 cities reporting, 22 show an increase in the death rate. For instance, take a case of this kind. In a town called Cleveland Heights the death rate of children of 1 year of age and under was 46.5 in 1924, and in 1925 it was 142.9. Yet the birth rate had gone down from 4.1 in 1924 to 2.2 in 1925, a decrease of almost 100 per cent. Yet we are asked by the proponents of this measure to believe that they have definitely shown the great and splendid benefits

derived from the administration of the act. I submit that these figures do not support them.

Again, in the State of Pennsylvania, out of 77 towns and cities reporting, 41 show an increase in the death rate of children under 1 year of age between 1924 and 1925.

In the little State of Rhode Island 4 out of 11 cities show the same facts.

In the State of Virginia 7 out of 11 reporting cities show the same facts.

In the State of Wisconsin 9 out of 21 show the same facts.

As I have remarked before, all the way through, this outstanding fact appears frequently, that where there has been shown an increase in the death rate, strangely enough there will be found a decrease in the birth rate. If the maternity act is really of the benefit which it is claimed to be, why is there not an increase in the birth rate, admitting an increase in the death rate? If the mothers are better prepared for their coming children—and the proponents of this legislation claim they are better prepared—why does not the birth rate show an increase?

Mr. President, I still have here a great mass of material, but I shall not continue longer this afternoon.

Mr. BINGHAM. 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:

Ashurst	Fletcher	McKellar	Robinson, Ark.
Bayard	George	McMaster	Robinson, Ind.
Bingham	Gillett	McNary	Sackett
Blease	Goff	Mayfield	Schall
Bratton	Gooding	Metcalf	Sheppard
Broussard	Hale	Moses	Smith
Bruce	Harris	Neely	Smoot
Cameron	Harrison	Norbeck	Steck
Capper	Hawes	Norris	Stephens
Caraway	Hedlin	Nye	Swanson
Couzens	Johnson	Oddie	Trammell
Curtis	Jones, Wash.	Overman	Tyson
Deneen	Kendrick	Phipps	Wadsworth
DHL	Keyes	Pine	Walsh, Mass.
Edwards	King	Pittman	Walsh, Mont.
Ferris	La Follette	Reed, Mo.	Wheeler
Fess	Lenroot	Reed, Pa.	

Mr. FESS. Mr. President, I desire to announce that the Senator from Indiana [Mr. WATSON] is detained in the Committee on Interstate Commerce.

Mr. McMaster. I desire to announce that the Senator from North Dakota [Mr. FRAZIER], the Senator from Iowa [Mr. STEWART], and the Senator from Minnesota [Mr. SHIPSTEAD] are detained in a meeting of the Committee on Pensions.

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

#### WATERWAYS AND WATER RESOURCES COMMISSION

Mr. CAMERON. I ask unanimous consent to have printed in the Record Senate bill 4710, introduced by me, proposing to create a waterways and water resources commission, and a statement relative thereto which is entitled, "Flood prevention and river regulation as provided for in the Cameron bill." I also ask that certain matter relevant to the bill may also be printed as exhibits to the statement.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the Record, as follows:

[S. 4710, Sixty-ninth Congress, second session]

IN THE SENATE OF THE UNITED STATES,

December 10, 1926.

Mr. CAMERON introduced the following bill; which was read twice and referred to the Committee on Commerce

A bill to create a Waterways and Water Resources Commission

*Be it enacted, etc.*, That a commission, to be known as the Waterways and Water Resources Commission, hereinafter called the commission, is hereby created, consisting of a chairman to be appointed by the President of the United States, the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, one Member of the Senate to be appointed by the President of the Senate, one Member of the House of Representatives to be appointed by the Speaker of the House, and one member who shall be an economist and expert in matters relating to waterways and water resources as they affect agricultural, commercial, and industrial development: *Provided*, That the members of the commission herein created appointed by virtue of their official position shall serve as such members only during their incumbency in their respective official positions, and any vacancy on the commission shall be filled in the same manner as the original appointment. Other members appointed by the President shall be removable at his pleasure.

That to assist in carrying out the purposes of this act, the commission may utilize the various agencies of the Government, and to

facilitate and expedite such use, and promote cooperation, coordination, and economy in connection therewith, there is hereby created a Water Control Board, hereinafter called the board, consisting of the chairman of the commission, who shall be the chairman of the board, three assistant secretaries appointed, respectively, by the Secretaries of War, Interior, and Agriculture, one member who shall be chosen from the active or retired list of the Engineer Corps of the Army, one member who shall be a hydraulic engineer from civil life, and one member who shall be a hydroelectric engineer from civil life. The three last named shall be chosen by the commission and shall be removable at their pleasure, and the three to be appointed by the Secretaries of War, Interior, and Agriculture, respectively, shall be removable at the pleasure of the Secretary making the appointment.

The commission shall from time to time make such rules and regulations as may be necessary and advisable to designate and define the duties of the board.

The commission is hereby authorized, under such rules and regulations as the President may prescribe, and subject to the approval of the heads of the several executive departments concerned, to bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States, and commissions created by Congress that relate to study, development, or control of waterways and water resources and subjects related thereto, or to the development and regulation of interstate and foreign commerce, with a view to uniting such services in investigating, with respect to all watersheds in the United States, questions relating to the development, improvement, regulation, and control of navigation as a part of interstate and foreign commerce, including therein the related questions of irrigation, drainage, forestry, arid and swamp land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil erosion and waste, storage and conservation of water for agricultural, industrial, municipal, and domestic uses, cooperation of railways and waterways, and promotion of terminal and transfer facilities, to secure the necessary data, and to formulate and report to Congress, as early as practicable, a comprehensive plan or plans for the development of waterways and the water resources of the United States for the purpose of navigation and for every useful purpose, and recommendations for the modification or discontinuance of any project herein or heretofore adopted. Any member of said commission or board appointed from the retired list shall receive the same pay and allowances as he would if on the active list, and no member selected from the public service shall receive additional compensation for services on said commission or board, and members selected from civil life shall receive compensation of \$10,000 per annum.

In all matters done, or to be done, under this section relating to any of the subjects, investigations, or questions to be considered hereunder, and in formulating plans, and in the preparation of a report or reports, as herein provided, consideration shall be given to all matters which are to be undertaken, either independently by the United States or by cooperation between the United States and the several States, political subdivisions thereof, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each, respectively, and with a view to assigning to the United States such portion of such development, promotion, regulation, and control as may be undertaken by the United States, and to the States, political subdivisions thereof, municipalities, communities, corporations, and individuals such portions as belong to their respective jurisdictions, rights, and interests.

The commission is authorized to employ or retain and fix the compensation for the services of such engineers, transportation experts, experts in water development and utilization, and constructors of eminence as it may deem necessary to make such investigations and to carry out the purposes of this act. And in order to defray the expenses made necessary by the provisions of this act, there is hereby authorized to be appropriated such sums as Congress may hereafter determine; and the sum of \$750,000 is hereby appropriated, available until expended, to be paid out upon warrants drawn on the Secretary of the Treasury by the chairman of said commission.

The further sum of \$250,000 is hereby appropriated, available until expended, to be used by the commission to meet the special expenditures required for the making of a complete and comprehensive plan for the control of the floods and the application of the now wasted flood waters to beneficial productive purposes on the entire watershed of the Mississippi, Missouri, and Ohio Rivers and their tributaries and source streams, and for the relief of the lower Mississippi Valley from the flood menace which now results from the uncontrolled floods poured down from the upper watersheds.

The commission shall have power to make every expenditure requisite for and incident to its authorized work, and to employ in the District of Columbia and in the field such clerical, legal, engineering, artistic, and expert services as it may deem advisable, including the payment per diem in lieu of subsistence for employees engaged in field work or traveling on official business, rent of offices in the District of Columbia and in the field, and the purchase of books, maps, and office equipment.

Nothing herein contained shall be construed to delay, prevent, or interfere with the completion of any survey, investigation, project, or work herein or heretofore or hereafter adopted or authorized upon or for the improvement of any of the rivers or harbors of the United States or with legislative action upon reports heretofore or hereafter presented.

FLOOD PREVENTION AND RIVER REGULATION AS PROVIDED FOR IN THE CAMERON BILL (S. 4710)

It was once believed that the world was flat.

Now we know it to be round.

A basic error, just as fundamental, prevails as to floods.

Until it has been overcome floods will grow worse.

And no nation-wide relief will be possible.

Flood control is now studied from the wrong end.

A flood is regarded as an "act of God" like an earthquake.

The flood is accepted as an unpreventable cataclysm.

The exact contrary is the fact.

The flood is preventable.

The way to prevent it is to control the water for beneficial uses on the source streams where the floods form or originate.

And the profits from the beneficial use of the water will cover the cost of preventing the flood from ever coming into existence.

"Source-stream control" is the only remedy for destructive floods, because it is the only way that relief can be made self-operative and self-sustaining.

A comprehensive system for flood prevention, starting with the crest of the watershed, controlling the flood waters as completely as possible from the place where they first fall from the clouds, and thus preventing floods from forming, will gradually eliminate the floods and render flood protection unnecessary.

This point must always be kept in mind:

The economic value created by the beneficial use of the now wasted flood waters will pay a profit from benefits to industry, increased production, new wealth created, and greater prosperity for farmers that will justify the investment of every dollar necessary to be expended for flood control.

The primary purpose of the expenditure will be to control the water for use.

The prevention of flood damage will be a supplemental result.

THE FLOOD MUST BE CONTROLLED ON THE WATERSHED, WHERE IT ORIGINATES

It must not be allowed to come down into the rivers in the form of a destructive flood.

That can only be prevented by the beneficial use of the waters and the control of the flood waters for that purpose.

That is the only way to secure nation-wide immunity from floods.

Until we adopt that system, devastating floods, first in one place and then in another, will submerge farms, wreck communities, retard development, decrease trade, prevent prosperity in flood-menaced sections, and leave a trail of death and destruction in their wake, as they have so recently done in the Appalachian region.

We must fight the floods before they form.

We must fight to prevent their formation.

We must scatter and spread the flood-forming waters.

We must separate them into innumerable small units.

We must keep control of the small units.

We must force them to serve instead of destroy.

We must slow up the run-off by every practicable method.

We must apply every conceivable check to rapid run-off.

We must slow up the velocity of the flowing water.

We must preserve natural checks and devise artificial ones.

We must "dam the draws" on the western prairies.

We must build innumerable small retarding reservoirs.

We must check dam the canyons and ridge the hillsides.

We must use mother earth as a reservoir.

We must saturate the absorbent soils on the watershed, so the springs will be replenished and the natural reservoirs refilled.

We must restore the summer flow of the streams where deforestation has dried them up.

We must put the fish back in the cool pools where they used to be all summer long, where there are now only dry gravels and hot rocks.

Every gravel bed and stratum of sandy or porous soil is a natural reservoir, and should be filled in every flood season, so it will feed the precious waters back into the streams in the low-water season.

Nature designed a vast system of retardation, which kept the streams flowing throughout the year.

It has been destroyed by man's uses of the watershed.

We must restore it.

The way to do it is to control the waters for beneficial use.

We must fight the flood before it becomes a flood by fighting to have every drop of water that falls from the clouds kept constantly under control for some useful purpose before it can get to the lower channels, where it would otherwise form a flood.

Slow up the run-off is the way to prevent floods.

"Slow up the run-off" should be the slogan of the flood-control movement.

And that will be accomplished by making a profit out of the water, using it for some useful purpose, instead of having it run to waste and carry ruin in its pathway on its way to the sea.

Not one method, but every conceivable method, to slow up the run-off should be adopted to make the water available for every beneficial use and prevent the flood formation.

It must not for a moment be assumed that the Federal Government is to do all these things.

What the Government should do is exactly what is proposed and provided for in this pending flood control measure, S. 4710, through the coordinating commission created by the act.

The Government should furnish the initiative, provide the necessary information, make a complete and comprehensive plan on each watershed, and then set in motion the forces to carry out that plan, and "stay on the job" until the things it recommends have been accomplished through an apportionment of costs and the active cooperation of all benefited interests.

The machinery for that is provided for in this pending measure.

No other legislation heretofore enacted or contemplated covers it.

Until Congress adopts this plan, nation-wide relief is hopeless.

Every application to Congress for flood relief or protection comes now in the form of an effort to build a defense against a destroying monster which rages through human habitations, causes death and disaster, and leaves devastation on its wake.

Until we abandon that erroneous conception of the problem, effective relief will be found to be impossible.

Where physically possible, it will be found to cost too much.

In the majority of cases, so long as this basic error prevails, a study of the problem will result in finding out that no local system of protection from floods is possible.

No machinery now exists for treating it otherwise.

If safety from flood devastation, on rivers far below the sources of the flood, is the only moving motive for source stream control, the result is too remote from the cause.

As soon as we can get started right, with the coordinating commission provided in the Cameron-O'Connor-Newlands bill, and set every department of the Government to work in harmonious cooperation that is now working at the problem from some one isolated angle, we will find that floods can be prevented—that they are an unnecessary evil.

Furthermore we will find that the cost of preventing floods can be met by the economic values created from the beneficial use of the now wasted flood waters to increase plant and tree growth, increase the farmer's profits, upbuild commerce and industry and enlarge the home markets for all American merchants and manufacturers, and promote the prosperity of the whole people of the United States of America.

This wasted water is our greatest undeveloped national asset.

We can not get it conserved or used for nation-wide prosperity until this pending legislation embodying the Newlands plan has been enacted by Congress.

Until that has been done we can not start right or begin at the right end, treating each watershed as a unit for study and making comprehensive plans for every possible beneficial use of the water in order to meet the question of cost right at the very threshold.

Economics must take precedence over engineering in the order of investigation. Engineering details are unimportant until a way to meet the cost has been worked out.

The creation of the National Forest Reservation Commission blazed the way for the adoption of a complete workable plan such as is provided for in the pending bill S. 4710.

The act creating that commission, known originally as the Weeks White Mountain and Appalachian Act, established the precedent that the obligation of the Federal Government to regulate the flow of rivers for navigation extends to the sources of the rivers.

It was a recognition by Congress of the principle that flood control should begin at the crest of the watershed whence come the waters on which water-borne commerce will be floated when that water has at last reached the navigable channels.

That precedent being established, it must be extended to include everything necessary to completely control the flow of the source streams, conserve them for beneficial use, and bring about that use.

The work of the National Forest Reservation Commission begins at the right end and is progressing most satisfactorily, but it deals with only one of many things necessary to a complete solution of the problem. It must be coordinated with all the other forces and agencies that must be brought into harmonious cooperation.

The existence of the National Forest Reservation Commission is an additional reason for the establishment of the complete machinery created by the pending measure.

As time passes, the good work of the National Forest Reservation Commission will be so manifest that it will be extended to all watersheds in the United States and include floodways in the lower valleys as well as flood prevention on the source streams.

A multitude of causes have contributed to the fundamental error that a flood is an unpreventable cataclysm.

That error has prevailed from the first moment when the Federal Government began to interest itself in flood control.

The time has come when we must escape from it.

We have wandered in a wilderness of futility long enough.

The Newlands plan was a protest against it.

As an amendment to the river and harbor bill, it has passed the Senate three times.

The last time, in August, 1917, nearly 10 years ago, it became a law. Its vast potential benefits to the people were lost because of the death of Senator Newlands, the World War, and the breakdown of President Wilson.

Its enemies were able to secure its repeal when the Waterpower Commission was created under the delusion that the whole work could be done by the Waterpower Commission. No greater mistake could have been made. "The proof of the pudding is in the eating." The Waterpower Commission never has done anything and never will do anything to prevent floods.

The people asked for bread and they were given a stone.

We have waited in vain for eight years for the Waterpower Commission to do something for flood prevention, and nothing has been done. Why wait longer?

It is an error pathetic in its profundity to assume that the building of power dams will ever settle the flood problem.

The effect of such dams is not even of assured benefit to an effort to prevent flood devastation on rivers below the power dams.

"The asset of a water-power interest is a full reservoir. The asset for flood prevention is an empty reservoir."

That terse expression of Mr. Edwin K. Morse, chairman of the engineering committee of the Pittsburgh Flood Commission, tells the whole story.

Every effort will be made by those in control of a water-power reservoir to keep it full as nearly all the time as possible. The power reservoir being full, when the great flood comes down to it, there will be no available storage to hold the flood. The flood will go right on over the dam, and add to the menace of the flood itself. It will add to the strain on the dam, and increase the danger of broken reservoirs and floods as destructive and death-dealing as the Johnstown flood.

To tie flood prevention to water power is to tie it to an adverse interest. There is no community of interest. The water power act provides for granting permits and licenses to build power dams. In the very nature of things it can not bring about the comprehensive studies necessary for a complete system of flood prevention. Such a system necessitates the conservation and use of the flood waters for every possible beneficial purpose. It must not be dominated by one isolated purpose, which will seek to subordinate every other purpose to its selfish, profit-making plans.

A flood-control reservoir, or emergency flood-control basin, like those built to protect Dayton, on the Miami River, will be kept empty whenever possible, and if filled will be again emptied as soon as the channel will carry the water without damage in any way.

Flood-control dams are of no value for power development.

A water-power project will never undertake to store for power development a flood which may come only once in 10 or 20 or 30 years. There could be no profit to them in that.

Every influence of the power interest when trying to secure its permit for a power project will always be exerted to carefully avoid mixing flood control up with their scheme.

To subordinate flood control to water-power under a commission run by an "executive secretary," is to bid good-bye to flood control. That has been proved by eight years' experience, and the country ought not to be any longer asked to delay its demand for effective work to relieve the country of the far-flung menace of flood devastation.

Water-power is only one of many interests that must be studied in forming a plan for the conservation and use beneficially of the flood waters. There are other interests more important than power.

Agriculture, including plant growth, tree growth, fertilizing farms, saving farms from soil waste and erosion, casts water-power into the shade when compared with it in the importance of its relation to the flood problem.

Yet the combination grasping for control of floods are apparently determined to ignore agriculture and the agricultural department in the machinery for flood control.

The whole economics of agriculture are involved in the problem of lifting the flood menace from this country.

The Army engineers are unfitted by education and environment to make the comprehensive plans for water conservation and utilization that are necessary for flood prevention.

There can be no intelligent understanding of a flood problem without a complete study of economic values resulting from all possible beneficial uses of the water, combined with complete and comprehensive plans for its conservation and application to all those uses.

No such studies or plans will ever be made by the Army engineers. It is utterly impracticable. Their whole training prevents that. They

have been trained to deal with a flood as an existing fact, not to prevent a flood from coming into existence.

Who would think of putting an Army engineer on the job of preventing war by removing the causes of war? That is not the job for which Army engineers are trained. They are trained to fight after we are involved in a war.

So it will always be when the Army engineers study flood control.

Legislation that limits flood control to the work of the Army engineers "keeps the word of promise to the ear and breaks it to the hope."

The Army engineers regard the flood as something to build defenses against.

They will plan bulwarks of defense, not works for prevention.

They will plan expenditures that must be justified by their defensive value, such as levees, or walls, or embankments, or flood canals to hurry the flood waters out of the way, or widening and straightening channels for the same purpose.

Their whole thought will be to get rid of the flood waters without damage, not to use them for beneficial and beneficent purposes and thereby prevent the floods.

In a multitude of cases, after extended investigations, these local defensive works have been found to cost so much as to be unwarranted, and nothing has been done.

When General Marshall, of the Army Engineer Corps, looked over the problem of flood control for the Gila Valley, in Arizona, he told the farmers it would cost more to save their farms from floods than the farms were worth. That was all the comfort they got from him.

Now we know that the beneficial utilization of the flood waters would cover the whole cost of flood prevention in that valley, if we can check-dam the canyons and spread the floods and hold them under control from their sources.

As yet we have no machinery through which to get that done. This pending legislation (S. 4710) provides that machinery. Its enactment is of the most vital importance to my State of Arizona, not only in the Gila Valley, but in many other sections of the State.

The people of the lower Mississippi Valley had the same experience with the Army engineers when they first saw the necessity for supplementing levees with a spillway that would lower the flood levels in the lower reaches of the Mississippi River. They were told a crevasse would be cheaper than a spillway.

Yet we know that the floods of the Ohio can be controlled and lowered 10 feet at Cairo. We know that such control of the Ohio would bring the floods on the river from Cairo to the Gulf below the danger point.

No one wishes to limit or constrict the work of the Army engineers. The passage of this pending bill will increase, enlarge, and dignify it, and make it more beneficial to the people.

All we ask is that we may do the same with the other great departments of the Government dealing with our water resources; the Department of Agriculture and the Department of the Interior, and that they shall be inspired to do the best work of which they are possibly capable by cooperative effort, coordinating all three departments on an equality—making neither subservient to the other.

The Department of Agriculture can render the greatest service, because the benefits to agriculture will be greatest of all.

The work of that department covers forestry, irrigation, drainage, soil fertility, plant growth, prevention of soil waste, safeguarding against erosion, protection of watersheds, guarding against fires, contour plowing and terracing, preventing farm deterioration, marketing crops, and in fact every economic problem of the farmer affected by increased crop production resulting from improved methods of using water in agriculture to pour profits into the farmers' pockets instead of pouring his richest top soil into the sea in the form of silt-laden floods.

The Department of the Interior contacts the flood problem through its water resources branch, its topographical work, and reclamation.

The Geological Survey and Reclamation Service have thus far rendered greater service in the work of conservation and utilization of our water resources than any other branches of the Federal Government. They can not be ignored in any plan for creating flood-control machinery without a loss to the country that should not be permitted.

The War Department has jurisdiction through the Army engineers of navigation. In this field their work has been confined to channel improvement or local defensive works against floods.

The Newlands plan, three times approved by the vote of this Senate, takes nothing from the Army engineers, but does propose to make their work effective by fitting it into a general comprehensive plan that will cover the whole problem.

It does seem most unreasonable to ask or expect the whole United States of America to live forever under the menace of devastating floods because the Army engineers object to working in harmonious cooperation to achieve results that can not be secured without the cooperation of other departments.

That is not the patriotic spirit of public service that ought to actuate the Army engineers.

No one is asking them to surrender anything.

All we desire is to cooperate with other departments without asking that those other departments be subordinated to the Army engineers. To demand such subordination is unfair and unreasonable.

The machinery provided for in the pending bill (S. 4710) is a co-ordinating commission, the purpose of which is to bring into harmonious cooperation every governmental agency now charged with some work relating to water resources that should be coordinated with the work being done by other departments or other bureaus of the same department.

This coordination and cooperation being brought about in the work of the Federal Government, it then becomes the duty of this co-ordinating commission to secure the cooperation of the States, municipalities, districts, and all local agencies affected by or interested in the work of solving a problem of flood control.

Without such State and local cooperation, nothing effective can be done. Yet there is no machinery in existence to-day for bringing it about. It necessitates a permanent organization specifically charged with that duty, having continuing authority to stick to the work until the desired result has been accomplished.

No other plan that can be devised will achieve the desired result. The country will suffer ruin and devastation from floods year after year, so long as the enemies of the Newlands plan are permitted to delay its adoption.

There never was a measure before Congress that had been more thoroughly matured than this Newlands plan.

There is no phase of it upon which Government reports have not been made.

The advantages of and benefits from the check dam system are set forth in Senate Document No. 436, Sixty-fifth Congress, third session, entitled "Gila River Flood Control," a Government report on flood control by Frank H. Olmsted, of Los Angeles.

The appalling results of erosion and denudation on the Appalachian watersheds is brought out with vivid clearness in United States Professional Paper 72, entitled "Denudation and Erosion in the Southern Appalachian Region and the Monongahela Basin," by Leonidas Chalmers Glenn.

Anyone who will study this report and realize the steady deterioration that is going on in that territory will fully understand the need for the remedial legislation embodied in S. 4710. They will appreciate that it is futile to ever expect relief through the Army engineers or through the Waterpower Commission with no driving force but an executive secretary. The cure for this evil of denudation and erosion must come through the Agricultural Department and local districts organized as a part of the comprehensive plans for flood control made by the co-ordinating commission created by S. 4710.

The value of retarding and spreading flood flow, slowing up the run-off, and using the waters beneficially is very briefly demonstrated in Senate Document No. 228, Sixty-third Congress, third session, entitled "Conservation of Rainfall"—"Memorandum on the work of Col. Freeman Thorp on his farm at Hubert, Minn. From the report of Prof. W. J. Spillman to the Secretary of Agriculture."

The supply of that document has been exhausted, and I will ask that it be reprinted in the form of Exhibit A to these remarks. It is peculiarly informative and pertinent to this discussion of flood control.

Other publications that I will ask to be similarly reprinted are the following:

Exhibit B: "Irrigation—Navigation—Flood Prevention." "Extracts from addresses by George H. Maxwell before the National Association of Manufacturers and the National Retail Hardware Association."

Exhibit C: "Flood Control," by Walter Parker, economist for Fenner & Beane, and executive vice president National Flood Prevention and River Regulation Association, which has very recently been published in a number of leading newspapers interested in flood control. This article was prompted by the recent floods in the Appalachian region.

Exhibit D: "Flood Control—Impounding Waters at their Source," by George H. Maxwell, executive director National Reclamation Association, from the Southern Lumberman, published at Nashville, Tenn.

#### EXHIBIT A

##### MEMORANDUM ON THE WORK OF COL. FREEMAN THORP ON HIS FARM AT HUBERT, MINN.

On August 18 and 19, 1913, I had the privilege of examining the farm of Colonel Thorp, including his forest plantations, and of studying the interesting methods which he has there developed.

The most striking originality is apparent in all Colonel Thorp's work. He is a man who thinks deeply and rationally on problems which arise in his work, and he has worked out a number of important problems in connection with farming, especially for his own locality, though some of these problems pertain to wide regions. I will discuss these problems separately and outline the solutions for them which Colonel Thorp has found, indicating my opinion as to the general applicability of the methods developed.

#### SOIL

The soil on Colonel Thorp's tract is, in the main, a light sand, but interspersed here and there are considerable areas of muck land.

#### EMBANKMENT SYSTEM

Colonel Thorp has instituted on the 1,500 acres of land which he owns a simple system of embankments constructed at very small cost, which accomplishes the following purposes:

In the first place, it conserves the entire rainfall of the region, causing the water to soak into the soil without run-off. Secondly, it prevents soil erosion. In the third place, the prevention of erosion incidentally prevents the washing away of soluble salts in the soil.

The embankments referred to are not so numerous as to prevent all surface flow of water, but they are so arranged, so far as I could see, over the whole tract as to cause all surface flow to lodge in places where it is beneficial rather than harmful.

Colonel Thorp's tract may be divided into forests, pastures, and cultivated fields. The embankment system is found on all three classes of land. The prevention of run-off in his forest tracts appears to have greatly increased the growth of forest trees in those localities where the water is held by the embankments. He has purposely left one tract of forest without embankments, though whatever run-off occurs from it is caught elsewhere. The forest growth in this section of his timbered lands is much less satisfactory than in those sections where the embankments occur.

It might be urged that on lands as sandy as those in question there would be practically no run-off even without the embankments. It happened that while I was at this place a considerable rainfall occurred. Water ran freely over sandy soils near Colonel Thorp's house. But the system of embankments in that locality led this water into a garden tract, where it was useful.

I am of the opinion that in the sandy soils of the North the simple system of easily constructed embankments used by Colonel Thorp could easily be made to prevent all run-off. The saving of moisture thus made would be less striking than in some other sections, on account of the sandy nature of the soil, yet the results on this farm show that the system is important even for these sandy soils. In arid and semiarid regions, especially where the soil is not sandy, and where rainfall, when it does occur, is more or less torrential, I am of opinion that this system would be of even greater value than it is on the sandy soils of northern Minnesota. In what we may call the semihumid belt lying between the humid regions of the East and the semiarid regions of the West the embankment system would doubtless be of great value and would insure crops in many years where there would otherwise be failure.

In this connection I would call your attention to the inclosed extract from the Kansas Farmer of July 19, by Prof. Edward C. Johnson, giving an account of a very similar embankment system in use in certain portions of the State of Kansas. Professor Johnson gives it credit for marked effect on crop yields.

"[Extract from Kansas Farmer, July 19, 1913. Copyright, 1913]

#### CONTOUR FARMING IN KANSAS

"By Edward C. Johnson, K. S. A. C.

"Contour farming is the name given to a system of farming on rolling lands which are contoured in more or less undulating ridges around the slopes in order to prevent excessive run-off and soil washing after torrential rains. It has been used for many years on the sandy, rolling lands of Alabama, Georgia, and the Carolinas, where soil washing is very troublesome, and is now being used in the best young orchards of Maryland and the Virginias. Until late years, however, contour farming was unknown in Kansas.

"Adaptations of this system are now in use in this State in the northeast section to prevent soil washing and in western Kansas to catch and hold water. In Leavenworth County Mr. J. M. Gilman, famous corn man and experimenter, has commenced to work his rolling fields on a contour plan. With an improvised level consisting of a 2 by 4, 14 feet long, and a carpenter's level, he has laid off base lines in his fields with a slope of  $1\frac{1}{4}$  inches to every 14 feet. These base lines are run at such a distance apart that the average drop from one to the other is 6 feet. This leaves the lines 30 to 60 feet apart. In plowing these lands Mr. Gilman throws the back furrows on the base lines and the dead furrows come midway between, thus ridging the land slightly. The same system of plowing will be followed from year to year until the fields are shaped into gently rolling contours or terraces, which will carry any excess of water and will prevent washing after the heaviest rains. Even this year, when the land has been plowed only once on this plan, soil washing has been effectively prevented. As the ridges are not abrupt but gently rolling, crops are planted on the land and handled without regard to the ridges.

"In western Kansas, on the farm of F. J. and D. J. Rundle, Almena, Norton County, a still more interesting modification of contour farming is found. Here a system of contouring has been used for four years, not so much to prevent soil washing as to prevent useless waste of water by excessive run-off. In this region moisture is usually the limiting factor in crop production, and if every drop can be saved much is gained. Four years ago, therefore, the Rundle brothers devised a contour system to prevent waste of water. With the aid of a farm level, similar to a surveyor's level but much less expensive, they laid

out base lines around the slopes on their rolling fields, 50 to 100 feet apart, giving no slope to them whatever.

"In planting corn or sorghums they start the lister on a base line, listing parallel to this line until half the land is listed. The lister is then started on the next base line and continued on both sides of it and parallel to it until the listed furrows meet the listed portion next to the preceding base line. Any small irrigular strips which may remain are then listed in short furrows parallel to one listed side or the other. When these are finished listing is started on the next base line, etc., until the field is planted. Now, when the rains come in torrents, as is often the case in western Kansas, the water is caught in the furrows, which often are filled from rim to rim, so that clear belts of water may be seen stretching around the slopes. After ordinary showers there is no run-off whatever, while after a torrential rain the run-off is reduced to a minimum and the water soaks into the ground instead of being wasted uselessly. The additional moisture thus utilized often is sufficient to insure successful crops, where if run-off were allowed failure would result. The Rundle brothers have had successful crops in seasons when their neighbors, farming according to the usual methods, have had little or nothing.

"This system is also used when oats and wheat are grown, the land being ridged slightly along the base lines by an improvised grader or drag, made of planking, or by plowing back furrows along the base lines, leaving dead furrows midway between.

"Contour farming could undoubtedly be utilized profitably in this State to a much greater extent than at present. In the northeast section there is much rolling land which is not cut up too badly to contour easily. Here contouring to prevent soil washing would be found practicable in many cases not only where general farming is carried on but also where young orchards are being planted.

"In western Kansas rolling lands or lands sloping slightly are also exceedingly plentiful. Here, where every drop of water that comes should be saved and utilized to the utmost, contour farming will be a wonderful help in water conservation."

In humid and superhumid regions it is doubtful if Colonel Thorp's system could be utilized without modification, on account of the excessive amount of moisture it would hold on the soil in many places. But by a very slight modification, such as is seen in the Mangum terrace described in Bureau of Plant Industry Circular 94, the system would add greatly to the proportion of the rainfall absorbed by the soil and at the same time dispose of the surplus which would be injurious rather than beneficial if held on the soil.

#### EXHIBIT B

##### IRRIGATION—NAVIGATION—FLOOD PREVENTION

[Extracts from an address by George H. Maxwell, executive chairman of the National Irrigation Association, before the annual meeting of the National Association of Manufacturers at New York, May 19, 1908]

The relation of forestry and irrigation to navigation and flood protection, more particularly in the great central basin of the Mississippi Valley, is little understood and has so far received practically no consideration. There is not one man in 10,000 who lives in the lower Mississippi Valley who has given any thought to the relation of irrigation to the navigability of the Mississippi River or to the protection of the plantations from overflow.

When you go out on the mountain sides and see the forests that are "nature's reservoirs," you know their effect upon the river flow. You realize the influence of the forest and the woodland cover in preventing the rapid run-off and protecting against floods.

When you go where it has been built and look at a great artificial reservoir with its dam, you see the water impounded there. You see there is water there which, instead of having gone down in floods, has been saved back for beneficial use when it is needed. It can be turned into the channel of the river whenever the time comes that the water is required for navigation as well as for irrigation or for water power.

All the water that can be stored in artificial reservoirs in the Mississippi Valley and on the tributaries of that great river, including the Ohio and the Missouri, is but a comparatively small part of the enormous volume of the floods that go down those rivers in the flood season. If every available reservoir and dam in that whole valley were built it would only take off a comparatively small crest of the flood.

So you see how small the relation of artificial reservoir is to the whole flood problem.

But carry this thought in your mind:

An acre-foot of water is a term used in irrigation to designate the amount of water used for the irrigation of the land. An acre-foot of water is water enough to cover 1 acre of land 1 foot deep with water, and that is a good deal of water. It is not enough to irrigate that acre ordinarily. For general farming purposes the minimum amount ordinarily required is 2 acre-feet. There are places in the West where on sandy soils they use 5 acre-feet for raising alfalfa. There are places where they use even as high as 8 or 10 acre-feet.

I am dealing not with those exceptional cases but with the common application of irrigation in the arid and semiarid lands of the Missouri Valley and Great Plains region, beginning at the Canadian line and extending south to the Mexican line.

The average is 2 acre-feet of water upon each acre of land per year. That is the equivalent of 24 inches of rainfall over the entire surface.

You apply that thought to the question of water conservation, river regulation, and flood control, and what does it mean?

Here is what it means:

In the State of Montana there are 5,000,000 acres which can be irrigated with surface flow, the natural flow of water that is running in the streams.

Eventually that area will be doubled by pumping water onto the bench lands, pumping by electricity generated from the lignite coal which is found in great quantities in that State, and by utilizing the steadily increasing volume of water that will come back into the lower streams from return seepage.

There are undoubtedly 10,000,000 acres of magnificent level agricultural land in the State of Montana, awaiting only the application of these 2 acre-feet of water in order to make it the most remarkably productive agricultural land in the world.

What would 10,000,000 acres of irrigated land in Montana mean, so far as the control of the floods is concerned?

It would mean that the water which passes the State line of Montana into North Dakota, where the Missouri River crosses the line from one State into the other, would be regulated as perfectly as though it were drawn from a faucet.

Ten million acres irrigated with 2 acre-feet of water means water 1 foot deep over 31,250 square miles of land, and I ask those of you who are interested in the navigability of the Missouri and Mississippi Rivers, or in the protection of the farms and plantations from destructive floods, to bear in mind that this is water enough to make a flood a thousand miles long, three miles wide, and ten feet deep.

I want that point to sink into your minds, because you never hear it referred to. You have never heard it projected into the discussion of forestry or irrigation or waterways up to the present time, except as I have endeavored to bring it before the people.

There are 10,000,000 acres of land to irrigate in Montana alone, and if you take all of the irrigable land in the whole Missouri River Valley there is more of it than enough to absorb every drop of water that ever will run in the Missouri River. Every drop of the floods of the Missouri can be utilized for irrigation, and it will irrigate 50,000,000 acres of land.

This is four times as much land as is cultivated in the entire Empire of Japan.

Now, mark this: I do not mean to say to you that as the rivers run to-day that land could all be irrigated with the present volume of water that could be taken out and distributed through gravity canals by direct diversion from the river to the canals. But go to Williston, N. Dak., and see the plant the Government has built there, where they have put an electric power plant at the mouth of a mine on a bed of lignite coal. That coal will not bear long transportation because it disintegrates when it is exposed to the air; but if the power plant is put at the coal bed there is no better fuel in the world. A great part of that whole Missouri River Valley is underlaid with this lignite coal. No man can measure the extent of it. That Williston power plant generates electricity at the coal mine. The power is carried on a transmission wire to the Missouri River bank to a barge floating on the river, rising and falling with the flood. On that barge is a pump operated by electricity. The water is pumped through a great pipe up to a reservoir in the town of Williston, from whence it is distributed out over the irrigable lands.

##### FLOOD PROTECTION IN THE MISSOURI VALLEY

In the Missouri River Valley irrigation will hold back the floods because it will store the water by pouring it into the greatest of natural reservoirs—the earth. In that way national irrigation can be made to prevent the floods of the Missouri River whenever a large enough area has been reclaimed and settled up in small farms. The irrigated farm should not be over 40 acres in extent. Then it will be properly cultivated and irrigated. There is no run-off with silt to do damage if the irrigation is properly done. The land to be irrigated must first be leveled. Then it must be checked. The checks hold the water until it has all soaked into the ground if it is properly planted to a meadow of alfalfa. If it is cultivated to grain, or cultivated to any cereal crop, or if it is plowed and left fallow, and the irrigation is properly done, the land will still absorb all the water that is run into the check. If you put water enough on so that there is a run-off of silt-carrying water, you are overirrigating that land. You know what a check is. It is the level part of the field where the little ridge runs around it, where you put the water in, whatever you use for irrigation, and it is held by the check until it soaks into the land. The purpose of the check is to hold the water until the earth absorbs it and to prevent erosion. Every check is not only a check for the

water that soaks into the land, but every check upon an irrigated field all over the whole West is a check upon the allowing of silt to run into the river to impair navigation or silt up the channel from that source.

There are many influences that irrigation will exert upon the navigability of the streams from which the water is taken for irrigation. It will regulate the stream; it will prevent the torrential floods; it will prevent the erosion or wash of the soil; it will prevent the silt from running off into the rivers; and it is the only way in which enough water can be stored back in the season of high water to control the devastating floods that are now coming down the Missouri River, carrying death and destruction to the farms and plantations below, silting up the channel, and eventually destroying navigation.

#### THE ONLY WAY TO CONTROL THE FLOODS

[Extract from an address by George H. Maxwell before the St. Louis convention of the National Retail Hardware Association, March 25, 1908]

There is no human possibility that the floods of the Mississippi River, from its junction with the Missouri and the Ohio, to the Gulf can ever be adequately controlled, or that a permanent channel for navigation can be perpetually maintained along the lower reaches of the river, unless the great problem of controlling the water over that whole drainage basin is grappled with as one single problem. Every available influence must be brought to bear in every part of the basin to check the sudden run-off and restore the natural forest reservoirs. The flow must be regulated by building artificial reservoirs and by utilizing as storage reservoirs the earth itself, wherever it is possible by irrigation to saturate it with water, when the streams and rivers are running full in the season of high water.

You may gain some conception of the relative importance of irrigation to flood protection and navigation if you will bear this one fact in mind:

Two acre-feet of water is water 2 feet deep over 1 acre of land. That is about the average amount of water used annually for irrigation. If you build the necessary diversion dams and canals and electric power plants and pumps to irrigate 10,000,000 acres of land with 2 acre-feet of water in the Missouri River Valley, you would use 20,000,000 acre-feet of water in a year. It would be taken from the natural channel and diverted into the canals when the water is most plentiful in the stream or river. Twenty million acre-feet of water would cover 31,250 square miles of land 1 foot deep with water. In other words, it would be water enough to create a flood 3 miles wide and 10 feet deep through a river valley more than a thousand miles long, practically the length of the Mississippi River Valley from New Orleans to St. Louis.

The total area that can be irrigated in the valley of the Missouri River is very much greater than 10,000,000 acres. There are, no doubt, 10,000,000 acres of land in Montana alone that can eventually be irrigated, and practically all of it is in the Missouri River drainage basin. When you add to this the area irrigable in North and South Dakota, Wyoming, Colorado, Kansas, and Nebraska, some conception of the stupendous possibilities of water control from irrigation may be gained.

#### EXHIBIT C

##### FLOOD CONTROL

By Walter Parker, economist for Fenner & Beane, and executive vice president National Flood Prevention and River Regulation Commission

Americans build towns and cities, and neglect rivers and streams. As a result, hundreds of cities, towns, and villages in Arkansas, Kentucky, Tennessee, and Mississippi are under water. The lower Mississippi will safely carry the present floods to the sea, provided no new rains of consequence fall.

Peering from an upper window, the resident of the middle-river section sees only a sea of muddy water, with an occasional house roof or automobile protruding. "Wow! Some rain!" is the comment. Then he checks up his obvious losses, and goes back to work in the same old way and under the same old menace.

That water has a value—a monster value—when controlled and used. Neglected as it is, it is a liability of the first magnitude.

Once upon a time the whole middle section was forest covered. Much water was used by the trees for nourishment. The grass mat held the soil, and the grass and tree roots held the way open for much water to soak into the ground to come out into the streams lower down as clear constant-flowing springs.

Along the way low places served as natural reservoirs. There were lakes and marshes. There were floods in those days, but they were wide, shallow floods, not the deep raging torrents of to-day.

Then came man. He cut out the forests, leaving not even a mother tree standing. This destroyed the grass mat and started soil erosion of the first magnitude. Every year now about a cubic mile of solids,

the silt washings of 41 per cent of the United States, come down the Mississippi River as waste. A cubic mile of silt is the equivalent of 3 inches from the top of 13,000,000 acres of land.

Man also built cities and towns and opened up farms, and built earthen levees to keep the drainage from above off of his lowlands.

More men came and built more levees. None took the trouble to cure the cause by creating new reservoirs and new outlets to take the place of those that had been taken from the rivers.

Now nature created the topography of the middle country to take care of certain conditions. It created rivers, streams, and creeks to carry off the drainage, and it also left low places for the surplus waters until the streams could carry it off. Down in the deltas of the rivers it created auxiliary outlets.

Man has attempted to take the low places from the rivers and has closed the auxiliary outlets. He now blames the weather for his flooded homes and streets and fields.

Many years ago a mountain-State Senator—the late Senator Francis G. Newlands of Nevada—looked on the valleys, then struggling out from under a great flood, and his heart bled for them.

He saw the then dry canyons of his own mountains which a few weeks before had sent out mighty freshets from melting snows to join with the heavy rains below to form the floods then ruining the lowlands.

Such things should not be, he said. Why not impound the melting snows in the great canyons of the mountains and use that water later on for irrigation, for power, for stream-flow regulation?

Why not create artificial reservoirs out of the low places, the lakes and the depressions along the many small streams which feed the great rivers, impound surplus rainfall there, and let it out slowly when water is needed?

Why not replant the forests, recreate the grass mat, and plow furrows on the level around the hills so that more water will soak into the ground and less land be washed away?

Why not create controlled spillways and by-passes where practical for the relief of overcharged rivers?

In other words, why not use for beneficial purposes—irrigation, power, navigation—instead of wasting in destructive floods the water resources of the United States?

Then and there was born the idea of a splendidly constructive policy for the internal development of the country.

The idea took form in the shape of section 18 of the 1917 river and harbor bill. The war was on, and Senator Newlands died in 1917. In 1919 Congress repealed section 18 by a paragraph in the short-sighted water-power bill.

The whole policy is now embodied in S. 4710 by Senator CAMERON, of Arizona, and in H. R. 5025 by Congressman JAMES O'CONNOR, of Louisiana, and is pending in Congress.

Secretary Hoover has approved the principle underlying S. 4710 and H. R. 5025. The Great Mississippi Valley Association has gone on record in favor of that principle of legislation.

More than 5,000 American manufacturers have thus far directly urged their Senators and Congressmen to work for the passage of these bills at the present session of Congress.

The purpose of the bills is to apply every-day common sense and American business genius to the treatment of the water problems of the United States, and to that end to create the Government machinery necessary to plan comprehensively and to coordinate the work of the many Federal bureaus and commissions each one of which is now more or less independently working on some inadequate angle or part of some large problem.

"Levees only" deal only with the effect of a cause and not with the cause itself. The cause of great and increasing floods—the lack of reservoir space—must be removed if our valleys are to be safe.

And the water, which now runs to waste in destructive floods, must be conserved and used for beneficial purposes if the national economy is not to fall on evil days.

#### EXHIBIT D

[From Southern Lumberman, Nashville, Tenn., December, 1913]

##### FLOOD CONTROL—IMPOUNDING WATERS AT THEIR SOURCE

By George H. Maxwell, executive director, National Reclamation Association, New Orleans, La.

How few there are who ever stop to realize how easy it is to catch and control the drops of water where they fall in the form of rain or snow on the farms or in the forests of the watershed of a great river.

Or how impossible it may become to control those same drops of water when they have been aggregated into a mighty flood in the lower valleys or reaches of the river draining that watershed.

The farmers in the arid regions or in the truck gardens of New Jersey have learned by experience the value of water as an aid to plant growth, and have likewise learned how to control it and apply it for beneficial use in agriculture.

Ask the alfalfa raiser of Arizona, the orange grower of southern California, the grape grower of the San Joaquin Valley, the apple

grower of Oregon, the prune grower of Washington, the wheat grower of Montana, the truck gardener of New Jersey or Florida, whether they could control and use to increase crop production on their farms 1 acre-foot of water.

They will tell you they want no more profitable undertaking and an acre-foot of water is just the equivalent of 12 inches of rainfall. It is water enough to cover 1 acre 1 foot deep.

How many are there whose lives are menaced by property devastated by floods in the lower valley who ever stop to think what the difference is to them whether an acre-foot of water over the watershed above them (12 inches of rainfall) is saved and used to increase crop production or allowed to run off in an unchecked and uncontrolled flood?

#### THE GREAT FLOOD OF MARCH-APRIL, 1913

The great flood of March-April, 1913, in Ohio was caused by an average run-off of only 8 inches from 3,000 square miles. There are 201,000 square miles in the drainage basin of the Ohio River. A run-off of 1 acre-foot, or 12 inches of rainfall, simultaneously over that entire area, would make a wall of water a mile wide, a thousand miles long, and 200 feet deep. Can you see that wall of water in your imagination? Can you realize what it would mean if it ever gathered in a great flood extending from Pittsburgh to Cairo? The distance between those two cities is about 900 miles.

Or can you imagine what such a simultaneous run-off of 12 inches would mean if it were poured in the form of a flood into all the tributary valleys of the Ohio, the Allegheny, the Monongahela, the Muskingum, the Scioto, the Miami, the Wabash, the Kanawha, the Kentucky, the French Broad, the Cumberland, and the Tennessee?

To be exact it would mean a flood one-third worse than that of March-April, 1913, on the Scioto and the Miami at Dayton or Columbus or Chillicothe extended to every tributary of the Ohio and devastating every valley in the drainage basin of the Ohio River.

#### WHY FLOODS DO NOT OCCUR EACH YEAR

Why is there not such a flood every year in these valleys?

For the very simple reason that a large portion of the rainfall is absorbed into the ground and mother earth becomes a great reservoir, restraining the run-off and regulating the flow of the rivers by absorbing into the soil the water that would otherwise run off in floods.

And in addition to what is now saved from waste by being absorbed into the soil, it would be entirely practicable on all land not too steep for farming purposes to catch and hold in the soil as a reservoir an additional 12 inches of rainfall that now runs off and runs to waste.

And on all the land on which this was done the profitable production of crops would be enormously increased, the farms made to pay better, their value increased, the life of the farmer's wife made easier, and that of his family happier and more full of the things of which poverty now deprives many of them, that would make for better education and higher civilization.

#### PIONEERS IN NEW AGRICULTURE

That all the rain that falls on such farm lands, not only on the flat land, but on the sloping hillsides, too, can be saved and turned to profit by the farmer who has the brains, the industry, and the adaptability to do it, has been demonstrated and proved beyond question by at least two pioneers in this new agriculture. One is Col. Freeman Thorp, of Hubert, Minn., the practical value of whose work is vouched for by W. J. Spillman, of the Department of Agriculture, who has visited and examined the demonstration farm of Colonel Thorp. Another is M. B. Waite, who is connected with the Bureau of Plant Industry, at Washington, D. C. Mr. Waite's demonstration orchard is near Washington, and his experiments cover contour plowing, cover cropping, and preventing erosion, as well as catching all the rainfall and conserving it in the soil by methods of increasing the porosity and absorbent qualities of the soil.

It is quite true that the Government can not do the work of thus conserving on the farms the rainfall or snowfall that the farmers now permit to run to waste.

Neither could the Government compel a farmer who owned a farm on which was located a valuable placer gold mine to work the gold mine and get the gold out of the ground and into his pocket or his bank account. But the Government could show the farmer that the gold was there, and show him and all others how to do the things necessary to get the gold.

#### GOVERNMENT SHOULD TEACH THE FARMERS

And so the Government can and should establish a great comprehensive and complete system of training the farmers of the whole drainage basin of the Ohio River and all its tributaries how to save and use water and stop their farms from gullying; and heal the scarred and defaced hillsides of the slopes of the Appalachians; and how to increase crop production and increase their own incomes and increase the Nation's food supplies.

The Agricultural Department can just as well do that as to teach the cotton planters how to fight the boll weevil; how to diversify

their crops; how to raise more corn to the acre; or how to fatten steers for the market.

#### THE NEWLANDS RIVER REGULATION BILL

The Newlands river regulation bill provides for just such an educational campaign and system to educate farmers to enrich themselves by checking run-off and using it to raise crops instead of allowing it to go to waste in devastating floods while their crops are left to burn up with drought for the need, later on, of the moisture that should have been conserved in the soil to nourish the growing plants.

The Newlands river regulation bill appropriates the money and gives the Secretary of Agriculture the power to do everything needed to be done to make such a campaign effective and successful. Demonstration farms could be established in every county, under that bill, and farm demonstrators put to work to go straight to every farmer with the information needed to better his condition by making better use of the water available for crop production on his farms.

A farmer out in Missouri has demonstrated a way by which every gullied field in the Ohio River drainage basin level enough to be cultivated could be leveled and restored to agricultural use. How many farmers with gullied fields are there who know of this system? It is so cheap, simple, and effective that any farmer could adopt it. The writer ran across it by mere accident in a pamphlet issued by the W. S. Dickey Clay Manufacturing Co., of Kansas City, Mo.

The better methods of the conservation and use of rainfall in agriculture as advocated and demonstrated by Mr. Waite and Colonel Thorp do not include surface irrigation. They contemplate merely the conservation of the moisture in the soil itself, an adaptation to the humid and subhumid regions of the East, of principles somewhat similar to those utilized in the Campbell system of soil culture in the West, supplemented by contour plowing, terracing, cover cropping to prevent erosion, contour embankments, and other methods of conserving the rainfall or snowfall in the ground itself.

#### PLANTS NUT-BEARING TREES ON HILLSIDES

This system is applied by Colonel Thorp on forested lands and forested hillside slopes, as well as on lands level enough for cultivation. He plants on the steep, hilly slopes the natural nut-bearing trees of the country, conserving the run-off by contour embankments, and turns the hogs into this nut-bearing forest to harvest the crop of nuts. He finds the tree growth and the crop of nuts largely increased by saving the run-off for the nourishment of the trees instead of allowing it to be precipitated into a stream channel to contribute to a flood.

How many millions of acres there are in the Appalachian region that could be thus made doubly profitably—by producing nuts for hog feed, systematically developing that crop, and at the same time gradually maturing a crop of timber to be harvested in the future years and then replanted according to the German system.

The conservation of rainfall in the soil is an effective method of checking sudden run-off and preventing floods, because of the enormous volume or quantity of water mother earth is capable of absorbing and holding back until it is fed to the plants and trees to aid their growth or fed to the springs or gradually seeps into the streams and replenishes their flow in the summer season.

The stupendous aggregate volume of water that 12 inches of rainfall thus absorbed into the earth would make in the Ohio Valley—a wall of water a mile wide, a thousand miles long, and 200 feet deep—has already been referred to.

#### IN THE VALLEY OF THE MISSOURI

To illustrate the same condition in the arid region, in the valley of the Missouri we have an equally striking result.

The average amount of water needed for irrigation in that country is 2 acre-feet per year. Take that amount of water out of the flooded streams and soak it into the ground on 10,000,000 acres of land and you have soaked into the ground, water enough to make a flood extending from Cairo to the Gulf of Mexico in the Mississippi River 1 mile wide and 30 feet deep.

To increase the porosity and absorbent qualities of the soil and soak the rainfall into the ground, using mother earth as a natural reservoir, is only one method of checking sudden run-off and preventing floods, but it is the most important of all, because of the enormous quantity of water in the aggregate that the earth will absorb, provided the snow or rain is caught and conserved when it falls and not allowed to run off and accumulate in stream channels in the form of floods.

#### ARTIFICIAL SURFACE RESERVOIRS

Next in order of flood-prevention measures comes artificial surface reservoirs, in which the flood water can be stored until needed for some beneficial use or until the channel below will carry it without overflow or damage.

A multitude of small reservoirs may be more advantageous for flood prevention than a few large ones, because more widely scattered over the watershed. The value of the small reservoir is now well appreciated in the West. The floods of the South Platte River have been completely controlled and stopped by numerous small reservoirs in

Colorado. There are probably a thousand such reservoirs in that watershed. They would prove just as valuable in every foothill valley of the Appalachians, for more profitable agriculture as well as for flood prevention.

SLOGAN OF "DAM THE DRAWS"

Years ago "Dam the draws" was a slogan of the National Irrigation Congress, and to-day the Governor of Kansas is promoting a state-wide campaign to advocate this idea. Among those who have proved its practical advantages and profits are J. C. Hopper, president of the Citizens' National Bank, Ness City, Kans., on his ranch near that place.

Under the Newlands river regulation bill the same diligent, persistent, and comprehensive campaign of education to store water in small reservoirs should be conducted to induce farmers to conserve water in this way as well as to conserve it in the soil.

The drainage basin of the Ohio River includes the entire watersheds of the Cumberland and Tennessee Rivers and all their tributaries and source streams, and throughout that entire region such small-farm reservoirs would prove of enormous value for farm power and farm irrigation for fruit orchards, garden truck, and meadows for dairying.

In a very few years the value of a farm reservoir for power will be so well demonstrated and widely known that no farmer will ignorantly neglect to avail himself of such an opportunity on his own farm. Much may be done, however, by an educational campaign under the Department of Agriculture to stimulate the construction of such reservoirs and farm power plants.

The same is true of farm reservoirs for irrigation. On thousands of farms in the Ohio Basin opportunities exist for utilizing such reservoirs, and the Newlands river regulation bill contemplates that the farmer shall be shown their location and how he can make money by building and using them.

The value of supplemental irrigation as crop insurance against drought has been too thoroughly demonstrated to need argument. The Skinner Irrigation Co., at Troy, Ohio, manufactures a system of overhead-pipe irrigation by which the gardener can have rain whenever he chooses to turn on the water.

All the foregoing methods of checking run-off are things that the Government can get done only by a great system of education and demonstration, such as is provided for in the Newlands river regulation bill, to show the farmers how they may make money for themselves by better farming methods.

This brings us to the things that the Government can do under this bill to prevent floods.

The first and most immediately important is flood-storage reservoirs, such as have been surveyed and recommended by the engineers of the Pittsburgh Flood Commission and the engineers of the flood committee of Dayton.

The Pittsburgh Flood Commission surveyed and selected 17 reservoir sites that would cost about \$20,000,000 to construct and would when built lower the floods at Pittsburgh 10 feet.

The watersheds of the Allegheny and Monongahela Rivers are about one-tenth of the entire drainage basin of the Ohio River, which includes the Cumberland and Tennessee. It may therefore be safely estimated that \$200,000,000 would create flood storage that would lower the floods at Cincinnati, Louisville, and Cairo 10 feet.

APPROPRIATION IN THE NEWLANDS BILL

One hundred million dollars of this is provided by the Newlands bill for flood prevention in the Ohio River drainage basin. With the National Government standing ready to contribute this amount, judging by past successful experience with cooperation between the Nation and the States in such matters, it is entirely safe to assume that the States and local sections affected would more than double this amount, and that the Newlands river regulation bill, when enacted, will settle the flood question for all those in the Ohio River Basin and on every river in that basin.

The keynote of the Newlands river regulation bill is cooperation. It not only provides for cooperation in all the methods heretofore mentioned, but in all things necessary to perpetuate the forest and woodland cover on the watersheds.

It proceeds on the principle that it is better policy to perpetuate the forest protection against erosion and gullying and the consequent filling of navigable channels with silt than to let the mountain sides be denuded and washed into the rivers and then spend millions to dredge them out so as to preserve the navigable channels.

The people of the Appalachian region made a grand fight for the Weeks Appalachian National Forest Act. The Newlands bill merely enlarges its benefits.

The flood-prevention plan of the Newlands bill includes three classes of prevention: (1) Outlets, (2) levees, (3) source stream control and protective measures.

ADEQUATE SYSTEM OF CONTROLLED OUTLETS

Starting at the mouth of the river it provides first for an adequate system of controlled outlets in the lower reaches on the Mississippi. This includes a great controlled cut-off, absolutely protecting the adjacent country from overflow, which would take off all the excess flood

water that would otherwise go above 16 feet in New Orleans, and carry it by way of the Atchafalaya to the Gulf by a route only one-third as long as the route by the Mississippi River from that point to the Gulf.

Lowering the flood plane of the Mississippi 10 feet at the Atchafalaya would lower it on a gradually ascending plane far above this great outlet, and the Atchafalaya cut-off would carry, in addition, the floods of the Red River and could be extended to another outlet below the bluff at Helena, guaranteeing absolute safety to all the west-side country below Helena.

The Newlands bill contemplates bringing the levee system up to the full standard of strength proposed by the Army engineers, but it contemplates further: (a) Adequate bank protective works to be built immediately that will prevent caving banks and stop the caving of the levees into the river. There are 749 miles of rapidly caving banks from Cairo to the Gulf, and the lowest estimate of the cost of protection against them is \$86,400,000. (b) The Newlands bill recognizes the danger to the levees when they are built over a bed of quicksand or streaks of shifting sands or old filled-over channels or log jams. This danger it proposes to remove by fixing a standardized flood plane above which the flood against the levees would never rise. First, as the result of source-stream control; and, second, as the result of the outlet system.

Furthermore, the Newlands bill recognizes the fact that as now built the levees are equivalent to long dams built on the surface of the ground without any foundations, and it contemplates the necessary cost of putting foundations under the levees in all these weak places.

GREAT INLAND WATERWAY

Above all things the Newlands river regulation bill contemplates a great inland waterway—a system of 20,000 miles of feeders for the Panama Canal. The great trunk artery of water-borne commerce would be the main Mississippi River from New Orleans to St. Louis, with a main branch to Chicago; another to St. Paul and Minneapolis; and a third to Kansas City; and with another main-trunk artery of inland water-borne commerce on the Ohio from Cairo to Pittsburgh.

The Newlands bill recognizes the impossibility of maintaining such a waterway so long as there is annually caved into the river for each mile of its length an area of land equal to 9½ acres, 66 feet deep, and the river must carry to the Gulf, or deposit in its channel, 1,250,000,000 cubic yards of cavings and eroded material—five times as much each year as the total excavation necessary to construct the Panama Canal. There can be neither a waterway nor flood protection until that caving is stopped.

The Newlands river regulation bill is nonsectional. It is just to all parts of the country. It is comprehensive and broad in its remedial measures, and it has nation-wide support from the press and powerful commercial organizations. It treats every river system as a unit from source to mouth, and it provides for the adoption not of one method of flood protection in one section only, but for the adoption of all practicable methods in all sections of the United States. If one section is entitled to relief, all flood-menaced sections are equally entitled to it.

The bill stands on the impregnable foundation that it will really create a great system of inland waterways, because it will regulate and standardize for navigation the flow of the navigable rivers.

It will hold back the water that now goes to waste in floods and put it into the rivers in the low-water season, when it is needed to float boats on, and carry the water-borne commerce of the Nation.

PROHIBITION ENFORCEMENT

Mr. REED of Missouri. Mr. President, out of order, I desire to submit a resolution and to ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the receipt of the resolution? The Chair hears none, and the clerk will read.

The Chief Clerk read the resolution (S. Res. 325), as follows:

Senate Resolution 325

*Resolved*, That David H. Blair, Internal Revenue Commissioner, and Lincoln C. Andrews are hereby requested to furnish to the Senate copies of all orders and correspondence relative to the employment of what is known as undercover agents employed in the enforcement of the prohibition statutes, the activities of said agents in the entrapment of citizens through the establishment of stills, saloons, speak-easies, or other like devices, together with the amounts of money expended.

Mr. REED of Missouri. I ask for the present consideration of the resolution.

Mr. CURTIS. Let the resolution go over under the rule.

The PRESIDING OFFICER. Under the rule the resolution will go over.

Mr. REED of Missouri. Mr. President, my reason for introducing the resolution at this time is found in the reports which are being circulated and which have been and are for-

tified by an article appearing in the New York World. I think, if the facts are as stated in this paper, that the Senate ought to have the evidence of those facts. It is the old story, evidently, of creating an authority which may be exercised secretly, in which cases invariably abuses follow. This article reads as follows:

[From the World's Bureau special dispatch to The World]

UNITED STATES RUM DECOYS REACT TO PRICK SECRET SCANDAL—“CONFIDENCE MAN” APPROACH TO ENFORCEMENT STIRS CONGRESS TO PRY INTO GRAFT OF DRY AGENTS AND SUMS USED BY “TRAILERS”—WOOING GIRL TO ENTRAP A RELATIVE IS CHARGED—“ENTERPRISES” OF MEMBERS OF PROHIBITION UNIT BRING SUPPRESSION NEAR ITS END

WASHINGTON, January 9.—A suppressed scandal in the prohibition enforcement service is about to be disclosed.

For a year there have been futile requests for information addressed to Assistant Secretary of the Treasury Andrews by his superiors as to violations of the law by agents charged with prohibition enforcement, the particular object of these being moonshine distilling and the establishment of such institutions as A. Bruce Bielaski's Bridge Whist Club in New York to trap vendors and purchasers of liquor.

Word of these interchanges in the Treasury has reached Members of Congress, and a resolution is about to be introduced calling for the production of all communications and other information relating to the Government's participation in organizing and conducting illegal enterprises.

The idea is that Congress may be able to bring out the facts that Secretary Mellon has tried in vain to get.

#### FOUR POINTED CASES

Four cases are especially in mind: The Bielaski Club in New York, the spending of more than \$1,000 at the Mayflower Hotel in the city in a series of entertainments in order to catch waiter bootleggers; the case of John T. Williams, accused of courting Miss Sallie Canada, of Glen Echo, Md., in order to entrap a member of her family; and, finally, the Norfolk case, in which a raided still netted five prohibition agents actively engaged in distilling whisky by direct assignment from Washington.

The agents who engaged in these enterprises worked directly under Lincoln C. Andrews. Internal Revenue Commissioner Blair, who is directly responsible for the enforcement of all laws under his bureau, has called Andrews's attention to the transgression of his undercover agents, but so far without result.

The matters have been kept a family secret in the department but now Commissioner Blair is to be called to the Capitol to explain by what authority of law these things have been done.

The genesis of the Norfolk case begins with a request from City Manager Walk Truxton of that city for undercover men to clean up his police force. L. D. Mayne, M. H. Blood, and others of the Prohibition Unit accordingly were dispatched. They reported to Truxton, who had associated with them an ex-policeman named Dickens.

#### TWENTY-ONE POLICEMEN ACCUSED

The next step was setting up a shop on Chapel Street in the heart of a negro district. It was a pool room and speak-easy and they ran it for two months. At the expiration of that time 21 policemen were brought up on charges before Truxton. All but six, who were convicted of minor charges, were acquitted.

It was testified that the six had accepted about \$2.50 each from the undercover men. There were numerous clashes during the hearings between the other public officials and the city manager, during one of which Director of Public Safety Borland said he would not believe the local police decoy under oath.

In all it cost the city of Norfolk \$1,500 and the National Government \$1,000 to run the blind tiger.

After that trap was sprung and the police shake-up was over Special Agent Mayne established a distillery just over the line in North Carolina, near Elizabeth City. This time he was after the country officers.

This outfit was raided by Federal prohibition agents operating under the direction of Ben C. Sharpe, prohibition administrator at that time for North Carolina, South Carolina, and Georgia. Mayne was at sea when the still was raided and five of his men taken into custody. He protested against the action of the North Carolina agents, saying that he had set up the plant for the Government.

In one of his newspaper stories, printed after he left the prohibition service, Maj. Walton Green, former chief investigator for Mr. Andrews, told of sending men to Norfolk to clean it up, and described the situation there as bad. His story aroused the ire of City Manager Truxton, who replied, criticizing the behavior of the United States dry agents sent to him for that clean-up job.

At the hearing, when the Norfolk policemen were being tried, Mayne and Bloom said they were sent there by General Andrews. Testimony taken at that time shows that the Federal agents, using

Dickens as a decoy, had inveigled policemen into visiting places where liquor was being sold.

In some instances Dickens lured men with whom he had been associated when he was on the police force into dives where drinks were passed. Among those so used by him was his former team mate on the Norfolk police force, who, after being invited to take a drink, was reported.

Sharpe, the administrator, who had the Mayne still seized, has recently been demoted to deputy administrator with his jurisdiction confined to North Carolina.

Investigations of these practices are threatened both in the Senate and the House of Representatives.

The recent elimination of the provision permitting the advancement of money to be used for this purpose from the \$500,000 allowed in the appropriation bill for the purchase of evidence was due to the sentiment, in which not a few of the active drys in the Senate joined.

Some of the Congressmen have talked to Secretary Mellon and Commissioner Blair on the subject, and have returned to the Capitol with the impression that these Treasury officers are as much against the practices as the Congressmen themselves.

Mr. President, when a responsible newspaper like the New York World makes charges of that kind it is time the Congress be advised relative to the truth of the charges. If it be true that officers of the Government are engaged in the entrapment of individuals and in the pursuit of entrapment they become the promoters of crime, the inducers of crime, they very gravely violate the law of the land. The law, as I understand it, is that if a proper officer of the law has any reason to believe that a crime is being committed he may throw himself in the way of the guilty party and may seek to gain information as to his practices, but that he can not be the promoter and inducer of the crime itself.

I do not care what a man's views may be touching the question of prohibition or how sacred he may regard the prohibition law. It is certainly no more sacred than are other important statutes of the Government, and in seeking its enforcement the other laws of the land must be respected. We can not afford, in order to enforce one law, to violate other laws, particularly when those other laws are not merely statutory but are grounded in those principles of the common law always regarded as essential to the preservation of the liberties of the people.

Besides, if these acts have been committed as here detailed, we have the horrible spectacle of officers employed to suppress certain crimes engaged in the commission of those very crimes and expending the funds of the taxpayers of the country to thus violate the laws of the country. Such acts ought to be punished by long terms of imprisonment. Every man responsible for such an act, directly or indirectly, ought to come within the punishment of the law. What would we say if an officer charged with the duty of preventing murder should himself induce some weak or wicked individual to commit a murder, to the end that he might then arrest the murderer and bring him to trial? In such a case the man who induced the murderer would himself be particeps criminis and subject to trial beside the creature whose hands actually committed the deed.

When did it happen in this country that in the interest of morals or the conservation of the rights of our people it has been necessary to employ men who themselves defy the law? It is, sirs, as unlawful for a prohibition agent to set up a still and operate it, no matter what his motives may be, as it is for any ordinary bootlegger to establish a still from the motives that concern him. It is as unlawful for a prohibition agent to open a speak-easy and sell whisky over his counter in order that he may bait a trap as it is for any bootlegger to open such a place. A law that can only be enforced by the violation of law is a very bad kind of law, and if it were a good law, conduct so reprehensible as I have described would bring it into disrepute and make it a stench in the nostrils of every decent man.

Mr. President, Congress refused but recently to create a fund for what is known as “undercover work” in the prohibition department. Nevertheless, in face of that action, it now appears that the money we have voted for the purpose of enforcing the law is being employed to breach the law. It is but another illustration of the fact that whenever you create a secret body of men who report secretly, if they report at all, to some chief who guards their secrets, corruption creeps in, oppression comes, and every sort of villainy and iniquity results.

There ought to be no department of this Government, operating among the American people, that operates as a secret thing, where reports are not made public and where acts are

not laid bare. Courts sitting in secret became corrupt, and, accordingly, in nearly every State of the Union it is provided that all trials shall be in public. Chiefs of police of various cities must report publicly to their superiors. Prosecuting attorneys must write in the records of the courts their official acts; but here is a force operating in the dark, reporting to nobody, unless it be Mr. Bielaski, a gentleman whose name I have heard ever since I have been in Washington, but whom I have never been able to identify in daylight or in the dark.

I want to repeat in substance what I said a few days ago. A spy system has no place in a republic. The man who will accept the position of a spy can never be trusted. When any individual is willing to embark in an occupation which implies the gaining of the confidence of another in order that he may betray that confidence, that individual has laid aside every tenet of honor, and when a man is without honor, that man is immediately a dangerous citizen. When a man is willing to employ artifices and tricks in order that he may induce some individual to violate a law and thereby gain the right to arrest him that man lays aside, if he ever possessed, honor, and the man who is without honor will commit perjury whenever it is to his advantage if the fear of the law does not prevent him; the man who is without honor will steal unless he is prevented by fear of the law; the man who is without honor has no place in a catalogue of human beings. When you employ men who will engage in the business of spying upon their fellows, men who are capable of gaining friendships in order that they may betray them—when you have a creature of that kind, he is not safe to arm with the authority of the law; he is a menace every moment he has the badge of authority upon his breast or in his pocket. This country does not need that kind of servants, and this law can only be besmirched and blackened by that kind of enforcement. So we can say of every law similarly sought to be enforced.

Consider now the character of a creature who served upon a police force—and I am referring to an incident recited in this article—who has a companion serving with him, his buddy, if you please; and who afterwards leaves the police force and secretly takes employment under Mr. Bielaski as a spy. He then goes back to his friend and employs the friendship of the old days and of other hours to induce that friend to take a drink in order to betray him. To what level of mental and moral debasement is this country sunk when such things are possible?

So long as these prohibitory laws remain upon the statute books I make no complaint of their enforcement; but how are they to be enforced? I take it they should be enforced as other statutes of the country by officials duly appointed by the law and working in the open, responsible for their acts, engaged in suppressing and not in promoting crime.

The spy system in a republic is as intolerable a thing as can be conceived. Are we to understand hereafter that when we sit down in a train we dare not speak to the gentleman who sits beside us lest he be a hired sneak of the Government? Are we to guard our conversations lest this wretch may rush to some officer and have us arrested, and then, in all likelihood, back up his arrest with perjury?

A law that can be enforced only by the employment of hundreds of hired sneaks who themselves engage in the commission of crime in order that they may get an occasional victim is a monstrous thing. It is abhorrent to every ideal of our fathers, and it was abhorrent to our ideals and our system of government until very recently.

My information is—it may be incorrect—that certain of the officers of the department protest against this system while others are engaged in its practice; and so I will ask to-morrow for the passage of this resolution. Everything has to lie over one day now, under our practice, and I make no complaint of that.

Mr. EDWARDS. Mr. President, will the Senator yield for a question?

Mr. REED of Missouri. I will.

Mr. EDWARDS. If this story be true—and it apparently is, since it is published in a responsible paper—and the Government is employing these "underground" men, are they not subject to indictment by a Federal grand jury; and if they are found to be instructed by men higher up, would not they also be subject to indictment; and is it not the duty of the Attorney General of the United States, upon this information or subject matter being brought to his attention, to seek the truth of this matter and have those men indicted, even if it results in the indictment of Mr. Mellon or Mr. Andrews?

Mr. REED of Missouri. Mr. President, the question is a very general one, and not susceptible of an answer "yes" or "no." I give it as my opinion that if a prohibition agent went into a State and established a still and made whisky and sold

the whisky he could be indicted, and every man who aided and abetted him in that enterprise could be indicted.

Mr. PLEASE. Mr. President, along with the remarks of the Senator from Missouri, I should like to ask permission to insert in the RECORD some articles in reference to this matter, and to call attention to a statement from Mr. Lincoln Andrews.

The Senator read an article about the stills in North Carolina. I want to show him, from what Colonel Andrews says, the necessity of having them there. He says that the only liquor worth drinking to-day comes from the moonshine stills in the mountains of Kentucky and North Carolina, and that the only moonshiners worth while were reared in these backwoods sections.

The VICE PRESIDENT. Without objection, the articles will be published in the RECORD.

The matter referred to is as follows:

[From the Washington Post, October 23, 1926]

MOONSHINE WHISKY BEST, SAYS ANDREWS—MOUNTAIN STILL, HE HOLDS, TURN OUT ONLY LIQUOR WORTH DRINKING TO-DAY

The only liquor worth drinking to-day comes from the moonshine stills in the mountains of Kentucky, Tennessee, and North Carolina, Assistant Secretary Andrews, chief of the dry forces, says.

And the only moonshiners worth while were reared in these backwoods sections, says the general. The trouble is, he adds, the moonshiners are migrating from their native stills to more lucrative fields, and the trails of those who have wandered into other sections have been crossed in many near-by States.

The dry chief admits that little effective progress has been made against the mountain distillers by his forces, and he doesn't anticipate that there will be any wiping out of the industry in the near future. Hitting at the bigger source of supplies is occupying his attention now, and he thinks this problem alone will give his men plenty to do, although he doesn't intend to neglect the moonshiner. When the time affords the general plans to go into some of this territory on an inspection trip.

[From the Columbia State, November 29, 1926]

SEIZE HUGE STILL IN RIVER SWAMP—OFFICERS DESTROY LIQUOR PLANT OF SEVENTEEN HUNDRED GALLONS DAILY CAPACITY—THREE SCORE VATS GIVE UP CONTENTS—EQUIPMENT INCLUDES STEAM BOILER WITH 25-FOOT STACK, HUNDRED-FOOT COPPER WORM, GAS LIGHTS FOR NIGHT OPERATION—ONE NEGRO CAPTURED

Deep in the gloom of the Congaree Swamps a few hours before dawn yesterday Federal officers discovered and destroyed a liquor-distilling plant believed to surpass in size any ever captured in South Carolina. Situated on a small peninsula jutting out into the marshy land close by Adams Creek, not far from Congaree River, the outfit and accessories well filled a quarter-acre plot of ground. Seventy vats of 500-gallon capacity were emptied of their contents—beer or mash from which whisky is made—to form a small lake of 35,000 gallons. Charts kept by the operator of the plant which were seized by officers told of eight months' operation, during which time the peak production was 1,700 gallons of whisky within a day's time.

Almost due south of Columbia and 12 miles below, 3 miles beyond Adams Pond and a little west of the Bluff Road, a raiding party of three officers led by G. D. McKnight, of Berkeley County, Federal prohibition enforcement officer, discovered the mammoth outfit about 3 o'clock Sunday morning. With Mr. McKnight were F. M. Allred, of Savannah, Ga., Federal prohibition enforcement officer, and Deputy Sheriff Woodard, of Berkeley County.

The officers declared that in their entire experience they had never seen such an enormous plant.

"How about the Hell Hole country?" they were asked.

"Nothing in Hell Hole compares with this," they replied.

The value of the still alone was estimated at \$10,000.

In raiding the still officers said they encountered two men who were approaching, and close by the outfit, on a wagon loaded with sugar, James (?) Adams, negro, of about 21 or 22 years, was shot and seriously wounded in both lower legs, the wounds both being of a minor nature. Officers claimed that they shot only when Adams showed fight and whipped out a knife. The negro, seen at the Good Samaritan Hospital yesterday, declared that he was shot as he was running in an attempt to escape. Both bullets entered the back of the negro's leg, according to the attending physician, one of which went clear through, the other lodging in the flesh of the leg. The negro, listed at the hospital as James Adams, but said by Harry W. Adams, Columbia attorney, to be Brayton Adams, was taken to Charleston by the officers, leaving Columbia about noon yesterday. The second man seen by officers escaped through the darkness into the swamp.

So important to the Federal officers was the find that J. D. E. Meyer, United States attorney for the eastern district of South Carolina, was summoned from his home in Charleston and arrived in Columbia yesterday morning. Mr. Meyer said that he had never seen or heard of a still in South Carolina of such enormous size as the one captured in the Congaree Swamp.

Mr. Meyer said that evidently the operator of the outfit was a shrewd business man, for at the still was found the record of operations for an eight-month period, one day of which showed on the chart a run of 1,700 gallons was made.

Approaching the site of the distillery is a well and apparently often traveled road. The road ends at the still. Leaving Bluff Road about 1 mile below Adams Pond, one skirts the edge of a clump of woods to drop surprisingly into a low, flat, open country, through which the road winds in a snakelike fashion. Equally as suddenly the road plunges into the gloom of the deep swamp and then the distillery, literally at the end of the trail. Though the road is rough in spots, the still is easily accessible by automobile. One can drive almost into the middle of the plant.

Located on the peninsula, surrounded on three sides by water and marshy land, the site of the still is admirably situated. Close by Adams Creek, the water appears to be deep enough to easily float a boat. Thus the spot may be reached either by land or water.

Visited yesterday afternoon, the once elaborately equipped whisky plant was smoking in ruins. The vats had been emptied by the officers of their contents, and so the wreckage reposed in a lake of beer—35,000 gallons. Off to one side, punctured in a score of places, was the framework of the copper worm, containing about 104 feet of copper. Close by a steam boiler reared its smokestack 25 feet into the air. An elaborate pipe system supplied the necessary water from the creek. Well constructed and well housed, the equipment appeared to have been from observation of the wreckage.

Coke was used to fire the steam boiler and quantities of it were found around the engine. Numbers of syrup cans and broken fruit jars could be seen. Gas lights had evidently been used to illuminate the plant for night work, as several were found. Cooking utensils and a table capable of seating about 10 persons could be seen off to one side of the plant. Some clothing hung on near-by trees. A few empty shotgun shells were scattered about. The still was not in operation when seized and no liquor was found.

While accessible, the plant was well concealed. Leaving the Bluff Road, not a house is seen until the still is reached. "As the crow flies," its location is probably not more than a mile west of Bluff Road. Moving along through the gloom of the swamp, the still suddenly looms up in full view. And there is the end of the road.

[Clipping from Columbia State, November 30, 1926]

**SECOND STILL IN RIVER SWAMP—ANOTHER HUGE PLANT FOUND NEAR CONGAREE—OF ENORMOUS SIZE—COUNTY OFFICERS DESTROY 32,500 GALLONS OF MASH WITH OUTFIT**

No further developments following the discovery of two huge stills in the Congaree Swamp of Richland County could be announced last night, although officers continued to work on the case.

With the return of the raiding party of county officers led by Sheriff T. Alex Heise to Columbia yesterday morning about 5 o'clock, it became known that Sunday night they had discovered and completely wrecked an enormous liquor plant about 4 miles south of Adams Pond and about 1½ miles below the spot on which had been found early Sunday morning by Federal officers one of the largest plants ever captured in South Carolina. Thus within the space of a day the swamps of the Congaree yielded two huge distilleries, aptly characterized as "twin sisters" because of their almost identical size.

Situated alike, constructed along almost identical lines, with similar equipment, within 1½ miles of each other, the two enormous plants, according to records discovered, had delivered themselves of thousands of gallons of whisky.

Sunday night the party led by Sheriff Heise and consisting of J. D. Dunaway, chief of rural police; W. T. Marsh, J. R. Crossland, E. V. Neely, and A. H. Eleazer, rural policemen, entered the deep swamps and, upon information procured Friday, discovered the huge "twin sister" of the distillery captured before dawn Sunday by three Federal prohibition officers led by Glenna D. McKnight, of Berkeley County.

With the still captured by Richland officers were found 65 vats containing 32,500 gallons of mash or beer. In the equipment were found 130 feet of copper tubing forming the worm or coil of the plant. Steam for the operation was furnished by a 12-horsepower, coke-burning steam engine, topped off by a 25-foot smokestack. A gasoline motor forced water from the near-by creek into the still. The piping system was elaborately constructed and virtually all of the equipment was new. The value of the still was estimated by Sheriff Heise at \$7,500.

**CHART FOUND**

As in the still found by Federal officers, the county officers found a chart of the operation of this outfit showing it to have been in operation only about 11 days, during which time runs of liquor were made ranging from 175 gallons to 615 gallons daily. Due to the similarity in size, construction, and location both stills are believed to have been under the direction of the same person or persons.

When seen yesterday morning the still presented a scene of total wreckage. Richland officers did their work well in destroying the plant. So enormous was the outfit and so well constructed that the

officers, with the aid of six negroes and two white men, labored for hours before the destruction was complete. Spilled out into the low-land and marsh of the deep swamp the 32,500 gallons of mash floated away over the ground, forming a frothy, shallow lake in the vicinity of the plant.

A truck was required to make several loads in bringing to the Richland County jail various pieces of equipment, such as the boiler, pump, copper worm, and the like.

Situated like its wrecked twin, the still occupied a quarter acre on a small peninsula jutting out into the creek and marsh of the dismal Congaree Swamp. Several roads leading toward the plant gave evidence of being traveled to some extent and converged just before reaching the still, to form one passageway into the narrow neck of the swamp peninsula. Buried deep in the heavy growth of the swamp lands, the plant was well concealed and could not be seen until it burst into view on rounding a sharp, rough curve of the road. Cooking and eating utensils were found and also some wearing apparel. Thirty-five 100-pound sacks of sugar, several bags of corn and rice meal, 36 cases of fruit jars, and other similar accessories were found.

**NONE AT STILL**

No one was found at the still, although the raid had been planned with a hope of finding the plant in operation. But as the officers reached the scene nothing but the vast silence of the swamp greeted them. The still had not apparently been operated at all Sunday.

With the discovery of one plant near 3 o'clock Sunday morning and the capture of another about 8 o'clock Sunday night, within the space of several hours, what are believed to be two of the largest and most elaborately equipped distilling plants ever captured in South Carolina were brought down. Equipment and supplies of the two stills reached an aggregate estimated value of \$17,500. A total of 67,500 gallons of mash or beer was dumped into the swamp. Both stills were evidently under efficient business management, as the records disclosed a complete record of operations.

It was first presumed, judging from the records found at the plant destroyed by Federal officers, that this outfit had been in operation for eight months, but yesterday it developed that four months ago a still was raided and wrecked on the identical spot on which the Federal officers made their discovery. It is now believed that the records revealed operations of a previous still on that site as well as the one which was destroyed.

Federal officers at the still captured Sunday morning also captured one negro. This plant was not in operation and no whisky was found.

No one was arrested, nor was any whisky found at the plant wrecked by county officers.

[From the Greenville News, September 19, 1926]

**TO ORDER SHARPE UPON CARPET FOR LATE STATEMENT—DRY ADMINISTRATOR IN TROUBLE ABOUT SAYING SECTION NOT SO VERY ARID—SHAKE-UP SEEMS LIKELY**

By Hugh W. Roberts, Washington Bureau, The Greenville News

WASHINGTON, September 18.—Ben Sharpe, of Charlotte, N. C., prohibition enforcement officer for North and South Carolina and Georgia, will be ordered onto the carpet before Gen. L. C. Andrews, national prohibition czar, the forthcoming week. It is reliably reported that but for the insistence of D. H. Blair, Commissioner of Internal Revenue, another North Carolinian who is credited or charged with having secured the appointment of Mr. Sharpe, that functionary in the "dry" phalanx would already have suffered the severance of his official head. Mr. Blair, while not indicating that he will make a fight for Mr. Sharpe, does insist, it is generally understood here, that he be given a fair trial, a fair chance to defend himself.

**COLORFUL SITUATION**

This highly colorful situation in the vast army of the professional upholders originated in an interesting fashion. Some weeks ago, General Andrews was asked quite casually regarding liquor conditions in the Southeast. He replied, "Fine, fine!" Elucidating his remark, he declared that his "coordinator," M. O. Dunning, stationed at Savannah, had given his assurance that rum running had been stopped, that mountaineers had foregone their immemorial pastime of distilling corn into dew, and that it was as difficult to secure a bit of alcoholic refreshment in the great Southeast as it was to dodge a bottle of gin in the city of Washington. The skeptical doubted of course, but had no argument inasmuch as they had not visited the South in a number of days. The "drys" were duly elated, for according to information on which the East had regaled itself for many years, the Florida, Georgia, and Carolina coasts were among the most prolific for their importation of contraband goods. That this source was dried up, and that North Carolina "corn" would never again disturb with its flavor and kick the equilibrium of the upright was a morsel of intense satisfaction to the Anti-Saloon League of America. Just as Wayne B. Wheeler, the erudite general counsel of that organization, prepared himself by the adjustment of spectacles and the sharpening of a new quill to denounce in characteristic fashion the scoffers who declared the South voted

"dry" but drank "wet," Mr. Sharpe, through the kindness of the Associated Press, tossed the proverbial monkey wrench into the otherwise well-lubricated machinery.

## LACKED INFORMATION

According to Mr. Sharpe, General Andrews and his "coordinator," M. O. Dunning, didn't know what they were talking about. Conditions in the Southeast had not only not improved, he said in effect, but had steadily grown worse. Yes, one could still get a drink in the South, he vouchsafed. His reason for this dependable condition was that his force of agents had been reduced in response to that most intense of all intense prohibitionists, Calvin Coolidge, who while standing for a prohibition expenditure at the bung hole of \$50,000,000 per annum, insisted that rigid economy be practiced at the spigot.

Local observers do not presume to judge between the accuracy of the report of the "coordinator," Mr. Dunning, and the report of the Carolinas' enforcement officer, Mr. Sharpe; or regarding the wisdom or lack of wisdom displayed by General Andrews in lending willing ear to the former, and desiring to decapitate for *l'esce majesté*, the latter. It does appear, however, that South Carolina has a crew to pique with Sharpe, although it can not be said whether South Carolina is angered or delighted. Sharpe still has a considerable force, although not the army which the drying up of the South Atlantic coast would probably require. That force, it seems, he has not equally divided. In round numbers, he has some 30 men disturbing the bibulous in North Carolina and about 12 engaged in the same pastime in Georgia. It is alleged that he is operating in South Carolina not more than four men.

## CASE OF OPINION

This may or may not be displeasing to a majority of South Carolinians. It is said some of the prohibitionists of that State have registered their protests in Washington. On the other hand, it is recalled that during the last session of Congress COLE L. BLEASE, a Senator from South Carolina, denounced in characteristically dynamic and picturesque terms not only the "foreign" prohibition officers, operating in South Carolina, for alleged atrocious procedure in various particulars, but the general plan of official Washington of sending "foreigners" into the boundaries of South Carolina to make South Carolinians good by requiring them to "toe the mark." It was the argument of Mr. BLEASE that South Carolinians could attend to their own morals.

The fact remains, however, that Sharpe has comparatively few agents in South Carolina. That he is not getting results is alleged by some of his critics. It is even pointed out here that a few days ago the "coordinator," Mr. Dunning, moved upward from Savannah and effected some raids in Charleston—a bit of work Mr. Sharpe should have performed, it is alleged.

And so the case comes to Washington. The end of the tale should be officially told the next 10 days.

[From the Columbia State, September 6, 1926]

DUNNING SURPRISES "HELL HOLE" SECTION—SOUTHEASTERN COORDINATOR SWOOPS DOWN AT HEAD OF FORCE—RICH HAUL MADE IN INITIAL RAID—FEDERAL DRY AGENT, ALONZO B. SEABROOK, SHERIFF GAMBLE, OF WILLIAMSBURG, GEORGE C. HAM, OF FLORENCE, STATE CONSTABLE, AMONG 33 NETTED

CHARLESTON, September 5.—Thirty-three men were under arrest or free on bond here to-day as a result of the surprise raid of prohibition officers on the "Hell Hole" section of Berkeley County and portions of Charleston County.

More than 100 prohibition enforcement officers, deputy United States marshals, and coast guardsmen, under the direction of M. O. Dunning, prohibition coordinator for Georgia, North Carolina, and South Carolina took part in the raids. They will continue through Monday and Tuesday, and longer if it is necessary, to clean up the situation, Mr. Dunning said.

Besides the 33 arrests, the raiders destroyed 17 stills, 830 gallons of moonshine whisky, and 34,000 gallons of mash, confiscated five automobiles. Twenty more arrests are to be made to-morrow.

The prisoners taken in the raid include one prohibition enforcement officer, Alonzo B. Seabrook, of Charleston, who was arrested and to-day gave \$10,000 bail; one South Carolina State constable, the sheriff of Williamsburg County, and a Berkeley County policeman. Most of the other prisoners are accused of conspiracy, selling whisky, or rum running.

Aside from the arrest of the Federal, State, and county officers, Mr. Dunning said to-night the most important arrest made was that late to-day of Jersey Villeponteaux at Moncks Corner. Villeponteaux is accused of conspiracy and is charged by Federal officers with being probably the largest bootlegger in the county. Officers took 200 sacks of sugar and 400 half gallon glass jars from his house. He was placed in jail when he could not arrange \$5,000 bail.

Mr. Dunning returned to the Coast Guard cutter *Yamacraw* to-night after spending most of to-day in Moncks Corner directing operations in Berkeley County. Bodies of raiders under M. L. Beard, of Savannah,

Mannie Carter, and G. D. McKnight, "undercover" men who worked up much of the evidence on which the raids were passed, and H. E. Crowder remained out to-night searching for wanted men and stills.

## SILENTLY AND SWIFTLY

Moving so swiftly and silently that not a word of warning got out, Federal prohibition officers last night and early to-day swooped down on the "Hell Hole" section of Berkeley County, gathering into their net Federal, State, and county officials and rum runners, moonshiners, and bootleggers.

Before dawn to-day the "brig" on board the Coast Guard cutter *Yamacraw* was filled to overflowing. The raids continued throughout to-day.

At 6 o'clock to-night 25 men were under arrest, six stills had been seized, and officers were searching for a number of stills and at least 5 other men. Coordinator Dunning said that at least 40 more warrants would be issued this afternoon.

More than 100 prohibition officers from Georgia, North Carolina, South Carolina, and Florida were engaged in the raids.

The raid, carefully planned and with every detail mapped out, army fashion, in advance, was directed from the *Yamacraw* in the harbor here by M. G. Dunning, collector of customs at Savannah and prohibition coordinator for the Southeast. Not even B. C. Sharpe, Charlotte, prohibition administrator for Georgia, North Carolina, and South Carolina, knew of it.

The first arrest of the raid was that of Alonzo B. Seabrook, Federal prohibition agent, who was taken in his home in North Charleston. He is accused of conspiracy and bribery.

H. S. Gamble, sheriff of Williamsburg County, and M. F. Haselden, former deputy sheriff of the same county, fell into the net on charges of conspiracy to receive bribes.

George C. Ham, of Florence, State constable, is held on charges of accepting bribes.

## ROLL OF PRISONERS

Those arrested include: H. F. Scarborough, State constable; George Scarborough, Berkeley County policeman; Eldridge Scarborough, Berkeley County; John Wright, Berkeley County; Clarence Jackson, Berkeley County; W. D. Jackson, Berkeley County; Gilbert Weston, Charleston; Alonzo B. Seabrook, Charleston, Federal prohibition agent; Boisey Williams, negro, Edisto Island; Benjamin Bailey, negro, Edisto Island; Sangho Nelson, negro, Edisto Island; H. E. Wise, Charleston; D. L. Jersey, Charleston; W. Razle, Charleston; E. S. Wilkinson, Charleston; Henry S. Gamble, sheriff of Williamsburg County; M. F. Haselden, Berkeley County; G. M. Ham, constable, Berkeley County; T. F. Henebry, Charleston; Hunter Sykes, Charleston; Louis Hamilton, Charleston; Charles Brown, Charleston; and Melvin O'Neal, Charleston.

A prohibition agent named Hudson was the only casualty of the raid up to late this afternoon. He broke his hand in a fight with G. M. Ham when the constable resisted arrest and drew a pistol on another prohibition agent named Crowder.

Mr. Dunning to-day made Moncks Corner, county seat of Berkeley County, his headquarters for the clean-up in that county.

Preparations for the raid have been under way for weeks, Coordinator Dunning made known to-day. "Undercover" men, one of them C. D. McKnight, former "king of the rum runners" in Berkeley and Charleston Counties, have been working for some time gathering evidence against officials and to get the greatest possible number of rum runners and bootleggers operating from the "Hell Hole" section into Berkeley County last night.

Mr. Dunning quietly began gathering his forces at Savannah last Thursday. Thirty Federal agents Saturday morning boarded the Coast Guard cutter *Yamacraw*. Others started overland for Charleston. Arriving in Charleston Harbor late yesterday, all of the agents on board the *Yamacraw* were kept below decks. When the ship docked the agents left in groups of two or three, each under a leader who had instructions as to what his group should do. Warrants had been issued in advance and these were placed in the hands of deputy United States marshals.

The raid was so well timed that within an hour after raiders reached their posts reports of arrests and seizures of liquor and rum-running automobiles began coming into headquarters.

## CAUGHT WITH GOODS

Prisoners were brought on board the *Yamacraw*. They were questioned and then placed in the ship's brig or guarded by coast guardsmen. Seized liquor was brought on board the cutter and stored.

Prohibition Agent Seabrook was arrested at his home by Deputy United States Marshal C. H. Schultz, who was accompanied by McKnight and several other prohibition agents. His house was searched. Officers claimed they found 14½ gallons of moonshine whisky in the house and \$1,155 in bills, of which \$300 was marked money, alleged to have been given to Seabrook by planted rum runners under Dunning's direction. Seabrook was taken aboard the *Yamacraw* and placed under guard for the night.

To-day, while agents continued the clean-up, the prisoners were taken before United States Commissioner A. M. Huger for arraignment.

Mr. Dunning revealed to-day that only officials whose aid was essential had been taken into his confidence regarding the raid. These included: J. D. E. Meyer, United States district attorney at Charleston; Charles L. Reddin, assistant district attorney at Savannah, who also is Mr. Dunning's special legal adviser; Capt. P. W. Lauriat, commander of the Coast Guard cutter *Yamacraw*; J. H. Lee, prohibition administrator for Florida; Fred Dismuke, deputy administrator for Georgia; Louis M. Shimel, assistant United States district attorney at Charleston; Sheriff Ballentine, of Berkeley County, who asked the aid of the department in cleaning up that county; and G. D. McKnight, reformed rum runner and "undercover" man for Dunning.

Mr. Dunning characterized the raid as his "answer to Mr. Sharpe," who recently issued a statement criticizing the existing status of prohibition enforcement in his district, asserting that he did not have enough men to cope with the situation. "Here is my answer to Mr. Sharpe," said Mr. Dunning as he gave out a formal statement.

"As coordinator for this section of the South," said the statement, "it has been my effort to go to various sections and at first hand gather detailed information as to true existing conditions, and based on this information it has been found necessary for me to set up my own machinery in an effort to apprehend and bring to justice those individuals and groups that have cooperated together in violation of prohibition, internal revenue, and customs laws.

#### CHARLESTON CONDITIONS

"To this end, some time ago, I came in person to city and county of Charleston and made first-hand investigations. I found that law violators were so firmly entrenched and surrounded by so many individuals who should have been enforcing the law and who were not in any wise making any effort so to do that it became necessary for me to employ not only outside assistance but to work from within.

"I found that citizens of certain communities were not to be blamed for existing conditions so much as the officers charged with the detection of crime. The result of the actions of certain State and Federal officers was to increase, instead of diminish crime. I decided to clean up the situation, regardless of where the chips might fall. To this end I was able to convince G. D. McKnight that the best thing for him to do was to stay out of the whisky business, he, according to my best information, having given up the business a short time previously and before any proceedings were pending against him and lent his assistance toward the accomplishment of breaking up the liquor ring around Charleston and Berkeley Counties. Mr. McKnight was duly commissioned as a Federal agent and instructed to work under cover in connection with other agents.

"In furtherance of my plans, after my preliminary investigation, I in person called upon the United States district attorney's office and upon certain of the officials and citizens of the city of Charleston and counties in and around Charleston. I desire to say that I received excellent cooperation and valuable assistance from all upon whom I called.

"The result of this campaign discloses a situation, which, while seemingly shocking, is not out of the ordinary to an individual who is familiar with the operations of the whisky ring in localities where corrupt officials happen to get into office. I believe that this work done in this section will do much to convince not only the agents who are employed by the Government but all others that it pays to stay straight. And I further believe that much good has been accomplished by the success that crowned the efforts of those who have been planning the ways and means toward the bringing about of enforcement of the prohibition law."

MONCKS CORNER, September 5.—Virtually every church in this little city, the county seat of Berkeley County, to-day turned its morning services into "thanksgiving" services over the raids being conducted by Federal officers on the "Hell Hole" section of the county.

For years, ever since prohibition has been the law, the "Hell Hole" section has been the seat of a big illicit liquor business. County officials, apparently unable to cope with it, asked the aid of the Federal officers.

When news of the rapid and secret descent on lawbreakers by Federal officers became known prayers of "thanksgiving" were said.

#### MCKNIGHT GIVEN CREDIT

CHARLESTON, September 5.—G. D. McKnight, former "king of the rum runners" in Berkeley and Charleston Counties, to-day was credited with much of success for the trap laid for liquor-law violators, which resulted in many persons, including Federal, State, and county officials, being caught in the net of M. O. Dunning, prohibition coordinator, and his small army of Federal agents.

McKnight, never charged in court with breaking the liquor laws, reformed some time ago, it is said. His assistance was solicited by Mr. Dunning.

With his complete knowledge of the personnel of the Berkeley County underworld, McKnight, commissioned as an "undercover" man, was able to know just what was going on. He worked with Mannie Carter, another "undercover" man.

His reformation, unknown to his associates, McKnight easily accomplished his purposes. He is alleged to have bought a still from H. S. Scarborough, South Carolina State constable at Pinopolis. Scarborough is said to have captured the still in a raid some time previously. Then, it is alleged, McKnight went to Alonzo B. Seabrook, Federal prohibition agent at Charleston, and sought permission to operate the still. Seabrook is alleged to have demanded \$50 a week protection money, and urged that the still be placed on some property of the Seabrook family on Edisto Island, 50 miles from here. McKnight and Carter were to operate the still and employed a white man and two negroes to begin operations Saturday night. As Seabrook was being arrested by a party headed by Deputy United States Marshal C. H. Schultz, of Charleston, and McKnight, another raiding party left for Edisto Island to get the still.

McKnight, after arranging with Seabrook about operating the still, according to officials, began making arrangements to get as many rum runners and bootleggers as possible into the "Hell Hole" district Saturday night.

[From the Greenville News, September 19, 1926]

#### TWENTY-NINE ARRESTED IN CITY AND COUNTY IN GIGANTIC DRIVE ON LIQUOR FORCES—CITY, COUNTY, AND FEDERAL OFFICERS JOIN—MORE ARRESTS EXPECTED IN FEW DAYS—OVER 40 WARRANTS ISSUED—"UNDERCOVER" AGENTS SECURED INFORMATION—ALL SECTIONS OF CITY AND COUNTY REACHED—MUCH LIQUOR CONFISCATED IN DRIVE

As a result of wholesale liquor raids in Greenville County yesterday, representing perhaps the most spectacular and gigantic sally ever made in this section of the State against alleged violators of the national prohibition law, 29 men and women, white and colored, were either in the county jail or had gained freedom on bond last night. Fully 600 pint bottles of "home brew" and a large quantity of whisky were confiscated in the day's activities.

#### FORCES COMBINE

More arrests are expected to-day and during the next few days, as over 40 warrants have been issued by United States Commissioner H. G. Williams on information gained by Federal "undercover" agents working in the county since January, it was stated yesterday.

The raids were conducted from the office of Percy M. Caudle, deputy Federal prohibition administrator for this district. Aiding his unit of prohibition agents were the entire personnel of Sheriff Sam D. Willis's office, State constables, and as many city police as could be spared from other duties.

#### BEGIN PRELIMINARIES

Preliminary hearings will be given those defendants so desiring beginning to-morrow morning and continuing daily until the October term of Federal court, convening here the first Tuesday of next month. Indictments in all cases sent up by the commissioner will be asked then.

The raids were well planned and deftly executed, and the spectacular and gigantic features are rivaled in this State only by similar raids staged in the "Hell Hole" section of lower South Carolina two weeks ago.

Moving from Mr. Caudle's office yesterday as quietly as the dawn in which the raids were begun, squads of Federal agents, augmented by county and city officers, swept through sections of Greenville and outskirts of the city, and spread out into the mountainous areas of upper Greenville County.

Carrying Federal warrants, issued recently on information gathered by the small army of "undercover" agents during the past several months, the startling series of arrests began around 7 o'clock, and all through the morning prisoners were brought to the city and county jail awaiting arrangements for bond. Later in the day those who were unable to post bail were transferred to the county jail. However, only three or four were in that class. By early afternoon 23 arrests had been made, and as the day wore on the number was increased by six more.

#### MUCH "HOME BREW"

An unusual feature of the prohibition activities was the number of persons apprehended on charge of selling or storing a "home-brew" beer, presumably made from malt extract and bottled with capping machines. Mr. Caudle stated yesterday afternoon that he had been aware of the bounty of this beverage, especially in Greenville, for some time, and hence the attacks were directed locally against alleged vendors of the concoction.

The "home brew" is highly alcoholic, chemical analyses showing it to contain about 7 per cent of the forbidden element, according to Mr. Caudle. Its demand has been popular in this community recently because of the cheapness with which it was sold for, he stated.

Some of the home-raised brew was stored at the police station temporarily. Last night the liquid evidently became dissatisfied with its surroundings and began to protest in the form of popping off caps and spewing about the floor. Police officials secured authority from Mr. Caudle to destroy the contraband, and it was dumped into the

sewer. A large quantity of the "beer" and liquor taken to prohibition headquarters here was also poured out yesterday, only samples of each haul being preserved for the well-known Exhibit "A."

SPLendid COOPERATION

Mr. Caudle last night expressed his appreciation for the cooperation received from county and city officers. He stated that when he called on them for assistance he received a glad and quick response, which contributed largely to the success of the endeavor. Some prohibition agents from North Carolina were also lent the local office for the raid.

The antiliqur activities yesterday, Mr. Caudle explained, came not at this particular time because he felt that conditions are worse here now than before, but because his office wishes to keep on in its attempt to make Greenville County and this district a "better place in which to live."

The raid was not without its humorous touches. One aged woman from near Chestnut Springs was caught in the net. She was minus any resemblance of teeth and otherwise bore no indications of likely timber for a beauty contest. Officers, however, wished to keep her in good humor, and during the drive of 30 miles in bringing her to Greenville one deputy engaged her in a flattering conversation about how youthful and winsome she appeared, etc. And the "sweet nothings" seemed to remove from her the stigma of arrest, the officer confessed, although he was positive in admitting that he was merely "stringing her."

NAMES OF DEFENDANTS

The raids were conducted in orderly manner, and gathering of evidence leading to issuance of warrants and the sudden swoop yesterday was carried on in an unimpeachable manner so far as could be learned yesterday. District Attorney Joseph A. Tolbert, Marshal R. Kirksey, and his force of deputies, had helping hands in the affair.

Persons arrested yesterday were Herbert Boyd, negro, Greenville; Joe Pruitt, camp road; John Austin, negro, Greenville; Willie Glenn, negro woman, Greenville; Jim and Minnie Burns, Hampton Avenue extension; Tom Reynolds, Forrest Taylor, W. S. Proter, and Trevor Owens, camp road; Mrs. Slim Thompson, Leroy Hartin, and E. Justice, Greenville; Mrs. George Campbell, near Spartanburg County line; John Hightower, Hodges Hightower, and Doc Hart, of upper Greenville County; Bill Howard, Hattie Howard, Jim (Buck) Howard, Henry Howard, and W. Gosnell, of Chestnut Springs; Jess Evans, Glassy Mountain; Dr. John McBrady, of near Greenville; Lige Lee, Harry Ross, and Minor Jones, of the White Horse Road; Mrs. Lloyd Rumsey, of Chick Springs; Charles Rhew, of Monroe Street.

Officers participating in the raid, other than Federal agents, were:

From police station: Sergt. J. O. Turner, Speed Officers R. C. Evans, William Berry, and L. L. Williams; Patrolman L. H. Cagle; Desk Sergt. J. W. Springfield; Patrolmen C. E. Singleton and O. E. Ridgeway; Detectives M. B. Chandler, C. F. Rumler, G. M. Hopkins, B. G. Dearman, and W. N. Johnson; and Patrolmen A. C. Lynn and E. A. England; and Call Officer E. L. Hightower.

The deputies detailed by Sheriff Willis were B. F. Paris, Henry Townsend, F. E. Neves, J. G. Willis, R. F. Craig, Vance Patterson, J. R. Rhodes, and C. R. Bramlett. The State was represented on some of the raids by State Constables Ewell Craig and Henry Bell.

Mr. BRUCE. Mr. President—

THE VICE PRESIDENT. The Senator from Maryland.

Mr. BRUCE. I will gladly yield to any motion to adjourn or to go into executive session, but if there is no desire to adjourn or go into executive session, I have a few words that I wish to add.

Mr. PHIPPS. Mr. President, I desire to bring up a matter which will take only a moment. I was busy in committee hearing this morning, and I desire to ask unanimous consent, without interfering with any unfinished business, to take up a bill on the calendar—the pistol bill.

Mr. BRUCE. Mr. President, I am sorry, but I object.

Mr. PHIPPS. I did not think the request would be objectionable, or I would not have made it.

Mr. BRUCE. Mr. President, I desire to add a few words to what has been so powerfully said by the Senator from Missouri [Mr. REED] in relation to the resolutions which he has just offered.

The true significance of the abuses at which those resolutions are aimed is to be found in the fact that in its wild career of fanaticism the Government formed the resolution of enforcing prohibition by fair means or by foul. It has discovered that it can not enforce it by fair means. All the ordinary punitive authority of law has been defeated by the intrinsic weakness of an effort to enforce such a violation of nature, a measure so hopelessly repugnant to reason, as the prohibition law. If that law were a reasonable one, if it were rooted in the natural soil—if I may use such an expression—of the human character, there would be no occasion for the Government to resort to such abhorrent agencies for the purpose of enforcing prohibition as those that are set forth in those resolutions.

Only a small part of law is on the statute book. Far the greater part of it resides in the breast of public opinion; and when you see such extraordinary efforts as the Government is putting forth to enforce the prohibition law, you may be certain that those efforts have to be put forth because that law is condemned in the forum of human reason, because it is rejected by the sounder instincts of human nature, because it is such as to call for the exclamation of Edmund Burke which I quoted only a few days ago:

No! Never, never did nature say one thing and wisdom another!

The utter inefficacy of the prohibition law is due to the fact that it attempts to make wisdom say one thing when nature says another and a wholly different thing.

As the Senator from Missouri has pointed out, this law is damned by the very fact that it can not be enforced by the ordinary agencies of enforcement. It can not be enforced as every sound, salutary, and wise enactment is enforced. It can be enforced, if enforceable it is at all, only by such forbidding means as those to which the Government has now resorted.

Yes; I reecho the words of the Senator from Missouri: To what sort of degraded level has this great Government of ours sunk? There was a time when the citizen held it in the profoundest respect. There was a time when he cherished for it feelings of the deepest affection. There was a time—and perhaps, with all its present infirmities, the time has not yet past—when he was willing to lay down his life for it. But so far as the field of prohibition is concerned it has justly brought itself into contempt, and is rapidly on the way to bringing itself into abhorrence.

More prominently at the present time than in any other way the Federal Government presents itself to the public mind as a poisoner and a trickster. Those are harsh words. No man who measures his language, no man who has any mental balance at all, would lightly employ them; but their use, I assert, is justified by the course of recent events.

Poison and spies are agencies of prohibition enforcement upon which the Government is largely relying at the present time.

Mr. President, have you ever seen that famous picture—I forget at this moment by what artist it was painted—called "The Poisoner"? Did you ever scan the furtive, the guilty, the malignant features that are portrayed in it as the poisoner mixes his fell drink? Such a poisoner is this Government of ours, denying to its people altogether the pleasure of using refreshing, wholesome beverages with stimulating life in them, and creating conditions insidiously calculated to lead human weakness into the consumption of lethal beverages—beverages loaded, as its own labels say, with poisons of the most virulent description. Do what it may, it will never be able to prevent its own citizens from drinking denatured liquor until it supplies them again under proper safeguards with palatable and wholesome liquor. There will always be enough human infirmity to supply victims for the governmental Borgia.

Only a few days ago the famous oculist, Dr. William H. Wilmer, the pride of his profession throughout the United States, who is now connected with the Johns Hopkins Hospital, told me that it is sad, tragic beyond words, to see the poor wretches who are groping their way to his office in Baltimore blinded by the Government, some stone blind, some half blind, some with vision in a more moderate degree bedimmed.

Indeed, I was surprised the other night when my friend the Senator from Texas [Mr. SHEPPARD], for whom I have so much respect, rose at a prohibition gathering and asked for silence while he offered a toast to the memory of 49 or 50 prohibition agents who had been killed in the discharge of their duties. Nothing was said about the poor, hapless creatures who have been wounded or shot to death by such agents.

Mr. SHEPPARD. Mr. President, the Senator will remember that I said also all other officials who died in the enforcement of the law. I did not confine it to prohibition officials.

Mr. REED of Missouri. May I suggest, if the Senator from Maryland will pardon me, that the Senator from Texas might have included the victims of the poison squad, and stood a moment in silent prayer for their souls?

Mr. SHEPPARD. I deny that the Government poisons liquor.

Mr. REED of Missouri. The Government has done it, and it has been proven by evidence time and again that the Government did it.

Mr. SHEPPARD. I respectfully deny it.

Mr. BRUCE. Mr. President, if I deliberately put poison in the way of a child, or some thoughtless person, am I not chargeable with the full responsibility for my act? If the Government deliberately does away with all wholesome alcoholic beverages and sets poisoned industrial alcohol abroad within the reach of human weakness is it not equally guilty?

To get back to that toast of the Senator, however, when I read about it I could not but recollect that miscreant of a prohibition agent in the State of Ohio who walked into the house of a citizen at Steubenville, in that State, and, when asked by the owner of the house why he was trespassing upon his premises, answered, "That's none of your damn business." Thanks to a just God, the owner of that house, before that malefactor could draw his pistol, drew his own and killed him, and to the honor of the Ohio jury which tried the slayer, he was acquitted. That prohibition agent, too, I suppose, was made one of the subjects of the reverential toast offered by the Senator from Texas on the occasion of which I speak.

We have all read the newspapers recently. We know what a perfect harvest of death was reaped from the use of liquor poisoned by the Government in practically all the great cities of this land during the holiday season at the end of last year. Of course, no account was kept except when the victims of the Government died. No account was kept of those persons whose vision was profoundly affected by that poisoned drink, or of those persons who were totally blinded by it; in other words, of such individuals as those that I have mentioned as coming to Doctor Wilmer seeking the benefit of his professional skill. So the Government has written itself down as a poisoner, and will continue to write itself down as a poisoner until it discovers some other means of denaturing drinks than the deadly means to which it is now resorting.

I am perfectly aware, of course, that it is the Government's intent, or apparent intent, to resort to some other means of denaturing liquor. The prohibition authorities seem to have decided that they will no longer use deadly poisons for the purpose of denaturing it, but will use simply malodorous, nauseous substances of one sort or another. In other words, Mr. President, the Government is to be converted from a poisoner into a polecat. That is the marvelous transformation that is now proposed to be worked by the hateful forces of prohibition. The Government is to abandon poison and resort to stinks, and I say that the worst stink of all will be that which will be emitted by its own outrageous and indefensible tyranny.

In addition to being a poisoner, the Government is to become in a still more pronounced manner than heretofore a despicable, miserable spy. It is no longer to preserve faith with anybody that it chooses to ply with deceitful invitations for the purpose of criminally luring him to his own self-destruction. In its efforts to enforce prohibition, it is to become what Disraeli once said that the Whig Party in England was an organized hypocrisy. Its repressive agencies in the future are not to be the ordinary applications of the law, but espionage. It is to set loose upon the people of the United States a host of snoopers, spies, sneaks, and informers.

What would you have thought of a saloonkeeper in the old saloon days who had lured into his saloon some tender youth or some thoughtless, unreflecting young girl; who had fraudulently played upon the indiscretion of boyhood or girlhood? Many and many a decent saloonkeeper there was who even had scruples about serving drinks to some one who had already drunk too much, or to some one whose weakness for drink was notorious. Yet here you have our Government enticing boyhood, girlhood, adult human weakness, into speak-easies, dives, clubs set up by itself in its own perfidy and treachery for the purpose of enmeshing its prey.

Once there was a country, ancient Carthage, so faithless in its observance of its obligations that the words "Punic faith" became words of reproach throughout the world. Carthage was a land; in other words, not to be trusted. No confidence was to be reposed in its promises, in its tenders of good faith. Is not that the position into which this great country of ours is steadily drifting in its employment of all these spies, in its efforts to organize all this widespread undercover work in its energy in baiting all these treacherous traps in the form of deceptive stills and speak-easies? What is it doing, Mr. President, but seeking with the money of the taxpayer to organize deceit, perfidy, treachery, and fraud in the name of moral reform?

Never in all my life did I feel such sensations of profound gratification as I did the other day when the Senate bowed out, so to speak, that appropriation of \$500,000 which had been brought forward for the purpose of extending the dishonest, the pernicious activities of the undercover force of General Andrews.

Just one word in conclusion. The Government, to use a homely expression, is steadily getting to the end of its rope in this matter of prohibition. As I have said, all its fair efforts to enforce prohibition have proved totally nugatory and vain, and all its foul efforts to enforce it will prove equally nugatory and vain.

In my opinion, our redemption is in sight, though I know only too well that there is nothing to justify me or anyone in claiming the gift of prophecy. One great party in this country at least will not dare to nominate what is commonly known as a "dry" at its next presidential convention. I am referring to the Democratic Party. Who believes that there is a Democratic "dry" in the land who can be elected to the presidency of the United States in the present state of public opinion? Could Governor Donahey of Ohio be elected? No.

Mr. HEFLIN. I think he could be elected.

Mr. BRUCE. Does the Senator think that the electoral votes of Maryland would ever be cast for "Vic"? You will never expand "Vic" into "victory."

Does the Senator think that the State of Delaware would cast its electoral votes for Donahey? Does the Senator think that the State of New Jersey would cast its electoral votes for him, or the State of New York or the State of Rhode Island, or the State of Massachusetts?

Mr. HEFLIN. I think we can elect a President without the votes of any of those States. I do not think that either party will have a plank in its platform indorsing the wet side of the proposition. I make the Senator the prediction now, that the two platforms will say this, and only this: "We favor law enforcement." That is all we will get either one of them to say on the question.

Mr. BRUCE. Then we might just as well, so far as these great States on the Atlantic seaboard, to which I have referred, are concerned, not hold any presidential convention at all.

Mr. HEFLIN. Does the Senator suggest that the Democratic Party ought to sell out to the liquor interests in order to elect a President?

Mr. BRUCE. Not at all.

Mr. HEFLIN. I am not in favor of doing that. I do not think we will carry the Eastern States anyhow. I think the Democratic Party is to win by the united South and West in the next campaign.

Mr. BRUCE. The South and the West! I should like to know how any man who looks at things rationally can suppose that the Democratic Party under any circumstances could have any real hope of success without carrying those States upon which its fortunes have heretofore depended.

Mr. HEFLIN. Wilson carried the West in 1916 and was elected without the Eastern States, by carrying the South and the West.

Mr. BRUCE. When the Republican Party was split from stem to stern, when it had two candidates in the field.

Mr. HEFLIN. No; there were only two candidates, Hughes and Wilson. Wilson carried the West and South, and was elected. That is what we will do again.

Mr. BRUCE. I know that the Senator from Alabama is an absolutely incurable optimist. [Laughter.] But I must say, in spite of my very cordial regard for him, that I am not prepared yet to concede to him the character of an infallible prophet.

Mr. HEFLIN. I will ask the Senator what he will do if both parties nominate a dry?

Mr. BRUCE. I do not think that there is the slightest prospect of that. I think that at the present time the chances are that the Republican Party will nominate a dry, and the Democratic Party a wet. That is the outlook as I see it. That is the outlook as everybody in the part of the world where I live sees it.

Mr. HEFLIN. I will make the Senator another prediction. There will be 35 States in the Democratic convention that will not vote for a wet.

Mr. BRUCE. The Senator has already made one prediction that will not be fulfilled.

Mr. HEFLIN. Thirty-five States will have dry delegates in the next Democratic National Convention.

Mr. BRUCE. Neither of us is a prophet. I am not going to wander off into the field of prophecy.

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

Mr. BRUCE. Gladly.

Mr. EDWARDS. The Senator does not believe the Democratic Party is going to sell out to the Anti-Saloon League, does he? [Laughter.]

Mr. BRUCE. We would hold another convention first, would we not? That has happened in the Democratic Party. On the eve of the Civil War, when slavery was the issue, there were two Democratic National Conventions. I may be wrong, but I feel certain if there is anything in the future which is not enveloped in complete obscurity, that if the Democratic Party undertakes to nominate a dry at the next presidential convention, another Democratic convention will nominate a wet.

Mr. HEFLIN. The Senator would not bolt the Democratic nominee, would he?

Mr. BRUCE. Oh, no; but what an old party hack like myself might do is one thing and what some other people might do is an entirely different thing.

Mr. HEFLIN. If the Senator is not going to support the Democratic nominee, he is not entitled to participate in the Democratic councils.

Mr. BRUCE. I did not say that I would not. I have been voting the Democratic ticket for 40 years. It would be very hard, if not impossible, for me to shake off, under any circumstances, the trammels of party regularity and obligation, but it is not hard for such independent voters as the people of Maryland or of New Jersey or of New York, generally speaking, to do so.

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

Mr. BRUCE. I yield.

Mr. SHEPPARD. May I say to my friend that I think the Democratic dry nominee can carry the East and carry it on the basis of Democratic principles applied to existing evils.

Mr. BRUCE. Anyone who thinks that adding wood alcohol to ordinary whisky is only adding one poison to another can think almost anything.

Mr. SHEPPARD. The Senator is "knocking on wood" now.

Mr. BRUCE. No; I am not knocking on wood. That is a good honest thing to do, but adding wood alcohol to whisky under existing circumstances is a grossly dishonest and criminal thing to do.

I am serving notice, in perfectly good faith and with perfectly good feeling, that we Democrats might just as well not hold a presidential convention if it is to nominate a dry. I know then, if that is done, I for one do not propose to be a delegate to it; and I know many and many another iron-clad Democrat who would not be a delegate to it, because he would not have the slightest hope of the election of any such Democratic candidate.

No; we are going to nominate—and the Senator from New Jersey [Mr. EDWARDS] smiles as I say this—somebody like—Alfred E. Smith, or Albert C. Ritchie. I mention them as typical.

Mr. BRATTON. Mr. President, is this a preconvention love feast?

Mr. BRUCE. It can be very easily made so if some of my colleagues will come around to my way of thinking.

Mr. HEFLIN. Which one of those conventions the Senator has mentioned is going to nominate Al. Smith? Will it be the second one?

Mr. BRUCE. No; we are going to nominate him or Governor Ritchie, or some one like them, in the first one. Governor Smith would not be willing to be nominated by any other. Nor would Governor Ritchie. I am speaking about a second convention merely as a possible consequence of the intense convictions cherished by hundreds of thousands of Democrats upon whom party ties do not hang so closely as they do upon the Senator from Alabama [Mr. HEFLIN] or me. They feel as did the American poet, when he said:

For what avail the plough or sail,  
Or land or life, if freedom fail?

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

Mr. BRUCE. I was almost through, but I yield to the Senator from Arkansas.

Mr. CARAWAY. What I was going to say is that there is hardly room for two Warwicks. The Senator will remember that I put out a presidential ticket the other day. Now he has put out another one.

Mr. BRUCE. That is one of the wisest things that I ever knew the Senator to do.

Mr. CARAWAY. Which—agreeing with the Senator from Maryland?

Mr. BRUCE. No; putting out the ticket he did.

Mr. CARAWAY. But the Senator has just repudiated my ticket.

Mr. BRUCE. Oh, no.

Mr. CARAWAY. The Senator just assured us there were two men who would be named. He said he was going to nominate Smith in the first convention, and he thereby excluded my ticket.

Mr. BRUCE. The Senator knows what pleasure it would give me to support in the next Democratic presidential convention our friend, the Senator from Delaware [Mr. BAYARD], the gentleman suggested by him as a good Democratic candidate for the Presidency, if it were not possible to nominate our own Maryland governor.

Mr. CARAWAY. But the Senator just disqualified my two candidates.

Mr. BRUCE. I am glad to help the Senator along with his candidates. I grew up in a household in southern Virginia, where the name of Bayard, the name of our present Senator and his father, was almost as much revered as the name of Madison or Jefferson, so it would be the easiest thing in the world for me to support at least one of the candidates suggested by the Senator, provided always that Governor Ritchie could not be nominated.

I know that the Senator is always honest, and when he suggests, dry as he is, even the possibility of such a candidate as Senator BAYARD, I feel that the forces of prohibition are to a certain extent already disintegrating. The Senator is wise. He is simply anticipating some other drys who feel as he does.

Mr. CARAWAY. I do not want to wear any laurels to which I am not entitled.

Mr. BRUCE. The Senator ought not to do so, because so many cluster around his head that he can afford to be generous.

Mr. CARAWAY. I have just found out this afternoon how it is possible to have law enforcement. We should just enact a law that will enable anybody who is caught violating a law to lay his hand on his heart and say, "I never approved of this law," and therefore he would not be guilty of violating it. Then we could have law enforcement. I found out this from the speeches I have been listening to this afternoon. Let a man repudiate any law that he does not approve and he is not guilty of any violation of the law.

Mr. BRUCE. The Senator will bear me out when I say that I have never repudiated the law. Ever since I have been here I have voted for all the ordinary appropriations for enforcing it.

Mr. CARAWAY. I know that.

Mr. BRUCE. I have also stood up here and asked this body to create another Federal judge for the State of Maryland. No; as long as the prohibition law is on the statute books I believe in enforcing it in a proper, legitimate way.

Mr. CARAWAY. Let me say this, if I may do it in the Senator's time. I do not approve of poisoning anybody, either a criminal or a good man. There are many methods doubtless employed to enforce prohibition as there are methods employed to enforce other laws, with which I have no sympathy. The spy system is not altogether a creature of prohibition or confined to the enforcement of that law. It permeates this Government and did before the prohibition law. There are men traveling all around the country employed by the Government and paid by the Government, whose names I do not know and whose names the Senator does not know, who are trying to ferret out violations of law and who sometimes are trying to induce people to violate a law in order to trap them. I do not approve of that, but it is not all confined to the enforcement of the prohibition law.

Let me say this, too, in all kindness. Take one of the prominent and known mental powers and integrity that the Senator from Maryland is known to possess. Let him stand here on the floor of the Senate and denounce the law. I am just as persuaded that he is going to make it difficult to enforce that law in Maryland or in any other State in the Union as I am that I am standing here. There are men who will rot in jail because they have been taught to believe this law is unrighteous, that there is no moral obligation resting on them to obey it, and they will violate it because they think they can look to men in high station like the Senator from Maryland, men of known probity, as the Senator has the reputation and deserves to have it, who denounce the law, and they will think they have an invitation or that they have a permit to violate it.

Mr. BRUCE. How are we going to get rid of a law which we believe to be a bad one unless we agitate against it and bring its infirmities to the public attention?

Mr. CARAWAY. May I suggest this, and I hope the Senator will recognize I am not trying to criticize his position, because I am not. I think an appeal might be made to people's reason if the law is a bad law, but to denounce that law and say it is un-American and is incapable of enforcement, and that it is invading the rights of the citizen, is an invitation to violate the law. That is the impression I have.

Mr. BRUCE. I can understand that point of view.

Mr. CARAWAY. Personally I do not agree that prohibition is a failure.

Mr. BRUCE. I know that the Senator does not. I understand that.

Mr. CARAWAY. I think that it is one of the forward steps of the century. I do not think we are going to take a backward step. I think the people are glad they are rid of the old saloon and its attendant evils, though I think the majority of the people are not in sympathy with some of the means of en-

forcing prohibition which are employed. Unfortunately men have come into the service who have swaggered with their little brief authority—they always do more or less, as the Senator knows—and they have become offensive. As a whole, I think the law, while it has not done all I had hoped it would do, has taken longer for public opinion to accept than I thought it would take; but I feel that to denounce it is to invite its violation, and some people will rot in jail for having violated it in the belief that they have a moral right to disregard the law.

Mr. BRUCE. As far as I am concerned I have not said or done anything to justify such conduct on the part of anybody. I have submitted to the Senate, as the Senator of course knows, a proposed amendment to the eighteenth amendment; and I have made no effort to nullify the present law. Nor am I in sympathy with many of the proposals that have been made in regard to modification of the prohibition law. As I have often said, when we approach the stage of final success in our agitation I am perfectly aware that I am going to be one of the most unpopular of individuals in certain antiprohibition circles, because my views about the changes that should be made in existing conditions are extremely conservative. As the Senator knows, I have introduced a joint resolution proposing an amendment to the eighteenth amendment of the Federal Constitution which provides for a system of liquor control compounded partly of Government supervision and partly of local option. Under the amendment which I have submitted it is entirely conceivable that through the agency of local option; that is to say, through the prohibitory action of one community after another in the United States, prohibition could be completely reestablished over its entire area. The only difference would be that it would be reestablished in every local community in the United States with the full assent and approval of a majority of the people of that local community. Then there would be a moral sanction behind it that would make it possible really to enforce it.

Mr. CARAWAY. Mr. President, let me ask the Senator a question. I think that the enforcement of prohibition has necessarily entailed difficult problems for solution on the part of intelligent people who have tried to enforce it, but I wonder if the Senator will not agree with me that the general indictment of the enforcement agencies adds very materially to the burden imposed upon them by law?

Mr. BRUCE. I do not think any more so than the addition that is made to the burden of the public authorities by legitimate agitation in ordinary forms against any unpopular law. The real difference is, of course, that the present prohibition issue is probably the greatest issue that has ever sprung up in American politics since the slavery issue, and therefore, of course, the effect of the agitation to which it is implicated is more profound and widespread than ordinary agitation against an unpopular law.

Mr. CARAWAY. I am frank to say that there are many unpopular laws on the statute books, but I have never heard such an indictment and continuous propaganda—and I use that word in its better sense—against any law as I have witnessed against the prohibition act. It is attacked by people who, it seems to me, are under peculiar obligations to uphold the law. It is denounced upon the floor of the Senate, and those who seek to enforce it are characterized by all kinds of terms of approbrium, as if they themselves constituted the very worst element in American public life. It is not a discriminating indictment. I am not talking now about the Senator from Maryland, but I am talking about the general speech making here on the floor.

Mr. BRUCE. Let me interrupt the Senator there to say that it so happens that there are no Members of this body for whom I entertain a higher personal respect than I do for some of its prohibition Members. Take the Senator who sits before me [Mr. JONES of Washington]; I do not know a man of finer moral worth in the United States; and I may make a similar statement as to my friend from Texas [Mr. SHEPPARD], here on my right. As I look at it, men of that type are simply misled to a large extent by their generous moral enthusiasm in pursuing what I think is an unwise public policy.

Mr. CARAWAY. Of course, there is room for honest difference of opinion, but the thing I was trying to say—possibly I was not very happy in saying it—is that prohibition has been so denounced in the press and on the floor of Congress in both branches that the problem, I think, has been very greatly complicated for those who have been charged by law with the enforcement of prohibition. It takes public sentiment to enforce a law, as the Senator from Maryland knows, whether that law be a wise or an unwise law.

Mr. BRUCE. It does.

Mr. CARAWAY. And we can never have such a public sentiment as will enforce a law if men of such high character and such distinguished public service shall day in and day out denounce the law as an invasion of the rights of citizens, as having been passed by those who were not at all informed as to public opinion or public needs, and as being maintained by people who are without character.

Mr. BRUCE. I recall that when the slavery issue was pending some public man—I have forgotten for the moment who he was—advocated precisely the course of conduct that the Senator from Arkansas is now suggesting, and the reply of John Randolph of Roanoke was, "You might just as well try to cover up an earthquake with a carpet." You might just as well try to cover up an earthquake with a carpet as to suppress by any such means as the Senator suggests the agitation of the prohibition issue.

Mr. President, I believe that concludes all I care to say at this time; indeed, it is more than I intended to say.

#### FLYING QUALIFICATIONS OF AMERICAN AVIATION OFFICIALS

Mr. BINGHAM. Mr. President, I wish to make reference to an attack on our air administration which appeared in one of the morning newspapers.

This morning one of the best-known editorial writers of the country, and one of the ablest, Mr. Arthur Brisbane, had a couple of paragraphs with regard to the Air Service, which I ask to have printed in the RECORD as a part of my remarks, without reading.

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

Last Saturday Sir Samuel Hoare, British air minister, and his wife, finished their flight from London to Delhi, India. The trip of 6,300 miles was made in 63 flying hours, an average of 100 miles an hour. Lady Hoare said it was a comfortable trip and she could use her powder puff very nicely in flight.

Men that manage Britain's flying force actually fly. That seems very strange in this more conservative country, quite without adequate air defense, its flying in the hands of men that know as much about practical flying as a turtle knows about ice skating.

Mr. BINGHAM. Mr. Brisbane refers to the fact that Sir Samuel Hoare, the British air minister, has just completed his flight to India, a very interesting performance, and then he goes on to say that "the men that manage Britain's flying force actually fly," while our air defense is "in the hands of men who know as much about practical flying as a turtle knows about ice skating."

I am sure Mr. Brisbane did not mean to do any injustice to the Assistant Secretary of the War Department and the Assistant Secretary of the Navy Department who are in charge of aviation when he made that remark, and he probably made it thoughtlessly; but, in order that the remarks may not go unchallenged, as Mr. Brisbane is read by so many hundreds of thousands of people each day, I should like to call attention to the fact that since Assistant Secretary Warner of the Navy came into office on July 12 he has flown all over the country, in practically every type of airplane and airship, a total of about 4,000 miles, although he might perfectly well have gone by train had he been the kind of man that Mr. Brisbane seems to think he is. And Mr. F. Trubee Davison, the Assistant Secretary of War for aviation, since he became Assistant Secretary of War, has flown about 6,000 miles, including flights in all types of observation and training planes and some attack planes, and extended flights over Army airways. I ask to have printed as part of my remarks a statement of his record as an aviator during the war.

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

It is within the realm of reasonable probability that F. Trubee Davison, Assistant Secretary of War, was a qualified flier before many of the critics of Army and Navy air development, who use the front pages of our newspapers, knew the difference between a landing gear and a propeller.

As early as 1916—and in terms of flying that is a long time ago—Mr. Davison took up aviation, not as a sport but because he realized that if this country should enter the World War air preparedness was highly essential.

Mr. Davison did not preach aviation—he practiced it.

He purchased two planes, learned how to fly, and was instrumental in the forming of the first Yale aviation unit. He helped train about 30 aviators. In those days there were no facilities, as there are now, for enlistment in the Army or Navy flying reserves.

It should be borne in mind that Mr. Davison had sufficient vision to realize the need of air preparedness at a time when aviation, as compared with present-day aviation, was no further advanced than the *Maine* compared with a present-day battleship.

In March, 1917, shortly before this country entered the war, Mr. Davison enlisted in the Naval Reserve Flying Corps. With 28 cadets he was sent to Florida for aeronautical duty. He was transferred to Long Island in May of the same year to take charge of the Huntington flying unit. Two months later he was injured and disqualified for further service during the war.

While engaged in naval aviation, Mr. Davison had more than 200 flying hours to his credit; that is, more than 15,000 miles.

#### ADJOURNMENT

Mr. JONES of Washington. I move that the Senate adjourn. The motion was agreed to; and (at 5 o'clock and 24 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 11, 1927, at 12 o'clock m.

#### NOMINATIONS

*Executive nominations received by the Senate, January 10, 1927*

##### UNITED STATES COAST GUARD

Acting Boatswain (Life Saving) William M. Wolff to be a district commander, with the rank of lieutenant, in the Coast Guard of the United States, to take effect from date of oath. This officer has passed the examination required by law for the promotion for which he is recommended.

The following-named officers in the Coast Guard of the United States to rank as such from the dates given below:

*To be a commander, to rank as such from July 1, 1926*

Lieut. Commander William T. Stromberg.

*Temporary lieutenant commanders, to be lieutenant commanders, to rank as such from July 1, 1926*

Lieut. Henry G. Hemingway.

Lieut. Jeremiah A. Starr.

Lieut. Floyd J. Sexton.

Lieut. Gustavus U. Stewart.

Lieut. Joseph F. Farley.

Lieut. Carl H. Abel.

Lieut. Frank J. Gorman.

Lieut. Gordon W. MacLane.

Lieut. Robert Donohue.

Lieut. Earl G. Rose.

Lieut. Loyd V. Kielhorn.

Lieut. Edward H. Smith.

Lieut. Elmer F. Stone.

Lieut. Carl C. von Paulsen.

Lieut. Fletcher W. Brown.

Lieut. John E. Whitbeck.

Lieut. Henry Coyle.

Lieut. Frederick J. Birkett.

Lieut. John Trebes, Jr.

Lieut. Lyndon Spencer.

Lieut. Joseph Greenspun.

Lieut. Louis W. Perkins.

Lieut. Raymond T. McElligott.

*To be lieutenant commanders, to rank as such from August 18, 1926*

Lieut. Robert M. Kaufholz.

Lieut. Andrew C. Mandeville.

*To be lieutenant commanders, to rank as such from October 1, 1926*

Lieut. Louis B. Olson.

Lieut. Roger C. Helmer.

Lieut. Lester E. Wells.

*Temporary lieutenant commanders to be lieutenant commanders (engineering), to rank as such from July 1, 1926*

Lieut. Herbert N. Perham.

Lieut. Benjamin C. Thorn.

Lieut. Milton R. Daniels.

Lieut. Ellis Reed-Hill.

Lieut. Mayson W. Torbet.

Lieut. Gustavus R. O'Connor.

Lieut. Walter M. Troll.

Lieut. Charles T. Hanley, Jr.

Lieut. Edward F. Palmer.

Lieut. John N. Helmer.

*Junior grade lieutenants to be lieutenants, to rank as such from July 1, 1926*

Lieut. Albert M. Martinson.

Lieut. Edward H. Fritzsche.

Lieut. (temporarily a lieutenant) Carleton T. Smith.

Lieut. Raymond J. Mauerman.

Lieut. Robert C. Jewell.

Lieut. George E. McCabe.

Lieut. Lee H. Baker.

Lieut. Donald C. McNeil.  
Lieut. Harley E. Grogan.  
Lieut. William S. Shannon.  
Lieut. Harold G. Belford.  
Lieut. Seth E. Barron.

*Ensign to be lieutenant (junior grade), to rank as such from September 10, 1926*

Thomas Y. Awalt.

*Ensigns to be lieutenants (junior grade), to rank as such from October 1, 1926*

Alfred C. Richmond. Walter R. Richards.

*Ensigns to be lieutenants (junior grade), to rank as such from October 17, 1926*

Roy L. Raney.	Charles W. Lawson.
George B. Gelly.	Frank T. Kenner.
Russell E. Wood.	George C. Carlstedt.
Clarence H. Peterson.	John Rountree.
James A. Hirshfield.	William W. Kenner.
Joseph D. Conway.	Stephen P. Swicegood, Jr.

*Ensigns to be lieutenants (junior grade), to rank as such from October 24, 1926*

Henry C. Perkins.	Frank A. Leamy.
Paul W. Collins.	John H. Byrd.
Charles W. Thomas.	

*District superintendents to be district commanders with the rank of lieutenant commander, to rank as such from July 3, 1926*

James F. Phillips.	Chester A. Lippincott.
Simon R. Sands.	

*District superintendents to be district commanders with the rank of lieutenant, to rank as such from July 3, 1926*

Frank B. Lincoln.	Howard Wilcox.
John Kelly.	James A. Price.
Martin W. Rasmussen.	Oswald A. Littlefield.
Ralph T. Crowley.	Eugene T. Osborn.

*Ensigns to be lieutenants, to rank as such from July 3, 1926*

Charles W. Harwood.	Severt A. Olsen.
Frederick R. Baily.	Robert C. Sarratt.
John P. Murray, Jr.	

The above-named officers have passed the examinations required for the promotions for which they are recommended.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate January 10, 1927*

##### POSTMASTERS

###### CALIFORNIA

Margaret G. Robinson, Dorris.  
George F. Bartley, Escondido.  
George B. Tantau, Exeter.  
Frank L. Powell, Lemoore.  
Harlan J. Woodward, Ramona.  
George H. Gischel, Tracy.

###### KENTUCKY

Jesse T. Bryant, Hardyston.  
James R. Rash, Henderson.  
Ben J. Williams, Kenvir.  
Jesse W. Sanders, Lancaster.

###### MARYLAND

Elmer W. Sterling, Church Hill.  
Howard J. Fehl, Smithsburg.  
Ethel V. Van Fossen, Walkersville.

###### MASSACHUSETTS

John B. Rose, Chester.  
William Stockwell, Maynard.  
Merton Z. Woodward, Shelburne Falls.

###### MINNESOTA

Anthony C. Klee, Aitkin.  
Odin D. Krogen, Fountain.  
Fred G. Fratzke, Janesville.  
Charles F. Wolfe, Kellogg.  
Walter Peltoniemi, New York Mills.  
Will G. Mack, Plainview.  
Henry M. Burtress, Spring Grove.  
James W. Featherston, Staples.  
Edward J. Giblin, Waverly.

###### MISSISSIPPI

Henry C. Glover, Bay St. Louis.  
Minnie B. Dubuisson, Long Beach.

## NEBRASKA

Mina R. McCulley, Bassett.  
Kathrene Patrick, Ericson.  
Chester C. Alden, Whitman.

## NEW JERSEY

William F. Vredenburgh, Caldwell.  
Robert T. Lentz, National Park.  
Charles R. Stoneall, Ridgewood.  
Reid Howell, Rutherford.  
Ada E. Holmes, Sayreville.  
Robert Chapman, South Amboy.

## NEW YORK

Ethel C. Smith, Adams Center.  
William D. Walling, Hudson Falls.  
George Anderson, Thornwood.

## NORTH CAROLINA

Ulysses C. Richardson, Asheboro.  
James E. Correll, China Grove.  
Samuel S. Weir, Kings Mountain.  
Otis P. Brower, Liberty.  
Blanche S. Wilson, Warsaw.  
David Smith, Whiteville.

## OHIO

Edward C. Anderson, Blanchester.  
Warren E. Smiley, Cardington.  
Herbert Newhard, sr., Carey.  
Samuel F. Rose, Clarington.  
Howard B. Kurtz, Conneaut.  
William H. Taylor, Cuyahoga Falls.  
George H. Lewis, Geneva.  
Henry H. Harvey, Kenton.  
Arthur G. Williams, Ferrysburg.  
Leonidas A. Smith, Ridgeway.  
Mayme Pemberton, Roseville.  
Roy Heap, St. Marys.  
Robert L. Nelson, Senecaville.  
Mary E. Lee, Westerville.

## OKLAHOMA

Henry W. Hoel, Jennings.  
Robert B. Morford, Lawton.

## OREGON

George C. Stephens, Arlington.  
Adam H. Knight, Canby.  
Annie S. Clifford, Molalla.

## PENNSYLVANIA

Harvey A. McKillip, Bloomsburg.  
H. Stanley Drake, Norristown.  
Franklin H. Bean, Quakertown.  
Frederick M. Adam, Temple.

## TEXAS

Lucille H. Tunnell, Gregory.  
Fannie M. Black, Perryton.  
Hubert D. Boyd, Southland.

## VIRGINIA

Haynie S. Robertson, Blackstone.  
Edwin L. Toone, Boydton.  
Robert P. Dickenson, Danfe.  
William H. Ruebush, Dayton.  
S. Clyde Bliss, Farmville.

## HOUSE OF REPRESENTATIVES

MONDAY, January 10, 1927

The House met at 12 o'clock noon.

The Rev. Joseph Richard Sizoo, D. D., Ph. D., of the New York Avenue Presbyterian Church, Washington, D. C., offered the following prayer:

Ever living, ever loving God, in whom we live and move and have our being, we thank Thee that we are not strangers to Thy love or aliens to Thy care. There is no life, however humble, or service, however commonplace, but what Thou art mindful of it.

As we enter upon this day and this newborn week, grant, therefore, we may never lose sight of Thee, knowing that underneath and round about us are Thy everlasting arms.

And unto Thee, Father, Son, and Holy Ghost, shall we give all the praise, world without end. Amen.

The Journal of the proceedings of yesterday was read and approved.

## AID OF COMMON OR PUBLIC SCHOOLS IN STATES AND TERRITORIES

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that the bill (S. 564) confirming in States and Territories title to lands granted by the United States in the aid of common or public schools be referred to the Committee on the Public Lands.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

## ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13452. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. to construct, maintain, and operate a railroad bridge across the Wabash River.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President was communicated to the House by Mr. Latta, one of his secretaries, who also announced that the President had, on January 8, 1927, approved a bill of the following number and title:

H. R. 10929. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct a bridge across the Little Calumet River in Thornton Township, Cook County, Ill.

## INDIAN AFFAIRS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech made by Assistant Commissioner Edgar B. Meritt, Assistant Commissioner of the Bureau of Indian Affairs.

Mr. FREAR. Mr. Speaker, reserving the right to object, I am willing to consent to that if the questioning by his audience in connection with Mr. Meritt's speech is also printed. If the Chair will pardon me for a moment, Mr. Meritt went out to San Francisco to answer some speeches that were made by myself. When he went there he was examined and cross-examined by certain people present in connection with his remarks, and there is a stenographic record of the questions and the replies which I have. If all the questions and answers can go in, I am perfectly agreeable. The whole matter consists of about 124 pages of typewritten matter.

Mr. CRAMTON. Mr. Speaker, if the gentleman will yield, the gentleman from Wisconsin [Mr. FREAR] has had the benefit of the courtesy of the House in a very, very liberal degree. Within the last few days the gentleman from Wisconsin [Mr. FREAR], under leave to extend, has put in a great many pages.

Mr. LEAVITT. Twenty-eight pages.

Mr. FREAR. Twenty-four pages covers two sets of remarks.

Mr. CRAMTON (continuing). That directly attack Assistant Commissioner Meritt, as well as referring to other Members of the House.

It seems to me, if the gentleman from Wisconsin will permit, when one Member avails himself of the privilege of a very great extension of remarks attacking others, it is no more than just, good, American spirit of fair play to let the speech of the man attacked, and which was referred to in the extension of the gentleman from Wisconsin, be inserted in the RECORD and stand for itself. If the gentleman from Wisconsin has some more matters that he would like to insert under an extension, for which he takes responsibility, I dare say there would be no objection made. But fairness ought to compel the gentleman to permit the speech, which he himself has attacked in his extension, to be inserted as delivered.

Mr. FREAR. Mr. Speaker, the gentleman misunderstands my position or he misstates it, because I said that this speech of Mr. Meritt was an attack upon myself. I do not object to having it extended in the RECORD, if the gentleman so desires, but I do wish the questions that were asked Mr. Meritt at that time in response to his speech, which occupy all together about 124 typewritten pages, together with the answers, to also go in the RECORD. I do not object to the speech, but I want it all to go in.

Mr. LEAVITT. Mr. Speaker, if the gentleman wishes to put that in under his name, I am perfectly willing. I have not that material. I do feel, however, as the gentleman from Michigan [Mr. CRAMTON] has said, that with the fact that the gentleman from Wisconsin has asked unanimous consent to extend his remarks and has taken up 24 pages of the CONGRESSIONAL RECORD, almost altogether in the form of an attack on Mr. Meritt and the Indian Bureau, that the speech that is referred to by the gentleman from Wisconsin should have its place in the RECORD, where the same people who see the state-

ment of the gentleman from Wisconsin can have the side as presented by Mr. Meritt.

Mr. CRAMTON. If the gentleman will permit, Mr. Speaker, as I understand the situation, the gentleman from Wisconsin has been making attacks upon the administration of Indian affairs and attacks upon Commissioner Burke and Assistant Commissioner Meritt.

Mr. EDWARDS. Mr. Speaker, I demand the regular order.

Mr. HASTINGS. I hope the gentleman will not press that for a moment.

Mr. CRAMTON (continuing). And the speech made by Mr. Meritt, which it is now sought to put in the RECORD, is an explanation or defense of the administration of affairs by the Bureau of Indian Affairs. I have not seen the speech. The gentleman from Wisconsin says it attacks him. Doubtless it made some response to his attacks. Now, just fair play would warrant that speech being inserted. Then let the gentleman from Wisconsin put in anything more he wants to.

Mr. FREAR. Mr. Speaker, I reserved the right to object simply for the purpose of having the entire record, as made by Mr. Meritt in California at that time, go into the RECORD. I am perfectly willing to admit that it would cost some hundred-odd dollars to print the speech, but I have no objection at all if the whole record goes in. I do not want part of it in, attacking me, without the answers to the questions there presented, and in my absence, which analyzed or corrected his statement.

Mr. LEAVITT. Mr. Speaker, in the extension of remarks made by the gentleman from Wisconsin [Mr. FREAR], none of that matter is put in. If the gentleman from Wisconsin wishes to take the responsibility of objecting to a statement by the Assistant Commissioner of Indian Affairs in reply to speeches that he has continually made on this floor, he can take that responsibility and object. This will show the country very plainly the fairness of the gentleman's position in the matter.

Mr. FREAR. Oh, well, Mr. Speaker, where I have been attacked and charged with perversion of the truth, with misrepresentation, and matters like that, I ask that all of it go into the RECORD, and not Mr. Meritt's statement, which simply attacks me. I do not refuse to permit the speech and the questions to go in. I am perfectly willing it should go in, but I want it all in, and in any trial before any court any man who would refuse to allow both sides to go in is under suspicion of unfairness.

Mr. LEAVITT. Does the gentleman object?

Mr. FREAR. I object unless it all goes in.

Mr. LEAVITT. I have not the rest of it.

Mr. FREAR. I will give it to you.

Mr. SNELL. Are there 124 pages of this matter?

Mr. FREAR. One hundred and twenty-four typewritten pages.

Mr. LEAVITT. And the gentleman from Wisconsin used 24 pages of the RECORD in his extension.

Mr. FREAR. Less than 12 pages of the RECORD in the Meritt discussion.

Mr. EDWARDS. Regular order, Mr. Speaker.

Mr. CRAMTON. Permit me to remind the gentleman that whenever he has asked permission to extend there have been no conditions attached to the extension.

The SPEAKER. The regular order is demanded. Is there objection to the request of the gentleman from Montana [Mr. LEAVITT]?

Mr. FREAR. Mr. Speaker, I object unless it all goes in. If it all goes in, I have no objection.

#### NICARAGUA

The SPEAKER laid before the House a message from the President of the United States.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present. I think a President's message on this important subject should be heard by all the Members, and I suggest that they ought to be here and hear it.

The SPEAKER. The gentleman from Texas makes the point of order that no quorum is present. Evidently there is no quorum present.

Mr. SNELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 8]

Andresen	Boylan	Curry	Fort
Anthony	Britten	Davenport	Fredericks
Arentz	Butler	Davey	Funk
Auf der Heide	Canfield	Dempsey	Gallivan
Barkley	Celler	Dickstein	Gambrill
Bell	Cleary	Drane	Gasque
Berger	Connally, Pa.	Drewry	Golder
Black, N. Y.	Crowther	Ellis	Goldsbrough
Bowles	Cullen	Esterly	Goodwin

Graham	McKeown	O'Connor, N. Y.	Sullivan
Griffin	McLaughlin, Mich.	Oliver, N. Y.	Swartz
Harrison	Madden	Patterson	Sweet
Hayden	Mead	Perlman	Swoope
Hull, Tenn.	Merritt	Phillips	Taylor, N. J.
Johnson, Ind.	Mills	Prall	Taylor, Tenn.
Kelly	Montague	Quayle	Taylor, W. Va.
Kendall	Montgomery	Rayburn	Tilman
King	Mooney	Reece	Tincher
Lee, Ga.	Morin	Reed, Ark.	Tydings
Lehlbach	Nelson, Wis.	Scott	Vare
Lindsay	Newton, Mo.	Sears, Fla.	Weller
Lineberger	Norton	Seger	Woodyard
Luce	O'Connell, N. Y.	Stephens	

The SPEAKER. Three hundred and forty-two Members are present, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The Clerk read the President's message.

[See Senate proceedings for President's message, page 1324.]

Mr. TILSON. Mr. Speaker, I move that the President's message be referred to the Committee on Foreign Affairs.

The SPEAKER. The message will be referred to the Committee on Foreign Affairs.

Mr. GARRETT of Tennessee. Will the message be printed as a document?

The SPEAKER. The regular course would be to print it as a document in a limited quantity. It would be for the House to order it in a larger quantity if it wants it.

Mr. GARRETT of Tennessee. I am not prepared to make any suggestion as to the number we will need, because I do not know how many will be printed in the regular order, but that can be taken care of later.

#### A SINGLE DEPARTMENT OF NATIONAL DEFENSE

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article written by myself and published in the Aero Digest on National Defense.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, by unanimous consent I am extending my remarks by publishing an article prepared by myself and published in the Aero Digest of January, 1927, relating to the proposed reorganization of all the national-defense activities under one department, so as to insure coordination, cooperation, and economy by eliminating duplication and overlapping.

The editor of this magazine, in requesting the article, limited its extent to about 5,000 words, so that the arguments are very general and lacking that illustration and citation of example necessary to satisfy the logical mind of the reader.

The article is as follows:

The great efficacy of air power in prosecuting war is now universally recognized. Many with vision foresaw six and seven years ago the revolutionizing power of air combat in military matters and began to agitate for increased power and resources for the air forces in procuring and maintaining adequate national defense. At first the number of such prophets was small, but they rapidly received recruits, and to-day it is impossible to provoke an argument with military or naval authorities over the great value of air weapons in warfare.

Recognizing the vast significance of this radical change in fighting instrumentalities many of the special friends of the air forces early advocated setting up a separate and independent department of national defense specially charged with air-fighting agencies. The arguments for such separate and independent departments were very strong. Manifestly the air is as different from both land and water as the land itself is different from water. Furthermore, the airplane can fight in the air above either land or water, whereas the battleship can not fight upon land, nor the Army upon the water. Upon the face of the argument there seems stronger grounds for an independent and self-sufficient air organization than there was for either a separate naval establishment or a separate Army establishment.

Perhaps the force of this argument would have prevailed except for the danger manifest from a logical application of the same proposition to other highly important fighting factors. For example, the industrial instrumentalities in conducting war, such as were mobilized by and under the War Industries Board during the World War, are essentially and logically separate and distinct functions from either land fighting, water fighting, or air fighting. Therefore, the argument could have been made, and probably soon would have been made, to set up an independent department of industry or of industrial mobilization, with its head as a member of the Cabinet, in the same way that the head of the War Industries Board was a member of a very important advisory committee that met once each week with President Wilson during the World War, and called by complimentary phrase "the war cabinet."

It is thinkable that in the future other fighting forces could have been operated and would have called for separate departments. Perhaps the ether may soon become a great medium of combat as it is now a great medium of intercourse. If the ether ever becomes an agency through which destruction may be accomplished, then it will be, perhaps, the greatest combatant factor in existence; and, by the same token, call for a separate department, such as the "department of military ether."

This logic made it manifest that a separate and independent department should not be established for the procurement, training, and combat of air fighting instrumentalities. For that reason there was set up an Air Corps in the War Department, and greater independence and authority conferred upon the Air Service of the Navy, so that the grievances complained of by the Army and Navy personnel engaged with aeronautics were allayed at least in part. Certainly greater efficiency will and must result from the legislation of the last session of Congress along this line. I have great confidence in the possibilities of development insured by enlisting the inventive genius of America in the aircraft industry. By increasing the principle of competition from the time the first line is drawn in designing until the last lick is struck in actual construction of airplanes, the benefits of competition are preserved. Publicity is insured at every stage. The man with brains and genius, even though he be poor and without financial backing, and without influential political friends, may still have the product of his engineering skill considered; and, if his ideas be superior, have the assurance that they will be accepted and that he will receive financial reward for his effort.

But in connection with the question of strengthening and developing aircraft in the Army and the Navy, there naturally and logically develops the whole problem of national defense. There was no escape from the suggestion to a logical mind that if it were unwise to add another independent department, with a secretary of air in the Cabinet, because such increase would multiply confusion and surely involve chaos amongst the forces for national defense, then, why not accept the other alternative and consolidate all the fighting agencies of the Nation under one single department of national defense? If three separate and independent departments are too many, then, why are two such separate departments also not too many? If the air, as a fighting element, be entirely separate and distinct from both land and water, and yet does not deserve a separate department, why should there be separate departments for the forces fighting on land and water?

These quotations go to the heart of the matter, and through arguments such as historic precedent, long-standing custom, and irrepressible jealousies have been made against the reasonable and fairness of this logic, I believe the force of these questions will persist until they shall have appealed to the minds of the vast majority of our citizens interested in the broad question of national defense. And when these questions shall arise, those citizens who are disinterested and are primarily concerned with but two phases of national defense, to wit, efficiency and economy, then they will conclude that one single department is the final solution of the matter.

We must bear in mind at all times the point of view of the citizen who is the taxpayer and who foots the bills in both peace and war and who in time of war must also do his part of the fighting. These citizens, men, women, and children, are concerned with national defense as a single and integral problem, to wit, protecting our shores from invasion and preserving our rights upon the high seas. As a Nation we have no aggressive purpose. This Republic of free citizens will never consent to enter upon a career of conquest and military glory. But they are just as firmly resolved that their Nation's independence and their international rights shall be protected. Therefore the citizens as a whole are not interested in the Navy itself, nor in the Army by itself, nor in the air force by itself, but they are interested in the combined result and effect of the joint activities of all of these agencies. They pay their taxes not merely to have a large and beautiful Navy to admire as one would admire a rose garden. They pay their taxes not merely to have a splendid army to execute beautiful parades on memorial occasions. They pay their taxes not merely to be thrilled with the daredevil stunts of aviators from either the Army or the Navy; but the 115,000,000 citizens engaged in professions, commerce, finance, industry, transportation, agriculture, mining, forestry, and all the other varied pursuits, pay their money into the Public Treasury to be expended by Congress for whatever agency will insure national defense. If any agency becomes ineffective and useless, the taxpayers expect us to abolish it. If any new agency arises that will assist to make safe our Nation against invasion and our international rights against infringement, the taxpayers expect Congress to adopt such new agency and to employ it as a fighting force.

Therefore the people are asking the question of Members of Congress as to why there should be two departments devoted to the same and single mission of national defense. It is true one is a land agency and the other is a water agency, but each of them has within its body an air fighting agency. The people want to know why there should not be a single man charged with the special and exclusive function of considering the whole problem of national defense, whether by land or water or air or ether or otherwise, and to so coordinate and correlate

these separate instrumentalities as to compel their harmonious and effective cooperation in time of peace and in preparing and in training for war, so that when war comes they may the more effectually accomplish the common mission of insuring national defense.

But some one may say that the President is this single individual person responsible under the Constitution for compelling the coordination and cooperation of all the fighting agencies of the country. Be it so. But it must be remembered that the President is in like manner the industrial chief, the economic chief, the financial chief, the sociological chief of the Nation, and the constitutional head of all the departments of the Government. Furthermore, the President is not ordinarily selected with reference to his knowledge of and ability in problems of national defense. History shows that the people of this peaceful Republic select as Presidents men that manifest special concern over economic problems, and it would be rare, indeed, to find one man whose reading, observations, and life activities have intimately touched both the defense problems and the economic problems of the Nation.

In like manner it has been objected that it will be humanly impossible for one Cabinet officer, to wit, the secretary of national defense, to comprehend and to administer all the activities that would be included in a department of national defense if it comprised water, land, and air fighting agencies. There is a logical fallacy in the thinking and argument of those that oppose a single department of national defense when they say that the President can and does do for the conflicting and divergent claims and conduct of the Army and the Navy what we insist a secretary having authority over both the Army and Navy should do, and yet at the same time these objectors say that no single man can have the brain power to oversee both the Army and the Navy. If they expect the President to oversee both the Army and the Navy, and also all the other vast and countless activities of the Nation at the same time, and as the President is only one human being, so they surely will admit that one other man can be found at the same time capable of bearing at least a part of this mighty burden of the President.

And there is where the crux of the argument is. The secretary of the single department of national defense would be the advisor to the President in all military matters and would execute the powers of the President in the name of the President. Of course, this secretary would not be expected to administer the details of either the Army or the Navy any more than the present Secretaries of War and of the Navy administer details. They sign hundreds and thousands of orders and letters that are prepared for them. They delegate vast powers to subordinates to be executed for them. But we need a single head of all fighting forces to decide conflicts between them, to prevent overlapping of activities, to eliminate duplications, and thus to save many millions of expense. Such unified control of the fighting forces of the Nation would so train them to our mutual coordination and cooperation in peace time as to insure more effective joint action in war.

#### DISPENSING WITH CALENDAR WEDNESDAY

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the business of Calendar Wednesday next may be set aside so that we can go on with the independent offices appropriation bill.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the business of Calendar Wednesday be dispensed with. Is there objection?

There was no objection.

#### INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15959, the independent offices appropriation bill, and pending that I suggest to the gentleman from Louisiana [Mr. SANDLIN] that we do not limit general debate at present, but go on and agree to that later.

Mr. SANDLIN. That will be agreeable to me.

Mr. WOOD. Mr. Speaker, I ask unanimous consent that the time be equally divided, to be controlled one half by myself and the other half by the gentleman from Louisiana.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the time for general debate be equally divided, one half to be controlled by himself and the other half by the gentleman from Louisiana. Is there objection?

There was no objection.

The motion of Mr. Wood was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BEGG in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read the title, as follows:

A bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes.

## GENERAL STATEMENT

Mr. WOOD. Mr. Chairman and members of the committee, before discussing in detail and at length the appropriation bill now under consideration, I desire first to make a few observations which I think are of importance with reference to the state of the Union, because all matters of political nature affect the welfare of the United States and are of some importance. In the campaign that closed upon the 2d day of November the election of the membership to this House was so overshadowed by the contests made in the election of Members to the other House that a correct picture has not yet been presented to the country. For the purpose of bringing now to the attention of the House and also to the attention of the country the significance of that election, I shall digress for a few moments from the discussion of the details of the bill.

## REPUBLICAN REPRESENTATION

The extent of this year's Democratic landslide, I am bound to admit, is in keeping with the signs and portents that a year ago enabled one Democratic seer at least to forewarn us of the bleak outlook for the future. Who does not remember the unalloyed delight of my esteemed colleague, Chairman OLDFIELD, of the Democratic Congressional Committee, when in a mayoralty contest on November 3, 1925, Tammany Hall again carried New York City, and on that identical and epoch-marking day a Democratic congressional district in Kentucky again went Democratic? These clouds on the Republican horizon—in very truth no larger than a man's hand—to the prophetic eye of the gentleman from Arkansas betokened Republican disaster in general and the election of a Democratic House in 1926 in particular. In all candor, I ask you, why should not my distinguished friend from Arkansas see in the results of the recent election an overwhelming Democratic victory?

Nevertheless, in the interest of historical accuracy, I am in duty bound to put some facts in the Record which show quite the contrary, though they must not be misconstrued as an attempt to convince my respected colleague nor to dampen his ardor. Like the man who remarked after his feet were cut off, that "the darned things were always cold anyway," his optimism is everlasting, irrepressible, and overflowing. It would be a shame to attempt to disturb it.

But to get down to the facts, quite obviously the recent congressional elections were decided along national lines—upon the record of the Republican national administration and the Republican Congress. Political history shows conclusively that candidates for the House, to a much greater extent than all other candidates for public office, are removed from the pitfalls of extraneous issues, and, aside from the personal equation, stand or fall with the trend of national sentiment, as is entirely proper in a representative form of government such as ours.

This was never more true than in the last campaign. Republican candidates for the House, from Maine to the Pacific coast, stood upon the record of their party. The party literature sent broadcast throughout the country reviewed it in detail. Republican speakers and writers everywhere told the story of Republican accomplishments. Told of confidence restored in the face of world-wide unrest and apprehension. Of rehabilitation in governmental affairs following a period of unparalleled disarrangement and disorder. Of national debt reduction going hand in hand with tax reduction. Of economy and good government growing out of a heritage of waste and mismanagement. Of prosperity more general than ever before enjoyed by this or any other people since history began. [Applause on the Republican side.]

Granted that there are still inequalities that should be cured—that all problems have not as yet been solved—it is still a truth, patent and incontrovertible, that no other people on the face of the globe are better housed, better clothed, or better fed than the American people. That no other people have so high a standard of living, or ever have had. That no other people as a whole enjoy such educational advantages or are so able to follow their individual tastes in the way of travel, relaxation, and recreation, or to indulge in luxuries considered only a few short years ago as beyond the reach of all but the favored few.

Government in itself alone can not cure all ills and create all prosperity, but it can help, and it is an insult to the intelligence of the American people to tell them there has not been a wise administration of public affairs coincident with such material evidences of their advancement and well-being.

Gentlemen of the House, the record of the Republican Party in the fiscal affairs of the Government alone is more than enough to entitle it to favorable consideration in the face of every claim the Democratic Party has been able to advance.

Following the Civil War the United States was left with a bonded indebtedness of three billions of dollars, a gigantic burden at that time, yet within 10 years the Government, under Republican administration, without resorting to loans and at the same time meeting its ordinary expenses, had reduced the principal \$888,000,000 and had refunded the balance at lower interest rates. Within 19 years after the Civil War, during all of which period the Republican Party had been in continuous control, the debt had been reduced by nearly one-half. Well could the Secretary of the Treasury, in his annual report in 1884, say that in the management of its debt the United States had been an example to the world.

Yet splendid as was this performance, how small it seems when compared with what has been done in the way of reduction of the national debt since the close of the World War. Our national debt at the close of the World War was over twenty-six and one-half billions of dollars. In five years after the ascendancy of the Republican Party to power this debt was reduced \$6,000,000,000, or twice what the national debt was at the close of the Civil War. Never in the history of recorded time has there been such an example of financing. [Applause on the Republican side.]

Well could Republican speakers and writers in the last campaign review this unparalleled achievement and point with pride to the fact that this enormous reduction of the interest-bearing public debt under Republican administration, with co-incident reduction in interest charges and in the annual routine expenditures of the Government, had gone hand in hand with a total tax reduction of over \$1,700,000,000, and the removal from the rolls of Federal-tax payers of 2,300,000 American citizens, made up of those least able to share the burden.

It is fresh in the memory of the American people, my Democratic friends, how in the recent campaign you sought for an issue and found none. How, early in the campaign, you proclaimed that the tariff would be the issue, only to retire from your traditional ground in disorder and dismay before the first Republican onslaught. For never had the facts so controverted you. Never has the Republican protective-tariff policy emerged from a political campaign so thoroughly engrounded in the minds of the American people as the only safe policy for their Government to pursue. [Applause on the Republican side.]

And in the face of these facts and the dire predictions of Democratic leaders that the next House would be Democratic, what happened? A greater number of Republicans were elected to the House than in any previous off-year election in a quarter of a century. A greater number were elected, with one exception, than in any previous off-year election since the birth of the Republican Party. [Applause on the Republican side.]

It is axiomatic in politics that the off-year election is the zero hour for the party in power, and that an off-year slump, unless it reaches extraordinary proportions, indicates nothing in particular except the apathy of the voters, when they are not aroused by the excitement of a presidential contest. The returns of the last election offer no comfort to an ever-hopeful opposition. Rather they indicate that the country is so well satisfied with the Republican administration that, contrary to all precedent, not even the apathy of a nonpresidential year could cut down the Republican majority in the House in an appreciable degree, for it will be borne in mind that elections to the House are held in every district in the country, making them distinctly national in scope, and that any change in sentiment toward the national administration is more likely to be reflected in them than in any other elections held that year.

Searching the record, I find that the net loss sustained by the Republicans in the 1926 elections was less, and considerably less in all but one instance, than that sustained by either party in power in the off year for a period of over half a century. I will here submit a table, based on data compiled by the Clerk of the House of Representatives, showing the gains and losses of the two parties in off-year elections beginning with 1874. Where there was a change of apportionment in the House of Representatives taking effect the same year as the off-year election it is noted. The table is as follows:

Year	Republican	Democrat	Third party
1874 (middle of Grant's last term).....	96 loss.....	93 gain.....	3 gain.....
1878 (middle of Hayes's administration).....	9 loss.....	6 loss.....	15 gain.....
1882 (middle of Garfield-Arthur administration).....	33 loss.....	70 gain.....	
House gained 32 in membership because of re-apportionment) on basis of new apportionment.....			
1886 (middle of Cleveland's first administration).....	11 gain.....	12 loss.....	1 gain.....
1890 (middle of Harrison's administration).....	85 loss.....	75 gain.....	14 gain.....
1894 (middle of Cleveland's second administration).....	120 gain.....	116 loss.....	6 loss.....

Year	Republican	Democrat	Third party
1898 (middle of McKinley's first administration)	21 loss	29 gain	9 loss
1902 (middle of McKinley-Roosevelt administration)	9 gain	25 gain	
House gained 29 in membership on account of new apportionment. On basis of new apportionment.			
1906 (middle of Roosevelt's administration)	28 loss	28 gain	
1910 (middle of Taft's administration)	57 loss	56 gain	2 gain
1914 (middle of Wilson's first administration)	66 gain	59 loss	10 loss
1918 (middle of Wilson's second administration)	21 gain	19 loss	2 loss
1922 (middle of Harding's administration)	75 loss	75 gain	
1926 (middle of Coolidge's administration)	8 loss	13 gain	

The figures for 1902 in the foregoing table, when a Republican President was in the White House, show an apparent gain of 9 for the Republicans, but it will be noted that the Democratic gain was 25, and that this apparent discrepancy is accounted for by the fact that in that year the House gained 29 in membership by reason of a new apportionment and that the Republican gain was 16 less than that of the opposition.

The Republicans suffered a heavy loss in 1922, according to the figures, but, nevertheless, they carried the House that year by an enormous majority in the aggregate country-wide vote, and the major part of their loss was of seats picked up in the unprecedented Republican landslide of 1920 which had been consistently Democratic, notably in the border States of the solid South and New York City districts controlled by Tammany. It takes a mighty wave of resentment to sweep such seats from their traditional moorings, and it was a foregone conclusion that the Republicans would lose them at the first off-year election, because it has become a well-established fact, that a rapidly growing body of Democrats in the near solid South and other sections traditionally Democratic, vote the Republican ticket in presidential years but yield to their inner yearnings in the off year and take a chance on some candidate for the House of their own party, on the assumption, doubtless, that he will be powerless to interfere unduly with the successful conduct of affairs by a Republican administration.

The Democratic attitude reminds me of a fellow I once saw in a country town make a frantic race to catch a train. He came up puffing and blowing, only to see it disappearing around a curve, and when he caught his breath remarked with great apparent satisfaction, "Well, I almost made it." [Laughter.] But he was the village wag and bound to live up to his reputation in the face of disaster. As a matter of fact, as all the station loungers saw, he never had a chance to catch the train. Like our Democratic friends, he doubtless thought he had when he made his run, but, unlike them, he was ready to joke when he appreciated the situation.

In this matter our Democratic friends would have us believe they are not joking. They seem still to be serious, but unless in this marvelous age, by some strange metamorphose in the Democratic mind, failure has come to mean to them success and defeat victory, or unless by some equally strange hallucination they are relying on a Republican majority in the next House to adopt a new rule constituting 195 Democratic Members a majority of a whole House of 435, they have failed ignominiously to catch their train and might just as well joke about it. Republican magnanimity will scarcely extend so far. The Republican majority will be magnanimous, appreciating that a well-organized minority is essential to good government, but not to the extent of endangering Republican policies, under which this great country of ours has grown and prospered. It has its mandate, anew and direct from the people, to continue those policies, and continue them it will. [Applause on the Republican side.]

So my good friends across the aisle, though as the great bard says, you put forth "the tender leaves of hope," and on "the third day," or, rather, to be literally correct, on the second day of November, "there came a frost, a killing frost," I bid you not, "never to hope again," because hope springs biennially in the Democratic breast, but only for the present to cast aside vain hopes and be prepared to proceed as a well-behaved and self-respecting minority should.

Your seers misread the stars. The signs and portents did not point to a Democratic landslide in 1926, and if the record of 50 years counts for anything they point to still greater disillusionment in 1928. [Applause on the Republican side.]

With these statements of fact and pleasantries I desire to submit another thought for your serious consideration.

The American standard of wages and living is the greatest economic achievement of all time. It represents the highest level of general welfare attained by a people in all history.

This standard can not be freely exposed to the destructive competition of economic systems maintained on the basis of a lower level of reward for labor and enterprise, and endure.

Real statesmanship legislates for the future in the light of existing national conditions and tendencies. For such statesmanship there is food for serious thought in the statistics of imports and exports which show that during the calendar year 1926 the balance of trade in our transactions with foreign nations has sunk from the big figures of 1925 and preceding years to a negligible point. Yet American capital is being exported for foreign, mostly European and competitive, investment at the rate of \$2,000,000,000 a year.

The existing American tariff is inadequate to prevent an increasing foreign invasion of American markets. The foreign commercial invader is armed with a deadly weapon of cheapness attained through the sacrifice of human values in wage scales far below the American standard. The battle now going on—destined to be in increasing degree a losing one, on the whole, for American productive enterprise and labor—is a battle between living standards—between the American standard and the European and Asiatic standard. The well-understood law in the realm of finance that the cheaper money will inevitably drive out the better has its counterpart in the law that the lower standard of living must inevitably overcome the higher standard, if such standards are placed in direct competition. Our national recognition of this law is found in our immigration laws—especially the laws prohibiting coolie immigration.

American industries are feeling keenly the effect of growing foreign competition. Our seaboard markets are being captured by the foreign invader. This affects seriously not merely the seaboard but the internal producer, since ocean freight rates are lower than rail rates, and commodities can be hauled more cheaply from Europe or Asia to the United States than from Middle West points to Atlantic or Pacific ports. This affects agricultural as well as manufactured commodities. It is one of the important factors in agricultural depression certain to be greatly increased if imports continue to grow at their present or an accelerated pace. If American industry to-day had the market represented by imports we are in position to supply from our existing plants, there would be no farm surplus, because employed Americans could consume all the American farm products.

Foreign goods are sold in the United States just enough below the price which must be charged by an American industry paying the American wage scale and American raw-material prices, to take the market. Instead of our selling surplus production abroad, the alien producer is beginning to sell his surplus production here.

Now, what does this mean? The displacement of American by foreign production simply means the displacement of American by foreign employment. It means the stopping of American pay envelopes in favor of foreign pay envelopes. It means that we must shut up shop in industry or scale our wages, and therefore our living standards, and therefore our consumptive capacity, to the foreign level. This process has already started. Our present personal credit situation has developed on the basis of high wage scale production and steady employment. Halt this and our prosperity will end. Prosperity is an endless chain which passes from consumer to producer and producer to consumer. Break one link in that chain and all the wheels cease turning. Create a condition in industrial America where the worker can not meet the payments on his house, his motor car, his radio, and the other comforts and luxuries known only in great quantity in the United States, and we will have a serious industrial, political, and social problem.

What is the American consumer getting out of this increasing flood of foreign merchandise? Nothing to his advantage. It is put into circulation at prices which only shade slightly American production costs, but which can be cut to any extent necessary to undersell American production. What would be the effect of such displacement? The control of our markets by foreign price-fixing combinations which, in the absence of home production, will be able to exploit the American market to the limit of endurance.

The American people should not wait until depression has come upon them before realizing and finding means to avert this growing danger. The American people can not afford to let this condition drift to the point where an industrial and financial depression has been brought upon them.

No one can study the growing rising tide of importations in its relationship to loss of capital and loss of employment in many American industries without being aroused to the gravity of this situation, and the imperative necessity of doing something about it.

Is it not well, therefore, for us to consider the importance of further protecting the American market for the American people. [Applause on the Republican side.]

## INDEPENDENT OFFICES APPROPRIATION BILL

## APPROPRIATIONS AND ESTIMATES

The Budget estimates upon which this bill is based were submitted by the President in the Budget for the fiscal year 1928 and will be found in detail in Chapter II of that document, pages 29-108, inclusive. In addition to the estimates submitted in the Budget, supplemental estimates for the ensuing fiscal year aggregating \$14,000 were referred to the committee for consideration. The total of the regular annual and supplemental estimates submitted for consideration in connection with this bill is \$512,904,641.

The total appropriations for the independent offices provided for in this bill for the fiscal year 1926 amounted to \$513,504,936.64.

The amount recommended to be appropriated in this bill for the fiscal year 1928 is \$512,901,808, which sum, compared with the regular annual appropriations for 1927 and the estimates for 1928, is as follows:

It is \$603,128.64 less than the total of 1927 appropriations, and it is \$62,833 less than the total of the estimates submitted for 1928.

In addition to the appropriations above mentioned permanent annual and indefinite appropriations made without annual action by Congress for the fiscal year 1928 are as follows:

## Permanent annual appropriations

Relief of indigent in Alaska	\$15,000
Federal Board for Vocational Education	7,367,000
Federal Power Commission	10,000
Smithsonian Institution	60,000
Total	7,452,000

## ALIEN PROPERTY CUSTODIAN

The aggregate value of all property that has been handled by the office of the Alien Property Custodian since its inception is \$602,153,457.34. Of this amount \$330,615,390.45 has been returned in the payment of claims allowed by the Department of Justice and the Alien Property Custodian, there remaining to be returned properties with an aggregate value of \$271,537,866.89. There are 649 pieces of real estate held by the Alien Property Custodian, situated in almost every State in the Union. The following statement indicates the number and disposition of all claims filed as of November 30, 1926:

## Number and disposition of claims

Total number of claims filed	37,267
Disposition of claims:	
Suits under section 9	632
Allowed by Attorney General	6,582
Disallowed by Attorney General	1,425
Pending before Attorney General	263
Allowed by Alien Property Custodian	21,446
Disallowed by Alien Property Custodian	795
Withdrawn	925
Canceled	2,104
Referred to liquidator	444
Pending in office procedure	2,469
Total	37,267

## AMERICAN BATTLE MONUMENTS COMMISSION

The \$3,000,000 program of the American Battle Monuments Commission to provide for the erection of suitable memorials commemorating the services of the American soldier in Europe is well under way. It is planned to erect 8 chapels and 14 monuments in Europe, and contracts for the services of architects have been made for each of the chapels and 6 of the monuments. The chapels are to be erected in the eight American cemeteries abroad, and the following statement gives their location, the number of graves in each cemetery, and the estimated cost of the chapel to be erected:

Location	Number of graves	Estimated cost of chapel
Waereghem, Belgium	365	\$50,000
Bony, France	1,826	90,000
Suresnes, France	1,506	100,000
Fere-en-Tardenois, France	5,946	140,000
Bellicourt, France	2,212	110,000
Thiaucourt, France	4,141	140,000
Romagne, France	14,107	300,000
Brookwood, London, England	400	70,000

For general information the committee submits the following statement concerning deaths in the American Expeditionary Forces during the World War:

1. Total number killed in action	36,694
2. Total number who died from wounds	13,691
3. Total number of deaths from disease and other causes not directly related to battle	23,998
Total deaths from all causes	74,383

It may be of further interest to know the 10 leading causes of deaths shown in item 3 above, which are as follows:

1. Primary pneumonia	8,483	6. Bronchitis	392
2. Influenza	7,366	7. Measles	358
3. Tuberculosis	1,238	8. Railroad accidents	309
4. Military weapons	1,015	9. Air-machine accidents	194
5. Epidemic meningitis	802	10. Appendicitis	194

The committee has inserted authority in the paragraph of appropriation enabling the American Battle Monuments Commission to prepare and publish a guidebook detailing the operations of the American Expeditionary Forces in Europe. This book will be sold through the office of the Superintendent of Documents, and it is believed will be in great demand in view of the contemplated visits abroad by many members of the American Legion.

## ARLINGTON MEMORIAL BRIDGE

The committee recommends an appropriation of \$2,500,000 for continuing the construction of the Arlington Memorial Bridge across the Potomac River at Washington. The bridge as designed will be a low, level, segmental arch bridge with nine arches, the center span being 185 feet long. The work is progressing satisfactorily, the abutment on the east side having been excavated and concrete is being poured in. The substructure of the first pier is practically completed, the second pier has been excavated and is ready for concrete, and work on the third pier is well under way. Contracts have been let for granite for both the substructure and the superstructure. The following statement indicates the contracts which have been entered into, the character of service to be performed, the total amount of the contract, and amounts paid to date on each:

## Contracts—Essential facts

Name of contractor	Character of service	Date of expiration	Amount already paid	Total amount of contract
No. 1. H. P. Converse Co.	Constructions of piers and abutments.	Oct. 19, 1927	\$237,628.30	\$1,229,000.00
No. 2. Pennsylvania R. R. Co. (completed).	Building side-track connection.	(*)	3,000.00	
No. 3. Stone Mountain Granite Corporation.	Granite for bridge.	July 23, 1927	\$42,427.15	300,500.00
No. 4. North Carolina Granite Corporation.	do	July 1, 1929	-----	1,520,133.00
No. 5. G. B. Mullin Co. (completed).	Building sidetrack.	July 3, 1926	15,255.22	15,255.22
No. 6. McKim, Mead & White.	Architects.	Nov. 17, 1935	26,303.04	60,000.00
No. 7. W. J. Douglas.	Consulting engineer.	-----	18,334.32	7,500.00

<sup>1</sup> Rebate of \$2.50 to be paid by railroad company for each car carried on track on which freight charges are \$15 or more, until cost of connection is reimbursed.

<sup>2</sup> Supplement contract dated June 11, 1926, increasing consideration from \$8,772.50 to \$15,255.22.

<sup>3</sup> And expenses.

<sup>4</sup> Per year and expenses.

## BOARD OF TAX APPEALS

In discussing some of the more important changes recommended by the committee, I wish to direct your attention to the appropriations for the Board of Tax Appeals. For 1928 the committee recommends an appropriation of \$712,780, as follows: \$682,740 for salaries and expenses and \$30,040 for printing and binding. This sum exceeds the amount available for the current year by \$98,555.36, and is \$142,780 in excess of the Budget estimate. Decisions of the Board of Tax Appeals are used in the same manner as court reports, and the printing and binding of these decisions that they may be of value as precedents is apparent. That an appropriation in excess of the Budget estimate is required is best evidenced by the fact that the last volume of printed decisions of the board was issued in November, 1926, which volume includes decisions on cases up to November 11, 1925. In other words, these volumes are just a year behind, and if the precedents are to be of any value they should be made available as promptly as possible. With respect to the appropriation of \$682,740 recommended for salaries and expenses, this sum exceeds the Budget estimate by \$135,780. On December 1, 1926, there had been filed a total of 21,640 tax-appeal cases, involving an aggregate of \$346,000,000. Of this number of cases, the Board of Tax Appeals has been able to dispose of but 8,000, with an aggregate value of approximately \$128,000,000. With more than 13,000 cases pending and

others being submitted at the rate of 20 to 30 per day, it is evident that additional personnel of the proper kind is a real necessity. It has been estimated that with 12 additional higher-type employees this accumulation of 13,000 cases can be disposed of within three or four years. To enable the Board of Tax Appeals to secure this higher-type personnel, consisting of expert accountants and income-tax lawyers, the committee has recommended that not to exceed 12 may be employed at rates of compensation to be fixed by the board, but not in excess of \$7,500 each. Additional clerical help will also be required, which personnel will be supplied by the civil service and paid in accordance with the classification act. A certain amount of revenue is obtained through this organization, in that the revenue act of 1926 provided for the imposition of a \$10 fee in each case filed and heard, and the total amount received from this source since April, 1926, is \$143,267.35. To afford relief to the taxpayers and to aid the Board of Tax Appeals in disposing of the cases accumulated, the committee feels that the appropriation recommended is not excessive, but consistent with good business practice.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLAND. Is that authorized in the law?

Mr. WOOD. What?

Mr. BLAND. The employment of these experts.

Mr. WOOD. The salaries of the clerical force of the Board of Tax Appeals are fixed under the reclassification act, and that is just the trouble about it. You can not get the character of men who are fit to sit as examiners for the purpose of ascertaining the technical points involved in these appeals for the amount of money that can be paid under that act. In order that their decisions might be available—and they have only one such expert—in order that they may be able to give the best satisfaction, we have done this; and I wish to say, in passing, that the Committee on Ways and Means feels a very vital concern in the action of this Board of Tax Appeals. So great was their interest in the matter that the gentleman from Iowa [Mr. GREEN], chairman of the Committee on Ways and Means, and the gentleman from Texas [Mr. GARNER], the ranking Member on the minority side, came before us and very urgently recommended that this action on the part of the committee be taken.

Mr. BLAND. In other words, this is legislation on an appropriation bill, but it has been taken up by the Committee on Ways and Means.

Mr. WOOD. Yes.

Mr. BYRNS. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BYRNS. Of course, I understood the statement made by the gentleman before the Committee on Appropriations, but I think it would be well to have the record show the facts, as I understand them. Has the gentleman assurance from the Treasury Department that these six men who are to be employed at \$7,500 per year will be new men, or is this sum to be used to promote some people who are now serving at a less salary?

Mr. WOOD. We have the assurance of the chairman of this board that these increased salaries will be for the purpose of employing experts from outside. If the authority is abused, we shall find it out at the next examination.

#### BUREAU OF EFFICIENCY

The committee recommends an appropriation of \$210,000 for the general expenses of the Bureau of Efficiency for the fiscal year 1928. During the past year the bureau conducted a number of investigations, resulting in large savings to the Government through the adoption of the recommended improvements in the method of conducting the business of various offices, and at present is engaged in a large number of important investigations, with requests pending for assistance in excess of the capacity of the present organization.

#### CIVIL SERVICE COMMISSION

Appropriations recommended in the accompanying bill for the Civil Service Commission for the fiscal year 1928 aggregate \$1,007,442, an increase of \$4,700 over the Budget estimates. Of this increase, it is proposed that \$2,500 shall be used for the compensation of the commissioners, and provision is made in the bill placing their salaries at \$7,500 each. The following statement indicates the volume of work of the Civil Service Commission for the past 10 years:

The Civil Service Commissioners are receiving now an average salary of \$6,667. Every other branch of the Government of equal importance pays the head thereof a larger salary, and it appeared to the committee that it was only consistent and

fair that the salaries of these gentlemen should be raised to the amount that we have indicated, commensurate with their responsibilities and the necessity of the increased cost of living.

Mr. CHINDBLOM. Will \$2,500 give each of them an increase?

Mr. WOOD. Yes; there are three of them.

Mr. SANDLIN. Mr. Chairman, if the gentleman will permit, I think the gentleman will find that the salaries of these people at the present time is at the rate of \$6,667 per annum.

Mr. WOOD. What the gentleman from Louisiana states is correct.

I set forth here at this time a very interesting table showing the number of persons examined and the civil-service list of employees by various Government establishments, indicating the number in and outside the District of Columbia:

*Items of work, United States Civil Service Commission, by fiscal years*

Item	1916	1918	1920	1921	1922
Persons examined	168,221	617,894	325,270	328,336	244,287
Persons appointed in classified service	42,057	213,530	116,300	101,711	63,867
Different kinds examinations held, exclusive of trade positions	367	656	917	1,129	1,002
Original military preference claims	597	894	61,371	72,883	67,731
Communications received	1,716,328	1,829,079	1,014,420	1,178,360	1,206,454
Retirement cases				6,745	1,719
Continuance cases				3,086	1,127
Unclassified employees	1,141,131	1,275,328	1,193,513	1,149,371	1,140,175
Classified employees	206,926	1,642,432	1,497,603	1,448,112	1,420,688
Employees in executive civil service	438,057	1,917,760	1,691,116	597,482	560,863
Commission's employees	289	1,398	613	584	549

Item	1923	1924	1925	1926
Persons examined	229,640	248,236	216,135	221,658
Persons appointed in classified service	57,694	67,349	50,164	38,916
Different kinds examinations held, exclusive of trade positions	962	983	979	978
Original military preference claims	54,305	58,127	58,785	47,858
Communications received	1,051,836	1,001,185	1,130,202	1,050,662
Retirement cases	2,73	2,082	2,063	1,895
Continuance cases	1,604	1,565	2,085	2,045
Unclassified employees	137,133	139,393	141,180	138,405
Classified employees	411,398	415,593	423,538	422,300
Employees in executive civil service	548,531	554,986	564,718	560,705
Commission's employees	519	498	467	460

<sup>1</sup> Estimated.

<sup>2</sup> No railway postal clerk examination held.

For general information the following statements are submitted, showing the number of employees in each branch of the Federal executive civil service on June 30, 1926, with totals for November 1, 1918 (armistice date), and later dates, comprising classified and unclassified (which includes presidential) positions:

*Number of employees in Federal executive civil service<sup>1</sup>*

Department or office	June 30, 1926					
	In District of Columbia			Outside District of Columbia		
	Men	Women	Total	Men	Women	Total
The White House	41	3	44			
State	317	232	609	2,878	826	3,704
Treasury	6,510	8,252	14,762	30,247	6,610	36,857
War	2,403	2,172	4,575	39,730	4,463	44,193
Justice	615	221	836	2,371	556	2,927
Post Office	3,108	810	3,918	275,787	26,280	302,067
Navy	3,904	1,140	5,044	36,092	2,304	38,396
Interior	2,329	1,269	3,598	9,210	1,927	11,137
Agriculture	2,864	1,928	4,792	13,933	2,128	15,961
Commerce	2,700	1,665	4,365	9,720	743	10,463
Labor	280	387	667	2,702	613	3,315
Government Printing Office	3,227	850	4,077			4,077
Smithsonian Institution	378	128	506			506
Interstate Commerce Commission	1,025	321	1,346	459	2	461
						1,807

<sup>1</sup> Does not include legislative or judicial services, nor the commissioned, warranted, or enlisted personnel of the military, naval, Marine Corps, or Coast Guard services, nor the government of the District of Columbia. The Railroad Labor Board, formerly included, was abolished by act of Congress May 20, 1926.

<sup>2</sup> Approximated.

<sup>3</sup> Includes 13,200 clerks at third-class offices, 203 screen-wagon contractors, 295 carriers for offices having special supply, 5,578 clerks in charge of contract stations, 11,054 route contractors, and 282 steamboat contractors. Does not include 35,411 clerks at fourth-class offices who are employed and paid by the postmaster, and 21,773 mail messengers not included in previous computations.

Number of employees in Federal executive civil service—Continued

Department or office	June 30, 1926						Total	
	In District of Columbia			Outside District of Columbia				
	Men	Women	Total	Men	Women	Total		
Civil Service Commission	135	206	341	68	58	126	467	
Bureau of Efficiency	32	16	48				48	
Federal Trade Commission	222	95	317				317	
Shipping Board	505	308	813	531	160	691	1,504	
Alien Property Custodian							252	
Tariff Commission	132	120	252				204	
Employees Compensation Commission	118	72	190	12	2	14	60	
Federal Board for Vocational Education	20	49	69				75	
Panama Canal	35	40	75				6,579	
Public Buildings and Parks, National Capital	61	14	75	9,060	444	9,504		
General Accounting Office	1,929	524	2,453				2,453	
Veterans' Bureau	1,179	786	1,965				1,965	
Railroad Administration	1,464	3,103	4,567	12,239	7,591	19,830	24,897	
Commission of Fine Arts	73	40	113	6	2	8	121	
War Finance Corporation	2		2				2	
National Advisory Committee on Aeronautics	46	34	80	57	34	91	171	
Federal Reserve Board	12	12	24	122	9	131	155	
Board of Tax Appeals	98	88	186	18		18	204	
Total	35,805	25,006	60,811	445,142	54,752	499,894	560,705	

<sup>a</sup> Includes administrative offices of Emergency Fleet Corporation, but not workers at shipyards or in warehouses or employees on vessels.

<sup>b</sup> Positions not subject to the civil service act.

#### War expansion and reduction since armistice

Date	In District of Columbia	Outside District of Columbia	Total
June 30, 1916	39,442	398,615	438,057
Nov. 11, 1918	117,760	1,800,000	1,917,760
July 31, 1920	90,559	1,600,557	1,691,116
July 31, 1921	78,865	518,617	597,482
June 30, 1922	69,980	490,883	560,863
June 30, 1923	66,290	482,241	548,531
Dec. 31, 1923	65,025	479,646	544,671
June 30, 1924	64,120	490,866	555,986
Dec. 31, 1924	66,079	480,540	555,619
June 30, 1925	63,756	560,982	564,718
Dec. 31, 1925	61,509	485,515	548,077
June 30, 1926	60,811	499,894	560,705

<sup>a</sup> Approximated.

#### GENERAL ACCOUNTING OFFICE

For salaries in the General Accounting Office the committee recommends an appropriation of \$3,575,000. This sum is \$50,000 in excess of the Budget estimates, and it is proposed to use this increase in providing additional compensation to employees of the Accounting Office. The general average salary of some of the employees in this establishment is below the general average of other Government institutions, and the committee is of the opinion that some relief should be given.

#### INTERSTATE COMMERCE COMMISSION

Appropriations for the various activities of the Interstate Commerce Commission for the fiscal year 1927, compared with the estimates submitted in the Budget, are as follows:

	Budget estimates, 1928	Recommended appropriation, 1928
Salaries	\$139,500	\$139,500
General expenses	2,384,939	2,460,600
Regulating commerce	1,023,205	1,315,000
Safety of employees, etc.	488,824	515,834
Signal safety systems	141,756	148,320
Locomotive inspection	470,418	493,886
Valuation of property	1,308,325	2,563,214
Printing and binding	150,000	175,000
Total	6,104,967	7,811,314

It will be noticed that in almost every instance the committee recommends a substantial increase over the Budget estimates.

#### GENERAL EXPENSES

Car loadings for the years 1924, 1925, and 1926 were, respectively, 48,374,000, 50,934,000, and 53,000,000. In other words, car loadings of revenue freight for 1926 have averaged over 1,000,000 a week, which is the greatest number on record. This increase in the volume of traffic represents the increased business and prosperity of country but at the same time results in more work for the Interstate Commerce Commission, as indicated by the increased number of formal proceedings filed. In 1924 there were 1,659 formal proceedings before the commission; in 1925, 1,780; and in 1926, 1,809. The formal docket section, provided for under the general expense appropriation of the commission, handles these cases, including the proposals of carriers to increase their rates from time to time. Upon the complaint of a shipper these proposed increases may be suspended by the commission, but, under the terms of the act, can not be suspended for more than 120 days. These cases are known as suspension cases and must be handled within 120 days. As opposed to that, there are the formal docket cases of the shippers, who are undertaking to get better rates or a better relationship of rates to enable them to compete in the commercial world. To dispose of a formal proceeding of this character takes on an average of 635 days, as compared with an average of 109 days for suspension cases. The less important or board cases, which pass through a section of the bureau of formal cases before consideration by the commission, take an average of 483 days.

I will state to the committee that the representatives of the shippers and transportation associations from all over the United States, from the Pacific coast to the Atlantic and from the Lakes to the Gulf, appeared before the committee and gave us concrete examples of the hardships to which they were subjected by reason of the fact that their appeals can not be heard, and that in most instances it takes at least two years from the time a complaint is filed until a final hearing is had, and great injury results in consequence; and because of that fact we felt that in order that the shipper might have his claim attended to with the same promptness that the transportation companies have theirs attended to, we have recommended an increase in the appropriation of \$141,940 over the amount available for this year. This sum will be expended in the employment of expert examiners and other personnel that may be necessary to expedite these cases.

#### BUREAU OF ACCOUNTS

For the bureau of accounts the committee recommends an appropriation of \$1,315,000, an increase of \$279,731 over the amount available for 1927. During the fiscal year 1926 there were docketed a total of 1,413 recapture examination cases, of which 314 were disposed of. It is estimated for the current fiscal year there will be a total of 1,549 cases to be considered, of which all but 810 will be completed. The purpose of the increase in the appropriation, therefore, is to enable the commission to more nearly bring this work current. The work of the bureau of accounts consists of the recapture of excess earnings under section 15a of the transportation act, the policing of carriers' accounts, as provided in section 20 of the interstate commerce act, and the consideration of depreciation charges for steam railroad and telephone companies. The total amount of recaptures paid up to December 1, 1926, was \$6,618,203.43, not including interest, which amounts to \$482,000. This fund is still held in trust, because a large portion of it has been paid under protest, some of which may become the subject of litigation.

#### LOCOMOTIVE AND SAFETY INSPECTION

The increases recommended by the committee for the bureau of safety, signal-safety systems, and the bureau of locomotive inspection, are largely to provide for increased per diem rates as provided by the subsistence expense act of 1926. The act of June 7, 1924, provided for an increased number of locomotive inspectors, for which appropriations were carried in the act for the current fiscal year. As a result of that increase in force, the number of locomotives inspected has increased from 72,279 in 1925 to 90,475 in 1926, and the number of accidents has decreased from 690 in 1925 to 574 in 1926.

#### BUREAU OF VALUATION

For the bureau of valuation the committee recommends an appropriation of \$2,563,214, an increase of \$1,135,254 over the amount available for 1927, and an increase of \$1,256,889 over the Budget estimates. The committee has also provided that the compensation of the director of valuation shall be at the rate of \$10,000 per annum instead of \$9,000. Since the inception of this work in 1913 there has been appropriated to date the sum of \$30,725,294. In the preparation of the appropriations for the valuation of the property of carriers two years ago the committee adopted a three-year program to complete

the primary valuation work. The fiscal year 1928 marks the third year of that program, and by the end of that fiscal year the primary valuation work will have been completed. The following statement indicates the status of the work as of December 31, 1926:

## UNDERLYING REPORTS

Section	Number of report	Number of corporations	Miles of road	Per cent of total mileage
Accounting, as of—				
Oct. 31, 1921	273	444	61,731	24.89
Oct. 31, 1922	555	953	151,572	61.11
Dec. 10, 1922	570	989	153,975	62.09
Dec. 31, 1922	584	1,017	171,478	70.18
Dec. 31, 1923	957	1,572	232,694	95.22
Nov. 30, 1924	1,039	1,713	243,716	99.73
Dec. 31, 1925	1,074	1,751	244,070	99.9
Dec. 31, 1926	1,108	1,764	244,200	99.9
Engineering, as of—				
Oct. 31, 1921	443	755	133,139	53.68
Oct. 31, 1922	636	1,165	179,425	72.37
Dec. 10, 1922	657	1,199	183,259	73.93
Dec. 31, 1922	668	1,219	194,058	79.42
Dec. 31, 1923	919	1,542	228,006	93.30
Nov. 30, 1924	956	1,613	235,133	95.22
Dec. 31, 1925	1,057	1,765	243,039	99.8
Dec. 31, 1926	1,080	1,793	244,331	99.9
Land, as of—				
Oct. 31, 1921	371	565	71,558	28.85
Oct. 31, 1922	671	1,065	141,411	58.23
Dec. 10, 1922	687	1,085	146,717	59.16
Dec. 31, 1922	731	1,134	157,928	64.66
Dec. 31, 1923	1,062	1,561	225,208	92.25
Nov. 30, 1924	1,113	1,680	233,280	95.4
Dec. 31, 1925	1,123	1,764	244,045	99.8
Dec. 31, 1926	1,126	1,787	244,208	99.9

## TENTATIVE VALUATION REPORTS

Section	Number of report	Number of corporations	Miles of road	Per cent of total mileage
Oct. 31, 1921				
Oct. 31, 1922	151	193	24,423	9.86
Oct. 31, 1922	287	400	39,956	16.11
Dec. 10, 1922	306	429	43,701	17.62
Dec. 31, 1922	314	437	43,780	18.92
Dec. 31, 1923	323	469	54,626	22.29
Nov. 30, 1924	395	603	82,196	33.6
Dec. 31, 1925	681	1,013	126,948	51.9
Dec. 31, 1926	929	1,417	181,350	74.2

## HEARINGS COMPLETED

Nov. 30, 1924	149	182	18,003	7.4
Dec. 31, 1925	258	362	61,223	25.1
Dec. 31, 1926	479	633	108,034	44.2

At the time the bill authorizing the valuation of railroads was passed it was estimated that it would not cost more than \$4,000,000, and that it would take three years in which to put a valuation upon all the railroads in the United States. We have been working and working at it, from 1913 until 1927, and it is not yet complete. If this additional appropriation is adopted by the House, which the committee has recommended, the primary valuation will be completed within six months, and it strikes me that it is the part of good business that, having spent over \$30,000,000 for the purpose of getting this primary valuation, we ought to finish it; and if the recommended appropriation is not made, it will necessitate the laying off of a very large number of men who have become experts in this line of work, only to have their places filled later for the purpose of bringing the primary valuation to date, when it will be of the most importance to the public. The Interstate Commerce Commission tells us that all the rate fixing is based upon this valuation. Hence the very great importance of its completion.

There are some very interesting things in the hearings with reference to the magnitude and the extent of the railroad operations in this country. You will find that railroad building is practically at a standstill. A few miles have been built within the last year, but there have been as many more miles abandoned.

## DISTRIBUTION OF RAILROAD EARNINGS

Here is something to which I wish to call your attention, which is interesting. Take the class I roads, which are the large trunk lines of this country, and it is interesting to see how the receipts of these roads are divided. Dividing up their receipts into days you will find the following showing:

## WHERE FREIGHT RATES AND PASSENGER FARES GO

Statement published by the committee on public relations of the eastern railroads, 143 Liberty Street, New York City, on

data furnished by the Bureau of Railway Economics, Washington, D. C.:

Out of gross revenue of an entire year it took the receipts of—	157
Days for wages	27
Days for locomotive fuel	70
Days for materials and supplies	24
Days for all other operating expenses	21
Days for taxes	41
Days for interest and rents (fixed charges)	19
Days for dividends	19
Days for improvements out of earnings, or to make up losses of former years, or to help create reserves against bad years in the future	6

This statement based on latest detailed figures for class I American railroads (1924). Indications are that 1925 will not alter this distribution by more than a few days.

There are in the United States 2,000,000 stockholders holding stock in railroads, including employees who are given an opportunity to purchase stock. Whatever consideration is given to this or any other legislation, it will not only immediately have its effect upon the public, but it will also have its effect upon the 2,000,000 of people who are the real owners of the railroads of this country.

## SMITHSONIAN INSTITUTION

Appropriations for several of the small bureaus of the Smithsonian Institution are recommended in excess of the Budget estimates. The purpose of these increases is to provide for the promotion of employees, in order that the average salary paid under the Smithsonian Institution may more nearly equal the average of the salaries paid for similar services in other establishments of the Government. An estimate in the Budget recommended an appropriation of \$12,500 for the construction of a gallery over the west end of the main hall of the Smithsonian Building, to relieve present congested conditions, and to provide space for the collection of plant specimens. The committee concurred in this recommendation. The salary of the Assistant Secretary of the Smithsonian Institution is \$6,000 per annum. The committee recommends that it be increased to \$7,500, so long as the position is occupied by the present incumbent. The assistant secretary, Doctor Wetmore, an able and accomplished gentleman, has taken over the major portion of the duties of the secretary, Doctor Walcott, who for some time past has been in ill health, and the committee recognizing the additional responsibilities believes the increase justifiable. The sum proposed is in accordance with the classification act.

## UNITED STATES SHIPPING BOARD

Now I wish to call attention to the Shipping Board and Emergency Fleet Corporation. For the Shipping Board the committee recommends appropriations in accord with the Budget estimates. The estimate of appropriation for losses due to operations under the Fleet Corporation was \$12,000,000. The committee recommends the appropriation of this sum, and in addition has made available not to exceed \$5,000,000 of the unexpended balance of the special appropriation made for this current year, to meet foreign competition and the operation of ships taken back from purchasers. The total moneys thus made available, namely, \$17,000,000, should meet the estimated losses due to operations during the fiscal year 1928.

The remainder of the unexpended balance of this \$10,000,000 appropriation is reappropriated for the same purposes of operating ships or lines of ships taken back from purchasers by reason of unjust foreign competition. An additional amendment to the language of this particular paragraph is also recommended. It is my understanding that one of the practices of the shipping world is the making of loans to lessors or operators of ships. That is, if a man leases or charters a boat, let us say, for fishing operations, and he finds that he is unable to meet his expenses or that the competition is too great, he is faced with the problem of breaking his contract and returning the vessel, or of making a loan to tide him over temporarily until he can meet the conditions confronting him. The owners of the vessel, recognizing the operator's needs, know that if the vessel is returned to them the additional cost of operation, either by themselves or the expense incident to the rechartering of the vessel, are nearly offset by the amount of the loan which would be sufficient to enable the original charterer to operate it. Choosing always the lesser of two evils, and providing the need of a loan to a responsible party is apparent, the owners of the vessel will make a loan to the charterer sufficient to enable him to continue in operation until he has overcome his competition, or until it is apparent that it is useless to continue further operation. To enable the Shipping Board to do this very thing, the committee has recommended that upon the approval of the President of the United States, loans to purchasers of ships may be made from the unexpended balance of the \$10,000,000 appropriation.

In passing I wish also to call attention to the exhaustive hearings held in connection with appropriations for the Ship-

ping Board and the Fleet Corporation. They will be found on pages 541-710, inclusive. A tabular statement setting forth the activities of the Fleet Corporation will also be found on pages 14, 15, and 16 of the report accompanying this bill.

These hearings are the fullest and most complete of any we have ever had heretofore. They give you in detail and in such a way that it is easily understood the operation of this great corporation. They show the number of routes operated, destinations, and the amount of cargo carried, both import and export, so that the magnitude of the operations is presented clearly for your comprehension.

Mr. LAGUARDIA. What is the total loss due to the operation of the fleet in this last year?

Mr. WOOD. In round numbers it is about \$17,000,000.

Mr. LAGUARDIA. Is the loss less or more than the year previous?

Mr. WOOD. The loss has been growing steadily less. On that proposition I will have something to say later.

Mr. BLAND. Has the gentleman taken into consideration the increase there will be in the loss if the provision in the Post Office appropriation bill goes through, eliminating mail contracts?

Mr. WOOD. No; we did not take that into consideration because we knew nothing about it, but I think I can relieve the gentleman's apprehensions. I do not think the matter to which the gentleman refers will finally become a law. That is my judgment. Referring again to the hearings, the activities of the various bureaus of the Shipping Board and the Fleet Corporation, personnel, claims, and operating data and information, are fully set forth, together with information relating to the office of the chief counsel and the office of the treasurer.

Mr. McDUFFIE. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. McDUFFIE. I was noticing the language on page 35 of the bill, subdivision (b), \$12,000,000.

And in addition not to exceed \$5,000,000 of the special appropriation of \$10,000,000 contained in the independent offices appropriation act for the fiscal year 1927 and reappropriated by this act.

The gentleman will recall that under that act the \$10,000,000, which was designated as a safety fund, was to be expended only on the President's approval. It occurs to me that probably you are tying the same string to this additional \$5,000,000 that you are permitting the Shipping Board to use if they need it, and undoubtedly they are going to need it or some of it.

Mr. WOOD. The gentleman's assumption is correct; but there is a difference of opinion between the Emergency Fleet Corporation and the Budget with reference to their necessities for the next year. The appropriation last year for this same purpose was \$13,900,000, and they are going to come within that sum and probably have some surplus. However, there is this to be taken into consideration: The Fleet Corporation had a number of reserve items during the last year from which they could draw to make up whatever deficiency they might have in their operating expenses, but which they can not rely upon next year, and it may be—and we have taken that for granted for the purpose of making this appropriation—that there will be a necessity for more than \$12,000,000, as recommended by the Budget. Consequently we have made available of this \$10,000,000 appropriation, to which the gentleman has referred, \$5,000,000, the same to be used by the Emergency Fleet Corporation to cover operating expenses, but they will have to make a showing to the President of the United States.

Mr. McDUFFIE. What is the purpose of making a showing to the President of the United States as to this particular fund? Why not tie a string to all of it if you are going to tie it to that \$5,000,000?

Mr. WOOD. There is this reason for it: This \$10,000,000 which we appropriated had that limitation attached. The purpose of making the \$10,000,000 appropriation originally was the fear or the possibility that some of the lines we have sold to private individuals might come back into the hands of the Emergency Fleet Corporation, and in order to cover any loss that might be incurred by reason of operating deficit the \$10,000,000 would be available by making a showing before the President. Now, then, not a cent of it has been used for that purpose; so we felt, in releasing for the Fleet Corporation's use in case of necessity the sum of \$5,000,000, the same showing should still be required, and I do not think they have any objection to that. I can not see why they should have any objection to it, because it is simply a check upon expenditures; and certainly the President of the United States, who is a friend of the merchant marine, would see that they got whatever portion of the \$5,000,000 was necessary.

Mr. McDUFFIE. It is a fact, is it not, that even with your \$13,900,000, and with the strictest economy program that the board operated under, they lacked about \$3,500,000 of having enough money last year?

Mr. WOOD. If it had depended entirely upon the appropriation of \$13,900,000, that statement might be correct, but by reason of the reserves they had, sufficient funds were available to tide them over.

Mr. McDUFFIE. What does the gentleman have to say about this suggestion of the chairman of the board? I am particularly interested in the merchant marine, and we all are, but it occurs to me that we are gradually shrinking rather than extending the service of our merchant marine, judged by the amount of tonnage we are carrying in our own bottoms. The chairman said:

Unless the Shipping Board can put on more ships, enlarge its services, and develop trade connections, the expressed purpose of Congress as contained in the merchant marine act—to establish an American merchant marine capable of carrying the greater portion of our foreign commerce—will not be achieved.

Unless we provide proper funds we can not achieve that success.

Mr. WOOD. No portion of this amount of money could be used for that purpose, anyhow. The only purpose of the \$12,000,000 we are appropriating now, as was the purpose of the \$13,900,000 we appropriated last year, is that of covering their losses in operating expenses. They can aid in building new ships out of a building fund, but they can not resort to this fund for that purpose.

Mr. DAVIS. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. DAVIS. I will ask if it is not a fact that the estimate of the needed requirement for operation, as submitted to the Budget Director by General Dalton, the president of the Emergency Fleet Corporation, was \$18,500,000.

Mr. WOOD. No; it was \$17,500,000.

Mr. DAVIS. I want to state that your records show that it was \$18,500,000, but that they later agreed they could get along, perhaps, on \$17,500,000. In other words, the estimate submitted by the president of the Emergency Fleet Corporation to the Budget was \$500,000 higher than the estimate made by the Shipping Board itself.

Mr. WOOD. Well, I will state to the gentleman that, according to my information, there is nothing in the hearings to indicate that the estimate was to exceed \$17,500,000.

Mr. DAVIS. On page 624 of the hearing Mr. Schmidt stated: I think we can answer that, Mr. Chairman. The original estimate was \$18,500,000 that was presented to the Budget Committee.

The CHAIRMAN. The gentleman from Indiana has consumed one hour.

Mr. WOOD. Mr. Chairman, I yield myself one hour more.

Mr. DAVIS. Then he states that after five months of operation they think they can get along with something less and say:

Now, then, again with that same information in mind, we revised our Budget estimate for the fiscal year 1928 and have reduced that to \$17,500,000.

With respect to the question raised by the gentleman from Alabama [Mr. McDUFFIE] about the requirement of the approval of the President of that \$5,000,000 reappropriation, I want to ask the gentleman from Indiana if it is not the fact that when he was urging upon the officials of the Shipping Board and the Emergency Fleet Corporation the possibility of invading some of their reserves for outstanding obligations and also to go beyond that with the hope of coming back for a deficiency appropriation, they explained it was necessary for them to know from month to month how much they could expend and how much they could obligate themselves for; otherwise, if they are restricted to a specific amount they will have to proceed upon a program that would be less than they would adopt if they knew they were going to get that amount. They will now have no assurance that they are going to get the \$5,000,000 unless we appropriate it. It is stated emphatically by all of them who appeared before you that they need that much, and I do not see why the gentleman and the other members of the committee are not willing to appropriate in the customary method the amount that is required to maintain a merchant marine in our various trade routes. The chairman of the board stated emphatically that if they were not given enough, the only alternative would be to take off routes or ships, as the gentleman well knows; and I want to ask the gentleman this further question with regard to that reappropriation.

The original appropriation, as the gentleman is well aware, not only provided that it should be expended only with the

approval of the President, but it also provided that it should only be spent for a specific purpose; that is—

to enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from the purchasers by reason of competition or other methods employed by foreign ship owners or operators.

Now, as a matter of fact, none of that occurred, no line has been taken back during the present fiscal year, and none of the \$10,000,000 defense fund has been used. But when you simply make a reappropriation of \$5,000,000, does not that carry with it that proviso and that restriction, as well as the further restriction that it must be spent and can only be spent with the approval of the President?

Mr. WOOD. The gentleman is correct about it, and I will say that I feel there should be no occasion for alarm. The President of the United States is vitally interested in the maintenance of our merchant marine, and it strikes me that the merchant marine, important as it is, the biggest business concern in all the world outside of the business of the United States—and it is a part of the business of the United States—should have a very close relationship in its organization and in its executive determinations with the President of the United States. There can not be too much caution or too much good advice about it, it seems to me.

Mr. DAVIS. Conceding that to be true, the President himself can not authorize the expenditure of that \$5,000,000 reappropriation except for a specific purpose and under specific conditions.

Mr. WOOD. Oh, yes. He can authorize it for the very purpose for which we appropriate it.

Mr. DAVIS. But it is a reappropriation.

Mr. WOOD. It is a reappropriation; yes. We are releasing \$5,000,000 of that \$10,000,000 for the purpose of aiding, in the event it is necessary, the Shipping Board to cover its losses in operation, and all they have to do is to go to the President of the United States and make a showing that it is necessary.

Mr. McDUFFIE. But I think, if the gentleman will permit me, we would have to change this language to clear up any doubt along that line. The point raised by the gentleman from Tennessee [Mr. DAVIS] is that, even if the President could expend it, he could only expend it in the case of the lines that were taken back.

Mr. WOOD. Oh, no; and I will state to the gentleman that perhaps we have not carried out our intention in this language; but if not it is a very easy thing to correct it. The intention of the committee is to release \$5,000,000 of the \$10,000,000 appropriation so that it may be used for the purpose of covering losses, requiring at the same time that it shall be done upon the approval of the President.

Mr. BANKHEAD. If the gentleman will permit me in that connection, if that is the explicit intention of the committee, I think it would undoubtedly be necessary when we get the bill up under the five-minute rule to clarify the reappropriation, because, in my opinion, from reading the original appropriation, unless you do assert in this appropriation that it may be used for some other purpose than that contained in the original authorization, the President would not be authorized to use it.

Mr. WOOD. It is very well to be absolutely certain about it, and before we get through with the bill, with the aid of the gentleman, we will have it that way.

Mr. DAVIS. In other words, the gentleman from Indiana, I think, properly concedes that just the mere reappropriation will carry with it the proviso in the original appropriation provision in the last Congress, that it can only be spent upon the approval of the President.

Mr. WOOD. Yes.

Mr. DAVIS. Then, in like manner it would carry the other restrictions carried in the original appropriation, because you do not carry forward into the reappropriating language the provision that it must be approved by the President; and if it is not necessary to carry that proviso forward in order to make it effective under the reappropriation, then it is not necessary to carry forward the other provisions that surrounded the original appropriation.

Mr. WOOD. We will clarify the language if there is any ambiguity about it. We do not want any mistake about it whatever.

Mr. DAVIS. As I understand, it was the intention of the committee to permit this \$5,000,000 to be used in addition to the \$12,000,000, and for the same purposes that the \$12,000,000 is appropriated; in other words, for administrative purposes and the payment of any losses and expenses—that is, for operation; is that correct?

Mr. WOOD. And we will work out an amendment so there will not be any doubt about it whatever.

Mr. McDUFFIE. I hope the gentleman will pardon me for interrupting him so much, but, as I understand, the gentleman suggested that the Shipping Board and the Emergency Fleet Corporation both said they could get along with \$17,500,000.

Mr. WOOD. Yes.

Mr. McDUFFIE. Why did not the gentleman give them the \$17,500,000? Granting, for the sake of argument, that they are willing to take that and try to operate these ships, you have cut them one-half million dollars.

Mr. WOOD. General Dalton in his testimony testified that the loss this fiscal year would be \$17,400,000. If the loss for the present year is only \$17,400,000 they ought to get along on \$17,000,000 next year.

Mr. McDUFFIE. I think you will get a larger loss under the present policy, for we are gradually shrinking rather than expanding.

Mr. WOOD. If the Emergency Fleet Corporation and Shipping Board proceed with the curtailing of expenses in the next year as successfully as they have in the last year you will find this ample. They have made a wonderful showing in the reduction of expenses, and yet they have not reduced operations. There has been a good deal of money wasted in the operation of the Shipping Board extending all over the world in the past. It probably is nobody's fault in particular but it was a big piece of machinery to set up over night, and it has taken a long while to get it in order and get it under the control of some one responsible head.

Mr. McDUFFIE. We have saved the producer and the consumer many more dollars than we have expended in loss of operation and therefore it is not a loss.

Mr. WOOD. In that sense it is not a loss, and I desire to say that the hearings disclose concrete examples of the value of the merchant marine to the American shipper and consumer. I think that the shipment of apples from Virginia alone last year is evidence of that fact.

Here is something that the average person does not take into consideration. We are expending one-third of a billion dollars a year to maintain a navy and we do not get a dollar back except the protection of the United States. Here is a merchant marine, which is the strongest possible auxiliary to the Navy, that is operating at a loss now apparently of about \$17,000,000. But it results in a profit for all the shippers and consumers of America. If it were not for the merchant marine we would be at the mercy of the shippers of the world exactly as we were before we had a merchant marine. I only have to call your attention to the humiliating spectacle which you will remember during the administration of President Roosevelt. He sent a fleet around the world and they had to beg, borrow, or steal coal because of the fact that we had no tenders to supply the fleet. Our merchant marine was off the sea and we had no succor of help from any source. It strikes me that that is a good example of our then weakness, and it ought to make a lasting impression on every patriotic citizen.

Mr. BLAND. If the present policy is to be kept up, we will have no navy to send around the world.

Mr. WOOD. Oh, yes; we will have a navy; but what does a navy amount to without a merchant marine? What good is a navy when we get into war without a merchant marine to convoy it? When we got into the Great World War we had to be convoyed by the Allies.

Mr. LAGUARDIA. Why is it that we can not get men of experience to superintend the actual operation of the merchant marine?

Mr. WOOD. I do not know why unless it is because there is too much contrariety of opinion in reference to the merchant marine. It is the duty of Congress to establish a policy and not longer delay it. Congress has been neglectful in the discharge of its duty in adopting a policy for conducting the merchant marine.

Mr. GARNER of Texas. How are you going to adopt a policy?

Mr. WOOD. By affirmative act of Congress. An attempt was made during the Harding administration and failed, but because of that failure we ought not longer to procrastinate. As long as we have no policy we will have difficulty in maintaining a merchant marine.

Mr. GARNER of Texas. Let me ask the gentleman who is responsible for the neglect?

Mr. WOOD. Congress.

Mr. GARNER of Texas. Who is responsible; who has charge of Congress? The gentleman speaks of the wonderful things that the Shipping Board has done, why does not he have Congress function?

Mr. WOOD. I will tell you what will happen. If a program for the conduct of the merchant marine was proposed, gentlemen on the other side, the gentleman from Texas and others,

would be snapping at our heels until they had gnawed the vitals out of it. [Laughter.]

Mr. GARNER of Texas. Have you not sufficient strength over there to do the job, regardless of our nagging the entrails out of you?

Mr. WOOD. Oh, we always have a few weak brothers on our side, as you have on your side. [Laughter.]

Mr. DAVIS. When the last ship subsidy bill was presented, to which the gentleman has referred, there was a majority of 2 to 1 on the gentleman's side in the House, and a majority of 36 in the Senate; but if the gentleman will present a meritorious proposal, it can probably get through. You can not get through a proposal like that. The gentleman has been speaking about a policy. We have a policy that was laid down in the merchant marine act of 1920, and the Shipping Board is getting along pretty well under that; and, in my opinion, they would get along a great deal better if outside interests did not continually interfere.

That was a measure presented by the gentleman's party and supported by Members on both sides of the aisle as a solution of the proposition, and I think it is. So far as the subsidy proposition is concerned, it never has in the world's history built up and maintained a merchant marine worthy of the name.

Mr. WOOD. I wish to say in answer to the gentleman that there is no merchant marine on the face of the earth to-day that could live 24 hours without a subsidy, and there never will be, in my opinion.

Mr. DAVIS. The largest merchant marine in the world is the British merchant marine, and Great Britain is not now and never has at any time in all of her history paid as a subsidy one penny to a cargo vessel.

Mr. WOOD. I shall correct the gentleman by giving him some very substantial facts that dispute his statement entirely and completely. Take the subject of carrying the mails.

Mr. DAVIS. But cargo vessels do not carry the mail, and so far as the mails are concerned, the United States is paying more than twice as much for the carriage of her ocean postage as Great Britain is paying for hers.

Mr. WOOD. Let me give the gentleman some figures that may be enlightening to him. Italy is paying a subvention to-day—

Mr. DAVIS. From what is the gentleman reading?

Mr. WOOD. From a report that I have from the Postmaster General. Italy to-day is paying a subvention of \$6,901,595; Spain, \$7,785,681; France, \$2,671,584; Japan, \$5,007,279; Australia \$851,516; and Canada, \$1,000,000. The Postmaster General further says:

Great Britain's payments are so complicated with loans for construction purposes at nominal rates of interest, naval reserve and admiralty payments, that it is impossible to do more than roughly approximate the mail subvention, which appears to be in the neighborhood of \$2,432,900.

Mr. DAVIS. And our appropriation for the fiscal year was \$8,500,000, which, as I said, is more than twice as much as Great Britain is paying to-day.

Mr. WOOD. But there are more ways of subsidizing than by granting a direct subsidy from the treasury of a country. That is one of the things with which our Emergency Fleet Corporation has to deal. Every European shipper has, as a part of his contract of sale, a condition that his goods shall be shipped in a certain line of vessels, generally the line belonging to his own country. When he buys in this country he has the condition in his contract of purchase that his goods shall be shipped in English vessels if he be an Englishman, or in German vessels if he be a German.

Mr. DAVIS. Yes; and the American exporter and importer can make the same agreement and ought to do it.

Mr. BLANTON. But they do not do it.

Mr. DAVIS. I think the gentleman will agree that one of the greatest handicaps to a merchant marine is the fact that American citizens do not support it to the extent that the nationals of other countries support theirs. Is not that the fact?

Mr. WOOD. That is one of the reasons why we ought to have a definite policy upon which we could rely, and for this reason: Prior to the war we had no merchant marine. The great manufacturing industries of the country had their business connections made with foreign shipping, and the great railroads, the trunk lines, of the country had their business connections made with foreign shipping. There has been a propaganda going on all the time, and it is going on now, that it is only a question of time when the American merchant marine will be a thing of the past, and as long as we go on with this want of policy, with this want of determination, there is going to be some basis for their contention; so that

I say it is up to the Congress of the United States to correct this thing and there should not be any politics in it. It is the greatest auxiliary that we have in time of war, a great asset in time of peace, and it occurs to me that if there was half as much interest exercised toward the upbuilding and establishment of a merchant marine as there is in the upbuilding of a bigger army and navy we would that much sooner get a merchant marine firmly established.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. WHITE of Maine. Reference has been made by the gentleman from Tennessee [Mr. Davis] to the merchant marine act, and the gentleman from Indiana [Mr. Wood] has referred to the necessity for a policy with respect to our merchant marine. I call especially to the attention of the committee the fact that in the merchant marine act there was laid down a policy with respect to the carriage of mails on American vessels, and that the Postmaster General of the United States under that act was authorized to enter into contracts for the carriage of mails in American ships. Yet this Appropriation Committee of the House in the first bill it brought in after the passage of that act wrecked the policy laid down in that act and in effect has repudiated a number of contracts entered into by the Postmaster General for that, as I conceive it to be, very laudable purpose. I do not know how you can have a policy and have it duly effective in the upbuilding of a merchant marine if the declarations of congressional intent are not respected and if the money to carry them into effect is not provided. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield right there for a moment?

Mr. WOOD. Yes.

Mr. LAGUARDIA. I want to call the gentleman's attention to one thing, that in this connection that exists the emergency fleet has joined the steamship conference, and this steamship conference is absolutely controlled by the foreign companies. I can not understand why the ships and the Emergency Corporation should at any time join that conference, which controls all the passenger and freight business.

Mr. CHINDBLOM. Has the gentleman made any effort to find out why they have joined it?

Mr. LAGUARDIA. Certainly I have.

Mr. CHINDBLOM. Is there any reason for not joining the association when they are in the business? Everybody belongs to it.

Mr. LAGUARDIA. The I. M. M. surely would not be called an American company.

Mr. CHINDBLOM. I think the United States Fleet Corporation does participate in this conference, yet for certain reasons made known to the committee they are not reciprocally accepting its recommendations.

Mr. LAGUARDIA. They follow the conference, and they lose by it.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BRIGGS. I can not understand why the Shipping Board Fleet Corporation, after showing that they need \$17,500,000 to operate on in the next fiscal year, should have a condition attached to that appropriation restricting the amount of its expenditure.

Mr. WOOD. We discussed that point when the gentleman was out; before the gentleman came in.

Mr. BRIGGS. No; I was listening to it, but I was not satisfied with the discussion. The representatives of the Shipping Board testified before the committee that the amount granted this fiscal year, \$13,900,000, resulted in a deficit of possibly three and one-half million. Their estimate for 1928 was \$17,500,000. The Shipping Board testified that for the present fiscal year the operating deficit for five months is \$2,000,000 in excess of the Budget. That will be found on page 622 of the hearings. They say that at the end of the year it will amount to \$3,500,000. The Shipping Board further shows that since 1924 they have reduced the operating deficit from \$41,000,000 to \$17,500,000. That is a mighty good showing. They have also reduced to some extent the number of ships. They testified that if the appropriations are further reduced it will mean a further reduction of the number of ships. They can not call upon the reserves of the board to meet those obligations, for they are pledged to other purposes; and if the boats of the Shipping Board are to perform and render the service expected and needed by the American people they must have \$17,500,000. Now, it is undertaken to give them \$17,000,000 with a condition attached that it must be approved by the President so far as \$5,000,000 thereof is concerned. That provision, so far as I am advised, does not obtain with reference to any other department of the Government.

Mr. WOOD. I will say to the gentleman that we have no other business like this. It is in a class all by itself. That is one of the troubles we have in knowing what their wants are. Its interests are scattered all over the world. Were its activities confined to the United States, that would be different; but we have our fleets on all the seven seas, and it strikes me that under the circumstances there can not be too much supervision. The President of the United States can not sit on this board personally, but he can be a splendid advisor.

Mr. BRIGGS. The Shipping Board meets a condition where in certain seasons of the year, in moving the grain crops of the West and the crops of the South, extra facilities are necessary. If they have only \$13,900,000 on hand, as they had last year, they hesitate to go on. They were assured that if they had a deficit it would be approved, but I know that they hesitated a long time to put additional ships into the service because they had to go and recondition a number of ships, which cost them about a million and a half dollars to get them in readiness; ships which had been withdrawn from the trade.

I contend that the Shipping Board should not have the feeling that they are restrained by this limitation, because the moving of the commerce of the country will suffer if the traffic is not carried to its destination at the time the trade desires. It seems to me that no reason has been advanced why there should be an additional condition tied to this appropriation restricting its expenditure than is attached to any other appropriation for any other department, commission, or agency of the Government.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield? I note that on page 35, line 16, the language is as follows:

Five million dollars of the special appropriation of \$10,000,000 contained in the independent offices appropriation act for the fiscal year 1927 and reappropriated by this act.

Are those the only words of reappropriation? That looks like a recital. Should it not be "which is hereby reappropriated"?

Mr. WOOD. I would say to the gentleman, that, perhaps, some other language should be put in there.

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. LOZIER. Only a comparatively small part of our outgoing tonnage is carried in American bottoms. Is that the result of the traffic arrangements by which the directors of American railroads have entered into agreements with foreign-owned ships, by which traffic originating in the interior and hauled to tidewater is turned over to these foreign ships for transportation abroad?

Mr. WOOD. That is true; but those arrangements were in existence before we had any Shipping Board at all. To get shippers to break away from that arrangement is one of the problems of this board. It strikes me that if American newspapers would devote a little of their space to matters such as this and advocate and emphasize the importance of the American merchant marine, conditions would grow better. I believe even now that the conditions are growing better. Our passenger lists are larger than last year and the per cent of our shipment of freight has likewise increased. There is a gain in American shipping. That is why I wish we could adopt some firm policy and say to the world that our American merchant marine should be maintained, whether it is going to be by Government ownership or by private ownership under Government supervision. [Applause.]

Mr. BRIGGS. I just want to suggest that the percentage of exports now being carried out of the Gulf of Mexico in American ships is approximately 50 per cent of all of the exports. I want to say this, too, for the Fleet Corporation, that they have performed one of the finest services for America this past summer that has ever been performed by any agent. At a time when vessels of foreign nations were being withdrawn from the seasonal movement of grain and grain products, flour and other grain products, and cotton and its products, in order to go into the coal trade, where the profits were enormous, the United States Emergency Fleet Corporation came to the rescue and put into that service over a hundred additional ships, which allowed American commerce to move, get to its destination, hold freight rates in check, keep up our trade, and by which we were enabled to deliver the desired part of the exportable surplus of the crops of the United States which were purchased and otherwise never could have been moved to foreign shores. [Applause.]

Mr. BLANTON. Before the gentleman gets away from his pet subject of subsidies, may I ask him a question?

Mr. WOOD. Yes.

Mr. BLANTON. How do our shipping tariffs in Government-owned bottoms compare with those of, say, German-owned and English-owned vessels?

Mr. WOOD. In what respect?

Mr. BLANTON. For instance, if I wanted to ship a cargo of cotton from Galveston to Liverpool in a Government-owned vessel, would our Government-owned vessel charge more for it than a German vessel or an English vessel?

Mr. WOOD. I will state to the gentleman there is a rate-fixing conference of the shipping of the world; they are supposed to adopt rates that are uniform, but how well they obey them is a matter of some doubt. We have some evidence of the fact that they are not obeyed very strictly. But here is the point, if we did not have an American merchant marine we would have no voice in that conference; we would not have anything with which to protect ourselves in shipping, and consequently we would be at their mercy.

Mr. BLANTON. But the rates are approximately the same, are they not?

Mr. WOOD. They are.

Mr. BLANTON. Then we are granting a subsidy after all to shippers because of the fact that every seaman on every Government-owned bottom receives from at least a half, and in many instances more, up to one-fourth greater wages than seamen employed on any other vessel in the world. Is not that so?

Mr. WOOD. I will state to the gentleman that that is the prevailing erroneous opinion. He is correct with reference to the fact that our seamen are paid more than the seamen of other shipping nations, but it is offset to a considerable degree by the fact that it takes fewer Americans to run a ship than nationals of any other nation on the face of the earth.

Mr. BLANTON. If the gentleman will investigate, I think he will find that it costs the American Government just as much to operate any ship we own as any ship of any foreign nation of comparable size and tonnage.

Mr. WOOD. I will tell the gentleman where the difference in cost is. The difference in the cost is in that it takes about 37 per cent more to build an American ship than it takes to build a ship of like character at any other place upon the face of the earth.

Mr. BLANTON. And to that extent we pay a first subsidy?

Mr. WOOD. No; but if we are, we are paying it to American workmen and those who receive higher wages.

Mr. BLANTON. But we are paying it. There is the first subsidy we are paying.

Mr. WOOD. Yes; we have got to pay it.

Mr. BLANTON. And then the next subsidy is the extra wages we pay.

Mr. WOOD. Well, if you call that a subsidy.

Mr. CONNALLY of Texas. The gentleman says that greater cost goes to American workmen, but is it not a fact that some of it goes to the steel interests in the way of tariffs?

Mr. WOOD. Yes; and, fortunately for the United States, under the benign influence of a protective tariff we are manufacturing steel cheaper to-day than at any place upon the face of the earth; but if the gentleman had his way about it, we would not have a ton of steel manufactured in the United States with which to build a ship or anything else. [Applause and laughter.]

Mr. CONNALLY of Texas. The gentleman does not care to yield further, I suppose?

Mr. WOOD. If the gentleman has another question.

Mr. CONNALLY of Texas. The gentleman was kind enough to make a very liberal reference to me.

Mr. WOOD. Has the gentleman another question to ask me?

Mr. CONNALLY of Texas. I suppose the gentleman implied that from the question I asked when he said that if I had my way there would not be enough steel manufactured in this country with which to build a ship or anything else.

Mr. WOOD. Yes; I take it for granted the gentleman is in line with his party and his party's policy. His party is opposed to protection and always has been.

Mr. CONNALLY of Texas. The gentleman, then, favors a protective tariff in order to give the steel interests of the United States an enhanced profit, when the Steel Trust the other day was able to hand out a \$200,000,000 stock dividend, which was earned, of course, through the exorbitant profits made out of the American people, who have to buy their steel because they have no competition in the way of imports.

Mr. WOOD. The gentleman is mistaken.

Mr. CONNALLY of Texas. I have as much right to assume that is the gentleman's position as the gentleman has to assume that because I am opposed to protective tariffs I want to do away with the steel industry.

Mr. WOOD. I am in favor of protection of American steel and American manufactures of every character. I am in favor of protection upon steel so that thousands and thousands of men employed in that industry can live better than any other

like employees upon the face of the earth. I am in favor of protection for steel and for every other industry because of the fact that it has made this country the envy of the world and the richest Nation on the face of the earth.

It has made it rich beyond compare and without such protection we would have been in the same pitiable condition, no doubt, that the other nations are in to-day.

Mr. CHINDBLOM. Will the gentleman permit me to make an observation?

Mr. WOOD. Certainly.

Mr. CHINDBLOM. I find that there is, I think, a specific reappropriation of that \$10,000,000 item on page 36, beginning in line 4.

Mr. BRIGGS. That only relates to \$5,000,000 of the \$10,000,000 originally appropriated last year.

Mr. WOOD. We only intended to reappropriate \$5,000,000.

Mr. CHINDBLOM. You are making \$5,000,000 available for the specific purposes mentioned on page 35.

Mr. WOOD. Yes.

Mr. BRIGGS. The second item refers to an appropriation of only \$5,000,000 of the original \$10,000,000.

Mr. WOOD. I wish at this point to submit a very illuminating table, showing the number of ships in operation, total tonnage of ships in operation, and various other figures with respect to revenues, and so forth.

The statement referred to follows:

*Data requested by subcommittee of House Committee on Appropriations at hearing on appropriation for fiscal year 1928 for the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, December 28-29, 1926*

OPERATING DATA

	Fiscal year 1923	Fiscal year 1924	Fiscal year 1925	Fiscal year 1926	Estimate for fiscal year 1927	Estimate for fiscal year 1928
Number of ships in operation (average during fiscal year):						
Cargo	347	338	299	242	270	247
Passenger and cargo	17	14	14	6	5	5
United States lines	11	10	6	6	5	5
Tankers	17	21	14	7	8	7
Total	392	383	333	261	288	264
Total tonnage of ships in operation (based on average number shown above, dead-weight tonnage)	3,378,342	3,359,583	2,970,948	2,328,806	2,562,675	2,350,395
Number of cargo and passenger and cargo services maintained at end of fiscal year	78	71	61	50	49	49
Total number of terminations	1,848	1,686	1,569	1,215	1,331	1,176

OPERATING RESULTS

Total vessel revenues	\$96,468,843.06	\$103,625,416.83	\$100,460,150.07	\$81,038,731.58	\$77,963,000.00	\$72,345,000.00
Other operating revenues (net)	780,026.57	692,374.66	503,601.49	899,151.25	1,060,000.00	600,000.00
Total revenues	97,248,869.63	104,317,791.49	100,963,751.56	81,937,882.83	79,023,000.00	72,945,000.00
Total vessel operating expenses	140,173,947.17	141,046,616.33	128,319,166.18	97,700,710.35	92,663,000.00	86,824,000.00
Other operating expenses	42,106.98	4,467,569.75	2,708,373.62	3,843,781.23	3,760,000.00	2,800,000.00
Total expenses	140,216,054.15	145,514,186.08	131,027,539.80	101,544,491.58	96,423,000.00	89,624,000.00
Reserve						821,000.00
Deficit for year	42,967,184.52	41,196,394.59	30,063,788.24	19,606,608.75	17,400,000.00	17,500,000.00
Appropriation for year	50,000,000.00	50,000,000.00	30,000,000.00	24,000,000.00	13,900,000.00	

SPECIAL FUND TO COVER LOSSES OF LINES TAKEN BACK FROM PURCHASERS

Amount of appropriation					\$10,000,000.00	1 \$10,000,000.00
Balance of appropriation at end of fiscal year					10,000,000.00	10,000,000.00

OPERATING FUNDS (INCLUDING INSURANCE RESERVES)

Operating balance carried forward at end of year	\$40,998,657.01	\$43,319,050.80	\$40,656,393.72	\$41,615,434.42		
Liabilities covered by balance carried forward	40,998,657.01	42,826,470.63	40,656,393.72	41,615,434.42		

CONSTRUCTION LOAN FUND

Balance available for use at end of year	\$50,000,000.00	\$60,881,931.62	\$57,424,003.52	\$60,925,269.97		
Outstanding loans at end of year	400,000.00	5,140,000.00	18,564,447.86	6,910,000.33		
Amounts in suspense (pending action by Congress)				19,367,504.65		
Total fund	50,000,000.00	61,281,931.62	81,128,451.38	87,202,774.95		

DIESELIZATION FUND

Balance at end of year	(?)	(?)	\$8,217,160.20	\$5,231,417.57		

INSURANCE RESERVES

Marine insurance:						
Reserve at end of year	\$3,436,232.29	\$3,669,668.71	\$6,391,397.56	\$7,136,096.32		
Charges to reserve during year	(?)	5,343,318.81	4,651,153.34	2,933,699.51		
Protection and indemnity insurance:						
Reserve at end of year	5,414,217.61	5,312,541.38	4,971,157.80	4,670,257.72		
Charges to reserve during year	(?)	2,993,410.55	2,260,582.20	1,746,322.61		

LIQUIDATION FUNDS

Total receipts from liquidation	\$43,442,385.61	\$23,090,661.10	\$10,373,643.17	\$8,445,468.35		
Distribution of receipts:						
Liquidation expenses (including administrative, laid-up fleet, etc.)	(?)	(?)	4,091,571.27	3,432,308.23		
Transfers to construction loan fund	\$ 50,000,000.00	11,281,931.62	6,282,071.90			
Transfers to miscellaneous receipts, United States Treasury		11,808,729.48				
Receipts in excess of expenses not available for use, pending action by Congress				5,013,160.12		
Interest and principal on securities held in construction loan fund not available for use, pending action by Congress (not included)				5,520,079.29		

<sup>1</sup> Reappropriated.

<sup>2</sup> Fund not authorized until fiscal year 1925.

<sup>3</sup> Reserve not set up until end of fiscal year 1923.

<sup>4</sup> Expenses of liquidation paid from general operating funds—amount not available.

<sup>4</sup> Difference between this amount and receipts during year made up of collections during preceding year.

Data requested by subcommittee of House Committee on Appropriations at hearing on appropriation for fiscal year 1928 for the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, December 28-29, 1926—Continued

## LAID-UP FLEET

	Fiscal year 1923	Fiscal year 1924	Fiscal year 1925	Fiscal year 1926	Estimate for fiscal year 1927	Estimate for fiscal year 1928
Number of vessels at end of year.....	937	924	914	580	.....	.....
Tonnage of vessels at end of year (dead-weight tonnage).....	5,949,122	5,862,726	5,850,273	4,295,754	.....	.....
Lay-up expenses during year.....	\$4,418,335.59	\$2,915,814.23	\$2,867,577.68	\$2,474,355.29	.....	.....

## SALE OF VESSELS

Number of vessels sold:						
Individually.....	146	24	47	107	.....	.....
In groups for restricted operation as lines.....	6	10	5	42	.....	.....
For scrapping.....	237	18	3	199	.....	.....
Total vessels sold.....	383	52	55	348	.....	.....
Number of lines sold.....		2	1	4	.....	.....
Total price of vessels sold.....	\$30,138,906.96	\$7,045,684.58	\$8,995,729.09	\$19,666,059.70	.....	.....

## SPECIAL CLAIMS APPROPRIATION

Balance at end of year.....	\$6,517,924.25	\$5,034,687.49	\$4,596,144.79	\$3,570,237.96	.....	.....
Settlement during year from appropriation.....	(7)	1,452,236.85	438,542.61	1,025,906.83	.....	.....

## CLAIMS AGAINST SHIPPING BOARD (EXCLUDING COURT OF CLAIMS CASES)

Number of claims at end of year:						
Admiralty.....	1,664	1,038	560	393	.....	.....
Legal.....	290	266	243	270	.....	.....
Miscellaneous.....	111	91	74	48	.....	.....
Unpaid awards.....				13	.....	.....
Total number.....	2,065	1,308	877	724	.....	.....
Gross amount of claims:						
Admiralty.....	\$31,201,531.64	\$18,988,078.71	\$11,019,484.24	\$6,787,478.34	.....	.....
Legal.....	85,010,217.29	76,346,585.07	60,660,182.57	46,385,021.01	.....	.....
Miscellaneous.....	272,300.33	524,110.16	1,200,671.61	258,005.58	.....	.....
Unpaid awards.....				819,303.10	.....	.....
Total amount.....	116,483,909.26	95,858,782.94	72,880,338.42	54,249,808.03	.....	.....

<sup>6</sup> Wooden vessels.

<sup>7</sup> Balance set up at end of fiscal year 1923, to cover estimated settlement cost of outstanding claims payable from the special appropriation.

NOTE.—These totals include claims which when settled, will be paid from the special claims appropriation.

Mr. WOOD. I also wish to commend the treasurer of the Shipping Board for inaugurating a scheme that is saving the people of the United States at least \$200,000 a year when compared with the expenditures under the old system of exchange. Under the old system we had to pay exchange both coming and going. Mr. Schmidt, who is the treasurer of the Shipping Board, has inaugurated a scheme whereby he has depositaries not only throughout continental Europe but throughout South America, where they pay in the money of the foreign country without the necessity of rechecking or exchange. This amounts to a saving of about \$200,000 a year in the operations of the Shipping Board. I wish to commend this plan to the other departments of the Government. We are spending millions of dollars each year through our various consulates and embassies and spending thousands and thousands of dollars that are unnecessary if the same sort of depositaries were established for this accommodation.

Mr. DAVIS. I want to heartily indorse the expression made by the gentleman from Indiana. I think Mr. Schmidt has rendered a very valuable service, and I think it would amount to a tremendous saving to this Government in the course of a year if all the departments interested would adopt the same system.

## FEDERAL BOARD FOR VOCATIONAL EDUCATION

Mr. WOOD. I thank the gentleman.

I wish to call attention briefly, in passing, to the Federal Board for Vocational Education. I invite the attention of the Members to the hearings showing the wonderful work this board is doing throughout the United States, and I would like to submit the following statement in reference to this board as a part of my remarks:

## VOCATIONAL REHABILITATION OF PERSONS DISABLED IN INDUSTRY OR OTHERWISE AND THEIR RETURN TO CIVIL EMPLOYMENT

## NUMBER OF PERSONS DISABLED ANNUALLY

Each year many thousands of persons are disabled through industrial and public accidents, disease, or congenital conditions. The following figures for the United States are significant:

Nonfatal industrial accidents.....	3,000,000
Persons permanently physically disabled by industrial accidents.....	60,000
Persons permanently physically disabled by public accidents.....	120,000
Persons permanently disabled through disease and congenital conditions.....	45,000

Many of the above persons, having slight physical disabilities, such as the loss of a finger or partial loss of use of leg, do not become handicapped for their former employments. It is conservatively estimated as a result of experience, however, that of the entire group of disabled persons at least 80,000 per year are unable to reenter their old occupations or to undertake new employment without special assistance, because they lack initiative, or need guidance, direction, or help.

## VOCATIONAL REHABILITATION LEGISLATION

Forty States have enacted civilian vocational rehabilitation legislation. In 1920 the Congress of the United States passed an act for the promotion of the work. The Federal Government does not undertake the immediate organization and direction of the vocational rehabilitation service. This is left to the States. The administration of the work is placed under the State board for vocational education, which, through its rehabilitation staff, initiates and plans programs of rehabilitation, inducts disabled persons into training, and places them in employment.

In order to assist the States in carrying on the service, the Federal Government makes allotments of money to them, the States securing the benefits of this assistance through legislative enactment and through matching expenditures from Federal funds by expenditures in equal amounts from State funds.

## STATISTICS OF THE NATIONAL VOCATIONAL REHABILITATION PROGRAM

1. The national civilian vocational rehabilitation act became effective June 2, 1920.

2. Forty States have legislation.

3. Cases rehabilitated—

1921.....	523	1925.....	5,825
1922.....	1,898	1926.....	5,604
1923.....	4,530		
1924.....	5,654	Total.....	24,034

4. Live roll, end of—

1921.....	4,792	1924.....	13,044
1922.....	9,966	1925.....	12,727
1923.....	15,515	1926.....	13,604

5. Expenditures for all purposes:

	Federal	State
1921.....	\$63,335	\$191,347
1922.....	318,608	427,825
1923.....	525,387	662,783
1924.....	551,095	691,462
1925.....	519,553	667,665
1926.....	578,847	695,033

6. Average cost per rehabilitated case:	
1922	\$393.60
1923	262.29
1924	219.76
Analysis by percentages of cases rehabilitated in 1926	
1. Rehabilitated through—	39
School training	15
Employment training	46
Job restoration	
2. Sex—	87
Male	13
Female	
3. Age:	23
Under 21	33
21-30	21
31-40	14
41-50	9
Over 50	
4. Origin of disability:	49
Employment accident	19
Public accident	27
Disease	5
Congenital	
5. Nature of disability:	34
Leg	14
Hand	11
Arm	8
Vision	7
Legs	4
Multiple	
6. Schooling:	33
Sixth grade and less	42
Seventh-ninth	19
Tenth-twelfth	5
More than twelfth	

## ECONOMIC SIGNIFICANCE OF VOCATIONAL REHABILITATION

The following statements are representative, being taken from studies made in all of the States engaged in rehabilitation work:

## ALABAMA

The average weekly wage at time of disablement of all persons rehabilitated in 1924 was \$9.21, whereas after rehabilitation their wage was \$21.75. Of the group rehabilitated, 77 per cent had no earning power during the period of disablement, while 38 per cent had never worked prior to rehabilitation. Again, the average weekly wage of those who were working at the time of disablement was \$17.11, whereas after rehabilitation the wage of this same group became \$22.75. Furthermore, the average weekly wage of that group that had never worked until rehabilitated was \$19.90.

## WISCONSIN

Fiscal year of 1924:	
Total number of disabled persons rehabilitated	235
Total earnings before rehabilitation	\$97,415.00
Total earnings after rehabilitation	\$261,797.50
Per capita earnings before rehabilitation	\$475.00
Per capita earnings after rehabilitation	\$1,200.00
Per capita cost of rehabilitation	\$220.00

## OHIO

The following statement approaches from a different angle an analysis of economic returns on the investments by the State and Federal Governments in the rehabilitation work. A study was made of 457 persons disabled in industry in 1924 who were entitled to the benefits of workmen's compensation. Of this group 371 returned to their former or to some other employment without seeking the aid of the State service of rehabilitation. On the other hand, 86 of the group sought the aid of and were rehabilitated by the State service of rehabilitation. These 86 were shown to have an average earning capacity per annum after rehabilitation of \$1,165, whereas the 371 who were self-rehabilitated had an average earning capacity per annum of only \$88.10. The average cost per case to the State and the Federal Governments of rehabilitating the group of 86 was \$126.71, the average age of the group when rehabilitated being 29 years. The average industrial life expectancy of this group is 20 years. If it is assumed that the increased earnings of the group will continue for a period of 20 years, an analysis will show that the cost of rehabilitation was only an insignificant percentage of the increased earning capacity resulting therefrom.

## CALIFORNIA

The average weekly wage at time of disablement of all persons rehabilitated in 1924 was \$20.86, whereas after rehabilitation their wage was \$28.34. Of the group rehabilitated 85 per cent had no earning power during the period of disablement, while 19 per cent had never worked prior to rehabilitation. Again, the average weekly wage of those who were working at the time of disablement was \$28.43, whereas after rehabilitation the wage of this same group became \$28.71. Furthermore, the average weekly wage of the group that had never worked until rehabilitated was \$27.66, only 77 cents per week less than that (\$28.43) of the group who were working at the time of disablement.

In most of the States it costs from \$300 to \$500 per annum to maintain in a poorhouse or custodial institution a person who is unable to work. When there is contrasted with this the average cost of \$225 required to rehabilitate disabled persons, making them competent to earn a living, some idea is given of the economic return on an investment by the State in its rehabilitation program. It is difficult to

conceive how any State can fail to maintain a rehabilitation service in the light of these facts.

The State and Federal program of civilian vocational rehabilitation has been in operation for a period of six and one-half years. The program has been demonstrated as socially and economically sound.

## VETERANS' BUREAU

Mr. WOOD. Now gentlemen, I wish to call your attention to the Veterans' Bureau. We have made no substantial change with reference to appropriations for the Veterans' Bureau except that we have covered into the Treasury a \$2,000,000 surplus in the insurance fund which will leave more than \$1,500,000 in excess of all anticipated liabilities, and in passing I want to call attention to what General Hines says with reference to future hospitalization.

The whole thing will depend upon the policy adopted by Congress with reference to whether we are to take into our hospitals more of the nonservice cases. The problem of additional construction will hinge entirely upon the policy adopted by the Congress. If we are to hospitalize all service men regardless of the war, regardless of their disability, further construction will be necessary. If we are simply to take care of compensable cases, the amount of the additional construction will be very small and will be in keeping with what the bureau proposed in the first place on what we termed the \$14,000,000 program to complete everything, and that contemplated additions where needed, the replacement of temporary structures and one or two hospitals which we have worked out of the 10.

I also wish to commend the perusal of the hearings showing the detailed operations of the Veterans' Bureau.

Now, gentlemen, with these observations and thanking you for your considerate attention I will close.

Mr. BLAND. Will the gentleman yield before concluding?

Mr. WOOD. Yes.

Mr. BLAND. I want to ask the gentleman if it would not be possible for the Committee on Appropriations in the reports which it filed to show those provisions in the bill which it submits which undertake to change existing law, so that the average Member of the House and of this committee, upon reading the report, can see wherein the Committee on Appropriations has undertaken to change existing law?

I want to say that I ask this question without criticism of the gentleman's subcommittee, because in the one item which I have brought to the gentleman's attention it appears that the subcommittee took it up with the proper committee of the House and received its approval of the change; but the average Member has to take the bill and read it in connection with the preceding bill and study it out to find wherein the Committee on Appropriations has changed the law, although the Committee on Appropriations is supposed not to bring in legislation on an appropriating bill. I wonder if that situation can not be corrected so that the average Member of the House can find out when the Committee on Appropriations is undertaking to change existing law.

Mr. WOOD. I would state to the gentleman that it is the rule of the Committee on Appropriations not to resort to legislation upon an appropriation bill except in the most extreme cases and where there seems to be dire necessity for it, and those changes are always pointed out during the debate, because there is always some one watchful enough to make a point of order.

Mr. BLAND. But the gentleman knows that just recently there was a provision that slipped through because a Member did not happen to be watching out for changes that were made by the Committee on Appropriations. The Members constituting the subcommittee of the Committee on Appropriations are the ones who are really familiar with the details of the bill when it is brought before the House, and while they may think that a change is necessary, what I am asking is an opportunity for the Members of the House generally to be able to readily see the changes and themselves determine whether they are proper or not.

Mr. WOOD. There would be this danger about that. Sometimes it may seem to some Member of the House to be a change of the law when it is not.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. GARRETT of Tennessee. It was the practice for many years for the Committee on Appropriations when it brought in a bill to point out in the report those measures which the committee itself recognized and acknowledged as being changes in existing law. Of course, it frequently happened that the committee would take the view that a particular proposition which they put in did not constitute a change when others would think differently and a point of order would be made; but it was the practice up until recently, I believe, in the report

which accompanied the bill for the committee to point out all those things which they themselves conceded to be changes in existing law. I think it would be a very good practice to do that now, and I think they ought to be required to do it.

Mr. WOOD. I think so myself.

Mr. BLANTON. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLANTON. I do not think the chairman has properly answered the contention made by my colleague from Virginia, commented favorably upon by the minority leader, with both of whom I agree, in just merely waving that contention aside, because the contention is that it is the duty of the Committee on Appropriations, when they seek to change present law in an appropriation bill, to point it out to us. In the bill that the gentleman has brought in here there at least half a dozen, if not 8 or 10, instances where the Committee on Appropriations has put in affirmative legislation unauthorized by law, subject to a point of order, and nowhere in the report and nowhere in the gentleman's argument, and I have listened patiently to the gentleman's long argument here to-day, has he called the attention of a single Member of this House to these items of legislation.

I submit to the gentleman whom I used to follow when I first came here because of the great fight for proper legislation, but I submit to him that in his old age in the House of Representatives he is getting extremely careless in his manner of appropriation. [Laughter.]

Mr. WOOD. The fact is, if we did all the things the gentleman from Texas would have us do, there would be nothing for him to do to attract the attention of the House.

Mr. BLANTON. I expect to attract the attention of the House by calling attention to these matters and making points of order. I am glad the distinguished gentleman from Ohio is in the chair, because he is one who has done faithful work in the House and he can help in knocking out these pieces of legislation. I am glad he is here because he recognizes items of legislation when his attention is called to it.

Mr. NEWTON of Minnesota. I would like to ask the gentleman if in the hearings the committee went into the question at all of the limitation that the Budget Director places upon the use of appropriations in what is known as the 2 per cent club?

Mr. WOOD. Yes; we had to contend with that throughout the hearings. It is not our purpose to criticize the Budget. The Budget is a very helpful thing, but I sometimes think they do not give consideration enough to measures, especially those where we have a fixed policy; that is, the execution of a program that has been formulated in a previous Congress and if not carried out would cripple the department interested.

Mr. NEWTON of Minnesota. Here is a small bureau in the Government, and if they are compelled to make a saving of 2 per cent where there is a resignation or other vacancy in their employees, it works an injustice; it is one thing to make a saving in a large establishment and another to have to make it in a small one. It is one thing to make a saving in a bureau that has been magnified and extended since the war, and it is another thing in a small establishment that has not been increased. There ought to be some sound discretion used in this effort to make a saving along that line rather than an arbitrary rule laid down by the Director of the Budget.

Mr. WOOD. I hope the Director of the Budget will read the gentleman's remarks.

Mr. NEWTON of Minnesota. I hope so, too, but I have my doubts.

Mr. SANDLIN. Mr. Chairman and gentlemen of the committee, I am glad to see so much interest manifested in the American merchant marine. I think there is no activity of the Government more important to the masses of the people than the operations of the Shipping Board and the American merchant marine. You hear it asserted that the amount carried in the bill is a distinct loss to the Government. I can not see why the appropriation for the Agricultural Department, the Department of the Navy, the War Department, and the appropriation for rivers and harbors of billions of dollars can not in the same way be called a loss to the Government, because every man, woman, and child in this great country is interested in and affected by the operations of the American merchant marine as they are by the activities of the other departments.

I would like at this time to call attention to the fact that the activities carried on under that department are gradually being curtailed. There has been a material reduction since 1921 in the operation and tonnage carried by the American merchant marine.

The gentleman from Texas referred to the placing of ships in the southern ports during the last fall for the purposes of handling cotton.

I will state that during 1921 the percentage of cargoes carried in American vessels was 51 per cent, leaving 49 per cent carried in foreign vessels. That has declined until in 1926 we only carried 36 per cent of the cargoes in American vessels, leaving 64 per cent to be carried by foreign vessels. These figures will bring to our mind how necessary it is to keep up the American merchant marine. I would like to clear up, if I can, what seems to be a misunderstanding as to the appropriation carried for the Emergency Fleet Corporation last year.

Last year they asked for an appropriation of eighteen and a half million dollars, and the Budget allowed \$13,900,000. There was an attempt on the floor of the House to add \$5,000,000 to that appropriation, which attempt was not successful. They went ahead with the appropriation of \$13,900,000, and it is estimated from the losses they have sustained to date that at the end of the fiscal year there will be a deficit of \$17,400,000. They will make up the deficit from funds taken out of the insurance fund and one or two other funds they have on hand. But Mr. O'Connor, the president of the Shipping Board, and General Dalton, at the head of the Emergency Fleet Corporation, were both positive, in answers to questions propounded to them by a member of the committee, that if \$12,000,000, recommended by the Budget, is the only amount given to them for this fiscal year, then at the end of the fiscal year they will have to take out numbers of vessels and abolish certain trade routes. They both say that. They are at the head of these institutions, and we are bound to take their word for what will be done in those departments.

Mr. BYRNS. Mr. Chairman, will the gentleman yield?

Mr. SANDLIN. Yes.

Mr. BYRNS. I understood the gentleman to say that there would be a deficit of \$17,000,000 on June 30?

Mr. SANDLIN. Yes. It will be taken care of by the \$13,900,000 that was carried in the last year's bill and by three and a half million dollars taken from the insurance fund.

Mr. BYRNS. The total deficit would be seventeen million and some odd hundred thousand dollars.

Mr. SANDLIN. Yes. Therefore they ask for the next year \$17,500,000.

Mr. BYRNS. And the committee has undertaken to give it to them with the \$12,000,000 and an appropriation of \$5,000,000?

Mr. SANDLIN. Yes; has undertaken to give them \$17,000,000.

Mr. BYRNS. My query is as to whether or not, due to this deficit of \$17,500,000, any boats or ships have been taken out of the service?

Mr. SANDLIN. No; because they have made up that deficit by funds they have taken out of the insurance fund. I believe a statement of the number of ships in operation at this time and in operation last year would probably be enlightening. It is about the same.

Mr. BLAND. But will that answer the question? Has there been a curtailment of service in any respect or in movement?

Mr. SANDLIN. There was an enlargement in service during the latter part of 1926.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. SANDLIN. Yes.

Mr. DAVIS. I ask the gentleman if the only enlargement was not the spot ships placed in service, 82 of them, this past fall, to move the grain and flour and cotton, and they would be soon taken off. Is it not a fact that there has been a reduction from year to year all along in the number of ships in operation?

Mr. SANDLIN. I will read the gentleman the statement in reference to that, and that will answer the question. The average number of vessels in active operation in 1924, cargo vessels, amounted to 338; in 1925, 299; in 1926, 242; on November 30, 1926, 305. That increase is brought about by the situation the gentleman described by these ships being put into the service to handle the cotton and the wheat. It is estimated under this appropriation that in 1928 there will be 247 vessels in operation, which compares with 242 in 1926.

Mr. DAVIS. In connection with this gradual stifling of the proposition and reduction of the trade routes and ships, with the permission of the gentleman, I call attention to the fact that it appears in the hearings that when the chairman of the subcommittee was trying to get the chairman of the Shipping Board and the other officials to agree to a smaller amount Mr. Goodacre, one of the officials, said:

But you can reduce operating costs only to a certain minimum; you can not go beyond that. You can reduce your administrative

expenses to a certain minimum, beyond which you can not go. You can reduce the number of ships to nothing, and then have no loss.

And then Commissioner O'Connor said:

That is what happened in 1924 and 1925. You remember we came up here and stated we had only 242 vessels running, trying to serve the routes, and they could not do it.

So it is stated in the records here, both by Chairman O'Connor and General Dalton, the president of the Emergency Fleet Corporation, that there is a demand now for even more ships than they are operating now with this increased number, and if we are going to maintain these trade routes from various sections of the country to various other nations of the world, does not the gentleman think that there is more room for increase and expansion than there is justification for reduction?

Mr. SANDLIN. I do, and I would say as one member of this body that I would be willing to appropriate sufficient funds to carry on a sufficient and an efficient merchant marine. I am not so particular whether you call it a subsidy or not. If the money is spent under the management of honest, efficient heads of the Government, men at the head of the Emergency Fleet Corporation and of the Shipping Board, I believe it would be well to give the amount they ask for. We appropriate here, nearly every day of the year that we are in session, some money that, if you wanted to, you might call a subsidy. Of course, we all shy at anything that is called "subsidy," but appropriations are made of millions of dollars, which are more or less a subsidy. You may not call it a subsidy, but it amounts to the same thing.

Mr. CHINDBLOM. The modern term, of course, is "Government aid."

Mr. DAVIS. Of course the expenses of the United States to maintain this department are no more a subsidy than the expense required to maintain any other department of the Government, and to the extent that there is a loss, of course, the public generally gets the benefit of it, as suggested by the gentleman from Indiana [Mr. Wood]. There is not any question at all but that the maintenance of this fleet has kept down the freight rates that the American people would otherwise have been compelled to pay.

Mr. SANDLIN. I thoroughly agree with the gentleman as to the benefits of the merchant marine.

Mr. WAINWRIGHT. I wonder if the gentleman or anybody can tell us how large a proportion of the exports leaving the ports of the United States is to-day carried in American bottoms and how large a proportion is carried in foreign bottoms.

Mr. SANDLIN. I have the data, and I will put it in the RECORD.

*Statement showing decline of percentage of American commerce carried by United States flagships (including Shipping Board vessels), January 1, 1921, to June 30, 1926*

Imports and exports combined, calendar year—	Overseas dry cargoes		Total all cargoes			
	Tons	Percentages carried		Tons	Percentages carried	
		American	Foreign		American	Foreign
1921	37,679,000	31	69	81,831,000	51	49
1922	39,181,000	30	70	87,473,000	51	49
1923	40,904,000	28	72	93,219,000	42	58
1924	40,974,000	29	71	93,160,000	44	56
1925	41,069,000	26	74	92,801,000	40	60
1926 (to and including June)	20,829,000	24	76	44,190,000	36	64

Mr. WAINWRIGHT. The gentleman has said that he would be willing, for one, although he was not in favor of a subsidy, but he seems to be somewhat in favor of Government aid for the support of an American merchant marine that would carry American commerce. We have 264 ships engaged in foreign commerce, as estimated to-day. I wonder if anybody has estimated how many American ships would be required to carry the whole bulk of American trade?

Mr. DAVIS. With the permission of the gentleman from Louisiana, I will say that some very illuminating figures were submitted in the hearings by General Dalton. I call the gentleman's attention to the fact that during the month of October the total shipments from Norfolk, South Atlantic, and Gulf ports were 1,139,997 bales, of which the Shipping Board handled 533,207, or 46 1/4 per cent.

Mr. WAINWRIGHT. That is all very well with regard to one commodity. It seems to me the House and the country should get a picture of how large a proportion we are carrying to-day, and how many ships it would require and how much it might cost if we carried the whole thing.

Mr. DAVIS. We are carrying to-day 36 per cent of our imports and exports combined.

Mr. SANDLIN. I have already made that statement, and it is in the RECORD. I would like to read to you a statement in regard to the importance of these operations. I want to call attention to page 674 of the hearings. I read:

#### OPERATIONS

General DALTON. On November 30, 1926, a total of 305 cargo ships, 5 passenger and cargo ships, 5 passenger ships of the United States Lines, and 8 tankers were in active operation. Last year, on the same date, there were 232 cargo ships in the same services, an increase this year of 73 vessels, many of which have been assigned to make two and three extra voyages. Most of the additional vessels have gone to the Gulf services, but there has been an active demand for tonnage in the North and South Atlantic.

During the six months' period, July to September, 1925, there were 178 sailings from Gulf ports and 13 sailings from South Atlantic ports. During the same period, July to September, 1926, there were 287 sailings from Gulf ports and 36 from South Atlantic ports. For the two ranges during the period, July to September, there were a total of 191 sailings in 1925 and 323 sailings in 1926.

Cotton exports from Norfolk, South Atlantic, and Gulf ports in September totaled 753,938 bales, of which amount the vessels of the Shipping Board handled 311,208, or 41 1/2 per cent. During the month of October the total shipments from the same ports were 1,139,997 bales, of which the Shipping Board handled 533,207, or 46 1/4 per cent.

The total movement of grain exports to all destinations from July 1, 1926, to November 30, 1926, aggregated 92,405,000 bushels. Of this amount, the United States Shipping Board lines operating from North Atlantic and Gulf ports handled 27,155,000 bushels, or approximately 30 per cent of the total movement. Grain is a tramp commodity, and outside of the regular line of services we have had to compete against both foreign and domestic tramp vessels in this movement.

In the operation of our various services during the first five months of the current fiscal year the deficits have exceeded by \$2,641,724 the allotment made for these months out of the total annual appropriation of \$13,900,000. Operating results as a whole have been better than reported for several years, the average losses of cargo vessels being smaller, and the profits of the United States Lines much larger than expected.

There have been many more cargo voyages than anticipated last year. The cost of breaking out additional vessels from lay up and conditioning them for active service has also been very heavy. The volume of freight, and in some cases rates, have, however, increased, offsetting to some extent the unusual expenditures which have been made.

#### DEFICIT AND APPROPRIATIONS

Based on present knowledge of conditions, operating and traffic, it appears that the total deficit for the fiscal year 1927 will approximate \$17,400,000, which is \$3,500,000 more than the appropriation. The Shipping Board has agreed with the Bureau of the Budget that a supplementary appropriation will not be requested. Part of the deficit may be covered from accounts which may be collected during the year, but the greater part must be obtained by using reserves set aside for other purposes.

In estimates submitted to the Bureau of the Budget our requirements for the fiscal year 1928 were shown as \$18,500,000, to cover operating deficits, and \$3,000,000 for the expenses of liquidation. A recent review has been made of these figures, and it now appears that the total for operations may be reduced to \$17,500,000. This total is a reasonable estimate of our requirements for the next fiscal year, assuming that the present lines are still operated by the Fleet Corporation.

#### SALE OF VESSELS

From present prospects there can not be anticipated any sales or material changes in services and operating conditions. The passenger services have shown great improvement in recent months and may continue to improve. It must be remembered that the passenger ships are old and will require heavy repair expenditures in the near future if the vessels are to be kept in efficient service. The cargo services for the most part are gradually improving, but there is little prospect of any of them becoming profit makers or even breaking even during the next year.

There has been some interest shown in the purchase of lines in recent months, but no sales have been made. The only line sold during the past year was the American Oriental Mail Line, a passenger service from Seattle to Japan, China, and the Philippines. This line, operating

five vessels, was sold to the Admiral Oriental Line, which for a number of years operated this service for the Fleet Corporation.

A large number of individual vessels of various types have been sold to private parties, these sales covering 107 vessels during the fiscal year 1926, and 32 since July 1 of this year.

In addition, during the fiscal year 1926, 42 vessels were sold and delivered under contracts requiring operation in specified trades and 199 vessels were sold for scrapping. As a result of these sales the total number of vessels owned and controlled by the Shipping Board and the Fleet Corporation on November 30, 1926, had been reduced to 854, aggregating 6,699,982 dead-weight tons.

#### REPAIRS

The total estimate for repairs for the fiscal year 1928 is \$4,915,400. Of this amount \$905,000 is for the vessels of the United States Lines; \$3,700,000 is estimated for repairs to freighters. If the present service is continued, this latter item can not be reduced, although there is a probability that repairs to the United States Lines will be less than estimated.

The repairs for the United States Lines alone during the first five months of the present fiscal year aggregated \$176,771.30. The amount estimated for the remaining seven months—\$714,409.12—includes some major repairs for the steamship *George Washington* and the steamship *Leviathan*.

#### SHIPS ASSIGNED TO MOVEMENT OF GRAIN, FLOUR, ETC.

There have been 80 additional vessels and 22 vessels from "spot" assigned to operators for the extensive seasonal movements of grain, flour, cotton, apples, etc., and to provide for the shortage of tonnage due to withdrawal of foreign-flag vessels. The expense of breaking out these vessels and preparing them for service will be the largest item in the deficit over the amount appropriated for the fiscal year 1927, which must be made up from other sources.

The betterments and improvements as reported to the end of November, 1926, have increased the appraised value of the fleet by \$1,644,757. The expenditures for the breaking out of these vessels from the inactive fleet have not been a loss and have added to the total appraised capital value of the vessels composing the fleet.

When this unusual demand was made upon the Shipping Board we were forced to go into the inactive fleet and select the vessels from time to time, which now aggregate approximately 80, although 93 have been surveyed, and make repairs on those vessels of a very large amount; some vessels were broken out as low as five or six thousand dollars and some went as high as \$50,000.

This has improved the fleet, so the money has not been lost. If those vessels were sold to-morrow, that amount of money would be realized by the Government, because if they had been sold without the repair, the cost of that repair would be deducted from the standard selling price for each vessel of each particular type. It is quite clear that the expense which the Shipping Board has incurred in meeting this demand of the American people for the movement of the grain, the cotton, the lumber, the tobacco, cottonseed oil, and all of the other heavy export products that could not have been moved to foreign markets had it not been for the Shipping Board vessels, is not a loss. All foreign-flag vessels usually handling this seasonal movement went to the British coal trade, where they received two, three, and four times the normal price per ton for carrying coal from the United States to Europe and to South America.

One representative from Galveston, with one of the big-trade organizations in that section of the country—I do not recall now his name—told me that the Shipping Board activities had been worth ten to fifteen million dollars to the people of his community.

We had a very concrete example closer home. The apple growers of Virginia found, when they came to move their apples this year, after they had made arrangements with foreign-flag lines to handle their products from Norfolk to European markets, that none of the foreign-flag lines would take the commitments, because the commitments had not been actually made a matter of contract. These foreign-flag vessels were being utilized in other trades and had heavy demands for space.

A deputation from Virginia, headed by Senator SWANSON, called at my office, and within less than 36 hours they were assured that two vessels would be broken out of the fleet and made available for the movement of the apples, which otherwise would have rotted in the Virginia orchards. We made arrangements for the movement of 52,800 barrels of apples. That gives an example of what immediate benefit our service is to our people.

Mr. WOOD. Were those apples moved by the Shipping Board at a profit to the board or at a loss?

General DALTON. They were moved at the regular current market rate for the commodity, which would have been paid on any shipping line.

The appropriation given them of \$17,500,000 will allow the Shipping Board to keep in operation just about the same num-

ber of vessels they did in 1926. I will put in the RECORD some statistical data concerning the ship operations, finances, sales, and movements of the fleet.

The Members might find interesting the items carried for the Civil Service Commission. There is a table in the hearings showing the number of employees that are now in the Federal executive civil service, or who were there on June 30, 1926. In the District of Columbia there is a total of 60,811, and outside of Washington, 499,894, or a total of 560,705. The table that I will ask to be put in the RECORD will show in what departments these employees are engaged.

Mr. BYRNS. Has the gentleman any figures showing the number last year?

Mr. SANDLIN. Yes; that is in the same table, I will say to the gentleman from Tennessee. It commences on June 30, 1916, and goes on down to June 30, 1926.

Mr. McDUFFIE. Mr. Chairman, will the gentleman yield there?

Mr. SANDLIN Yes.

Mr. McDUFFIE. The number of employees increases and decreases as time goes on?

Mr. SANDLIN. The gentleman can refer to the table. On June 30, 1925, there were 564,718, and a year later there were 560,705. This is the table I refer to:

*Number of employees in each branch of the Federal executive civil service on June 30, 1926, with totals for November 11, 1918 (armistice date), and later dates, comprising classified and unclassified (which includes presidential) positions<sup>1</sup>*

Department or office	June 30, 1926						Total	
	In District of Columbia			Outside District of Columbia				
	Men	Women	Total	Men	Women	Total		
The White House	41	3	44				44	
State	317	292	609	2,878	826	3,704	4,313	
Treasury	6,510	8,252	14,762	30,247	6,610	36,857	51,619	
War	2,403	2,172	4,575	39,730	4,463	44,193	43,768	
Justice	615	221	836	2,371	556	2,927	3,763	
Post Office	3,108	810	3,918	275,787	26,280	302,067	305,985	
Navy	3,904	1,140	5,044	38,092	2,304	38,396	43,440	
Interior	2,329	1,269	3,598	9,210	1,927	11,137	14,735	
Agriculture	2,864	1,928	4,792	13,933	2,128	15,961	20,753	
Commerce	2,700	1,665	4,365	9,720	743	10,463	14,828	
Labor	280	387	667	2,702	613	3,315	3,982	
Government Printing Office	3,227	850	4,077				4,077	
Smithsonian Institution	378	128	506				506	
Interstate Commerce Commission	1,025	321	1,346	459	2	461	1,807	
Civil Service Commission	135	206	341	68	58	126	467	
Bureau of Efficiency	32	16	48				48	
Federal Trade Commission	222	95	317				317	
Shipping Board	505	308	813	531	160	691	1,504	
Alien Property Custodian	132	120	252				252	
Tariff Commission	118	72	190	12	2	14	204	
Employees' Compensation Commission	20	49	69				69	
Federal Board for Vocational Education	35	40	75				75	
Panama Canal	61	14	75	9,060	444	9,504	9,579	
Public Buildings and Parks, National Capital	1,929	524	2,453				2,453	
General Accounting Office	1,179	786	1,965				1,965	
Veterans' Bureau	1,464	3,103	4,567	12,239	7,591	19,830	24,397	
Railroad Administration	73	40	113	6	2	8	121	
Commission of Fine Arts	2			2			2	
War Finance Corporation <sup>2</sup>	46	34	80	57	34	91	171	
National Advisory Committee on Aeronautics	12	12	24	122	9	131	155	
Federal Reserve Board <sup>3</sup>	98	88	186	18		18	204	
Board of Tax Appeals	41	61	102				102	
Total	35,805	25,006	60,811	445,142	54,752	499,894	560,705	

<sup>1</sup> Does not include legislative or judicial services, nor the commissioned, warranted, or enlisted personnel of the military, naval, Marine Corps, or Coast Guard services, nor the government of the District of Columbia. The Railroad Labor Board, formerly included, was abolished by act of Congress May 20, 1926.

<sup>2</sup> Approximated.

<sup>3</sup> Includes 13,200 clerks at third-class offices, 203 screen-wagon contractors, 295 carriers for offices having special supply, 5,578 clerks in charge of contract stations, 11,054 star-route contractors, and 282 steamboat contractors. Does not include 35,411 clerks at fourth-class offices who are employed and paid by the postmaster and 21,773 mail messengers not included in previous computations.

<sup>4</sup> Includes administrative offices of Emergency Fleet Corporation but not workers at shipyards or in warehouses or employees on vessels.

<sup>5</sup> Positions not subject to the civil service act.

## WAR EXPANSION AND REDUCTION SINCE ARMISTICE

Date	In District of Columbia	Outside District of Columbia	Total
June 30, 1916	39,442	398,615	438,057
Nov. 11, 1918	117,760	2,800,000	2,917,760
July 31, 1920	90,559	2,600,557	2,691,116
July 31, 1921	78,865	518,617	597,482
June 30, 1922	69,980	490,883	560,863
June 30, 1923	66,290	482,241	548,531
Dec. 31, 1923	65,025	479,646	544,671
June 30, 1924	64,120	490,866	554,986
Dec. 31, 1924	66,079	489,540	555,619
June 30, 1925	63,756	500,962	564,718
Dec. 31, 1925	61,509	486,568	545,077
June 30, 1926	60,811	499,894	560,705

<sup>2</sup> Approximated.

The Members also might be interested in the matter of vocational teaching and training courses. I will put in the RECORD some tables concerning that, and this table showing the expenditure of Federal, State, and local money for vocational education for the fiscal year 1926:

Pupils enrolled in vocational teacher-training courses in institutions federally aided, by years, 1918 to 1926, and by States for the year ended June 30, 1926<sup>1</sup>

State or Territory and year	Pupils in teacher-training courses								
	Total			Agriculture		Trade and industrial		Home economics	
	Both sexes	Male	Female	Male	Female	Male	Female	Male	Female
Total:									
1926	19,733	11,598	8,175	3,767	162	7,829	1,822	2	6,191
1925	20,194	11,716	8,478	3,731	77	9,796	1,909	9	6,402
1924	18,686	11,424	7,262	4,692	55	6,700	1,620	32	5,587
1923	20,738	12,514	7,224	5,061	26	8,453	1,201	—	5,997
1922	18,771	11,626	7,145	3,966	83	7,137	1,600	204	5,172
1921	16,824	9,707	7,117	3,208	162	6,307	1,695	85	5,214
1920	12,456	6,985	5,471	2,150	160	4,560	1,590	76	3,576
1919	7,364	3,998	3,366	1,289	45	2,384	290	114	2,984
1918	6,589	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
1926									
Alabama	319	233	86	184	—	49	—	—	86
Arizona	480	365	115	203	91	162	—	—	24
Arkansas	85	44	41	32	—	12	2	—	39
California	711	300	411	58	1	242	107	—	303
Colorado	815	448	367	396	—	52	15	—	352
Connecticut	149	93	56	46	—	47	—	—	56
Delaware	50	29	21	15	—	14	3	—	18
Florida	80	20	60	16	—	4	—	—	60
Georgia	871	456	415	96	—	360	119	—	296
Idaho	105	60	45	44	—	14	—	2	45
Illinois	838	277	561	50	—	227	470	—	91
Indiana	457	189	268	64	—	125	—	—	590
Iowa	1,019	365	654	240	—	125	64	—	154
Kansas	190	36	154	36	—	—	—	—	33
Kentucky	107	75	32	44	—	31	—	—	32
Louisiana	120	72	48	51	—	21	15	—	53
Maine	54	19	35	19	—	—	—	—	35
Maryland	142	120	22	23	—	97	4	—	18
Massachusetts	779	452	327	154	15	298	44	—	268
Michigan	898	711	97	247	—	464	—	—	97
Minnesota	718	481	237	41	48	440	73	—	116
Mississippi	154	93	61	78	—	15	8	—	116
Missouri	508	438	70	51	—	387	21	—	49
Montana	89	48	41	48	—	—	—	—	41
Nebraska	172	97	75	39	—	58	—	—	75
Nevada	12	8	4	—	—	8	—	—	4
New Hampshire	20	12	8	3	—	9	—	—	8
New Jersey	505	309	196	55	—	254	100	—	96
New Mexico	67	61	6	9	—	52	—	—	6
New York	2,043	1,093	950	147	—	946	261	—	689
North Carolina	231	133	98	90	—	43	—	—	98
North Dakota	117	31	86	31	—	—	—	—	86
Ohio	1,481	1,243	233	58	—	1,185	173	—	65
Oklahoma	315	152	163	56	—	96	11	—	152
Oregon	94	62	32	24	—	—	3	—	29
Pennsylvania	1,483	1,121	302	126	—	995	131	—	231
Rhode Island	254	142	112	28	—	114	14	—	98
South Carolina	179	90	89	61	—	29	—	—	89
South Dakota	122	28	94	22	—	6	—	—	94
Tennessee	159	94	65	29	—	65	9	—	56
Texas	377	242	135	110	—	132	44	—	91
Utah	239	62	177	29	—	33	6	—	171
Vermont	7	6	1	(9)	—	6	1	(9)	(9)
Virginia	959	732	227	522	7	210	—	—	220
Washington	117	47	70	14	—	33	12	—	58

<sup>1</sup> Tenth annual report to Congress of the Federal Board for Vocational Education, 1926 (p. 141).<sup>2</sup> Not separately reported by sex.<sup>3</sup> Includes enrollment in foreman-instructor training 775 men and 25 women.<sup>4</sup> No report.

Pupils enrolled in vocational teacher-training courses in institutions federally aided, by years, 1918 to 1926, and by States for the year ended June 30, 1926—Continued

State or Territory and year	Pupils in teacher-training courses								
	Total		Agriculture		Trade and industrial		Home economics		Both sexes
			Male	Female	Male	Female	Male	Female	
1926	507	59	448	24	—	—	35	59	—
West Virginia	471	217	254	6	—	—	211	50	—
Wisconsin	132	93	39	40	—	—	53	—	39
Wyoming	62	40	22	8	—	—	32	3	19
Territory of Hawaii	—	—	—	—	—	—	—	—	—

Total expenditures of Federal, State, and local money for vocational education by States for the year ended June 30, 1926

State or Territory	Amount of expenditures							
	Total		Federal		State		Local	
			Both sexes	Male	Female	Male	Female	Male
Alabama	376,605.53	—	139,761.73	—	148,638.62	—	88,805.18	—
Arizona	86,622.42	—	32,643.21	—	25,720.00	—	28,259.21	—
Arkansas	232,323.13	—	106,804.08	—	90,504.75	—	24,024.30	—
California	1,421,542.12	—	220,624.57	—	220,624.57	—	980,292.98	—
Colorado	342,786.98	—	61,187.71	—	59,401.64	—	222,197.63	—
Connecticut	282,769.48	—	83,390.57	—	199,375.91	—	—	—
Delaware	66,358.68	—	25,981.04	—	20,000.00	—	20,377.64	—
Florida	188,662.83	—	56,751.21	—	56,751.21	—	75,160.41	—
Georgia	350,474.36	—	103,530.66	—	10,432.16	—	34,725.15	—
Idaho	78,039.49	—	32,882.18	—	21,669.03	—	817,876.72	—
Illinois	1,454,897.62	—	405,351.87	—	231,669.03	—	512,175.02	—
Indiana	838,879.20	—	194,897.15	—	101,507.03	—	—	—
Iowa	389,425.63	—	136,137.28	—	6,374.07	—	246,914.28	—
Kansas	415,142.19	—	89,982.39	—	73,608.16	—	251,251.64	—
Kentucky	240,171.53	—	119,706.28	—	21,519.91	—	98,945.34	—
Louisiana	255,284.70	—	95,528.68	—	15,128.11	—	144,607.91	—
Maine	60,622.31	—	28,456.92	—	15,457.35	—	16,708.04	—
Maryland	173,950.12	—	71,059.86	—	12,172.40	—	89,817.86	—
Massachusetts	2,157,207.14	—	245,058.08	—	1,007,559.22	—	963,589.84	—
Michigan	810,980.61	—	222,788.29	—	129,293.93	—	458,898.39	—
Minnesota	414,643.57	—	141,438.86	—	156,235.11	—	116,969.60	—
Mississippi	330,521.80	—	120,871.42	—	123,414.42	—	86,235.96	—
Missouri	585,469.44	—	220,280.56	—	166,703.10	—	196,455.78	—
Montana	86,699.59	—	37,488.09	—	14,309.28	—	34,902.22	—
Nebraska	239,373.56	—	77,063.25	—	69,994.23	—	92,311.08	—
Nevada	43,803.33	—	17,261.03	—	13,455.59	—	13,056.71	—
New Hampshire	87,142.65	—	27,532.90	—	7,275.22	—	52,334.53	—
New Jersey	585,543.69	—	105,361.16	—	208,103.50	—	182,079.03	—
New Mexico	59,695.34	—	25,417.87	—	14,712.47	—	19,565.00	—
New York	2,921,220.97	—	658,382.29	—	2,022,842.65	—	1,000,016.03	—
North Carolina	437,709.52	—	162,292.43	—	127,761.61	—	147,745.48	—
North Dakota	109,863.08	—	43,706.94	—	24,445.64	—	41,710.50	—
Ohio	1,074,345.23	—	371,295.52	—	219,568.71	—	483,481.00	—
Oklahoma	278,787.91	—	123,071.86	—	36,819.3			

and they act arbitrarily in some instances. For instance, when we asked the gentlemen, who are at the head of these different departments, "Did you submit your claims to the Budget?" They said, "Yes." "What reason do they give you for cutting it?" The answer was, "They did not give us any reason. They have not given a reason for it." But that is no reason why the Committee on Appropriations should not find out from the heads of these different departments what amounts they need, and if the committee thinks they ought to have them, it ought to have no hesitancy in allowing the amounts required. In many instances we have done that very thing.

Mr. McDUFFIE. I have heard it suggested that sometimes these bureau chiefs hesitate to suggest to the Committee on Appropriations any figures beyond those that have been indicated to them that would be satisfactory to the Budget. That is the point I wish the gentleman to touch upon.

Mr. SANDLIN. I will say to the gentleman from Alabama that apparently they are very much embarrassed when a Member propounds a question of that kind to them, but usually the committee can get the information desired.

Mr. BLAND. But is it not a fact that usually the committee is not trying to get the information? Is the gentleman acquainted with the statement that was made on the floor of this House a few days ago by the gentleman from Georgia, a member of the Naval Affairs Committee, to the effect that there was in existence an Executive order which prohibited men in the Navy Department and in the Army from coming before the Committee on Appropriations and presenting their needs to the Committee on Appropriations? Does not the gentleman believe those fellows would have their heads chopped off instantly if they came before the Committee on Appropriations and opposed the recommendations that had been made by the Budget?

Mr. SANDLIN. I can not speak for the subcommittee handling the naval bill. It is as much as we can do to answer for our committee. But I am frank to say that that condition of which you speak may prevail to some extent. I am also frank to say that our subcommittee tries to arrive at the needs of the different activities of the Government that come before us.

Mr. BLAND. I will say to the gentleman that the gentleman from Georgia made the statement on this floor and I have not heard it contradicted yet.

Mr. SANDLIN. I am not a member of that committee, and I am not prepared to contradict it.

Mr. BLAND. He said there was an Executive order which prohibited these men from coming before the committee.

Mr. SANDLIN. I believe the law provides for that.

Mr. BYRNS. I think there is an Executive order and certainly an understanding that the Executive would look with disapproval upon anybody in the Government who should come before the committee and advocate more than the Budget has recommended, but, as the gentleman from Louisiana has well said, there is no reason why the Committee on Appropriations shall not and can not develop the facts, and my observation has been that the committee usually develops the facts as to whether or not more money is needed. As the gentleman says, in this bill, in several instances, the committee has allowed more than the Budget recommended and it is true, as the gentleman from Virginia suggests, that the subcommittee is always endeavoring to hold down appropriations rather than increase them.

Mr. SANDLIN. Let me make this suggestion, and I made it to the head of one of the departments. They go before this Budget committee and make out what they call a showing. Without any reason being given them their estimates are limited, or, you might say, cut, sometimes in very large amounts. Now, they submit their estimates to the Appropriations Committee or to the Congress and they go to the different subcommittees of the Committee on Appropriations. I think the Budget ought in all fairness, if they want the cooperation of the committees of Congress, to let us know, the members of those subcommittees, why they did not grant the requests of the different departments.

I suppose they might answer that question by saying we might summon them before us and ask them why; but we have not done it up to date. I do not know whether any other subcommittee has done it or not. But certainly some reason ought to be given to those activities of the Government that are asking for these appropriations or to the subcommittee that is handling these different bills as to why the estimates are arbitrarily cut. For instance, take the Shipping Board appropriation. They have made a splendid showing there. General Dalton and Chairman O'Connor say specifically that unless \$17,500,000 is carried to cover the deficit that at the end of this year, or on June 30, there will be taken from the trade routes

different vessels, and in some instances the routes may be abandoned altogether. As stated by the gentleman from Indiana, the President is a strong friend of the merchant marine, yet the Budget is permitted to arbitrarily cut the recommendations or estimates made by the very men whom the President has said ought to have the confidence of the country, because he has confidence in their honesty, integrity, and business ability. He has said that to the people of the country by appointing them. However, notwithstanding the fact that they say it will take that amount of money to maintain the present routes, we find the estimate arbitrarily cut from \$17,500,000 to \$12,000,000.

Mr. McDUFFIE. That is one form of economy the administration is practicing?

Mr. SANDLIN. Well, I want to say that as far as this committee is concerned we did increase this appropriation by \$5,000,000, although I think the language in the bill will have to be changed.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. SANDLIN. Yes.

Mr. BLACK of Texas. Is it not the opinion of the gentleman from Louisiana that any deficit in these shipping operations is fully compensated for by the services rendered the cotton growers, the wheat growers, and the other shippers of our agricultural products?

Mr. SANDLIN. I certainly think so, and I will say to the gentleman from Texas that I have already stated that.

Mr. BLACK of Texas. I beg the gentleman's pardon. I was not present, and he may have covered that.

Mr. SANDLIN. I do not think you can any more call it a deficit than you can call the \$75,000,000 appropriated for good roads a deficit, which appropriation I am very much in favor of.

Mr. BLACK of Texas. I want to say I entirely agree with the gentleman. I think this has been one of the most valuable things we have had.

Mr. SANDLIN. I think the question of a merchant marine for the American people is one of the most important matters that now confronts them and one of the questions on which this Congress ought to have some definite policy. If we had a fixed policy we could with honest, efficient, and intelligent men at the head of the Shipping Board and the Emergency Fleet Corporation let the other countries know we are going to back them up with money to run the ships, because that is what they need.

Mr. BLANTON. Will the gentleman yield?

Mr. SANDLIN. Yes.

Mr. BLANTON. I want to call the gentleman's attention to the fact that this so-called Executive threat to bureau heads does not deter them at all, because the hearings of every subcommittee on every supply bill that has been brought in by the Appropriations Committee will show that bureau heads are there clamoring for things which the Budget has turned down, so it does not deter them. Theoretically we think they are afraid of the President, but they are not afraid of him any more than the naval officers were afraid of him the other day when they came here and tried to get us to override the President's naval program.

Mr. SANDLIN. Before I get away from this question I want to make it plain that I am in favor of the Budget law.

Mr. BLANTON. I am with the gentleman on that.

Mr. SANDLIN. I do not think it ought to be repealed; but at the same time I think the Congress and the committees of the Congress have some rights in the matter, and when the Congress honestly disagrees with the recommendations made by the Budget Board I think it is for us to correct wrongs, if we think there are any, and, in other words, not let the word of the Bureau of the Budget be the law. The Budget was created by this Congress and is a creature of the Congress. Why can not the Congress correct any of the errors of its creation?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. SANDLIN. Mr. Chairman, I yield myself 10 minutes more. When I get on the subject of the Shipping Board and its operations I am loath to conclude. I hope each year I can say something that will arouse the interest of some Members of Congress who are not already interested in this great question.

Mr. WAINWRIGHT. If the gentleman will permit me, I think there are more gentlemen who share the gentleman's views with regard to the importance of this question than the gentleman thinks. I believe that the membership of this House are really much more interested than would be indicated by the small attendance here. I am sure I share very strongly the gentleman's views.

Mr. SANDLIN. At the hearings held throughout this country from one end to the other last year by members of the Ship-

ping Board there was an unusual interest manifested in the question by all classes of people, by bankers, merchants, farmers, and professional men who appeared before them, and there was universal interest expressed at all points at which the hearings were held, which shows that the American people are very much interested in this very important question.

Mr. McDUFFIE. Let me ask the gentleman one more question and I will try not to bother him any more—

Mr. SANDLIN. The gentleman from Alabama can not trouble me. I am pleased to have him ask any questions.

Mr. McDUFFIE. I thank the gentleman very much. If you take the record of appropriations and the gradual elimination of ships from the seas, together with the smaller and smaller percentage of commerce that our ships are carrying as the years go by, growing smaller each year, does it not occur to the gentleman that somehow or other, instead of expanding a great merchant marine for the benefit of the American people, we are gradually curtailing the merchant marine and that we will eventually, if that line is followed, have the ships off the seas?

Mr. SANDLIN. I will say to the gentleman that in my opinion, under the present policy, this activity of the Government is slowly dying.

Mr. WAINWRIGHT. If the gentleman will permit an interruption at this point, carrying out the line of the gentleman from Alabama, I call attention to the schedule on page 14, which shows that the total number of ships engaged in commerce have dwindled from 392 to 264, from 1923 to 1928, and that the tonnage has decreased from 3,378,342 tons to 2,350,395 tons, or a million tons in less than six years.

Mr. SANDLIN. I want to say, too, that I wish the Members of this body who are so interested, as I am, in seeing our Navy kept up to the 5-5-3 treaty ratio, would interest themselves in this activity of our Government. It seems to me that the American people are the most patriotic people in the world during war or when war clouds are hovering around us, but after that, they relax, and they seem to forget so quickly. If there were any danger of war, you could get this House to appropriate without any question billions of dollars for the purpose of building a merchant marine, but when we ask for a few paltry millions to gradually build up a merchant marine in times of peace, there seems to be but very little interest in it.

Mr. BRIGGS. Will the gentleman yield?

Mr. SANDLIN. Yes.

Mr. BRIGGS. Of course, you can not operate on the seas any more ships than you provide appropriations with which to operate them.

Mr. SANDLIN. That is the reason, I will say to the gentleman from Texas, I am in favor of giving them enough money to operate the ships.

Mr. BRIGGS. And does the gentleman think it is any encouragement toward the operation even of the limited number that might be provided under the \$17,000,000 appropriation to operate the full number when there is a string tied to \$5,000,000 of that appropriation whereby the board has to go to the President every time it turns around?

Mr. SANDLIN. I have already said I thought it was slowly dying.

Mr. BRIGGS. It will die a whole lot faster if you just keep on tacking conditions as to the manner in which they can use the money.

Mr. SANDLIN. I certainly agree with the gentleman, and I am not in favor of that.

Mr. BRIGGS. The gentleman thinks the conditions ought to be taken off?

Mr. SANDLIN. I think they ought to have at least \$17,500,000. That is what they asked for. I have no reason to believe they do not need it. They seemed to know what they were talking about when they came before our committee. They seemed to be well posted and they said it would take \$17,500,000.

Mr. BRIGGS. Will the gentleman permit me to read in his remarks an expression of General Dalton?

In the operation of our various services during the first five months of the current fiscal year the deficits have exceeded by \$2,641,724 the allotment made for these months out of the total annual appropriation of \$13,900,000.

Mr. SANDLIN. I will say to the gentleman from Texas I have already read that in the RECORD.

Another activity of the Government in which I know you will be interested is the American Battle Monuments Commis-

sion. They have presented some figures that all the Members may not be familiar with. There were total deaths from all causes in the war of 74,383; total number killed in action 36,694; total number who died from wounds 13,691; total number of deaths from disease and other causes not directly related to battle 23,998. There were 46,214 bodies of our soldiers brought back from France. The remainder are buried on the battle fields of France and in England. The American Battle Monuments Commission, as you, of course, know, has an appropriation limited now to \$3,000,000 for the purpose of putting suitable monuments and markers on these battle fields.

There is another increase in appropriations made in this bill that I think the committee is fully justified in making. Of course, I feel they are justified in making all the increases they have made, but I have particular reference to the appropriation for the Interstate Commerce Commission.

If there is one thing that makes the people of this country impatient or dissatisfied with the Government, I may say, it is to have dealings with the Government and never get any matter they have up with the Government brought to a conclusion in a reasonable time. The shippers of this country, for instance, have to wait four or five hundred days if they make a complaint about a rate before getting final action on their complaint.

Mr. BLACK of Texas. For example, a number of organizations in the South have made application for a reduction of 20 per cent in the rates upon cotton. I dare say it will take the Interstate Commerce Commission from two to three years to render a decision in that case. I want to voice my opinion that such a delay is an outrage on the shippers. If they are entitled to a relief, they are entitled to it in a reasonable length of time.

Mr. SANDLIN. I agree with the gentleman. They should have an increase in the appropriation in order to give them enough examiners for a more speedy hearing and a decision of cases. There came before us men representing the shippers of the country, well posted, some of them experts who have been in the service of the Government. We find that in nearly all of the departments of the Government a great many of their best men, after becoming thoroughly qualified experts in their line of business in which they are at work for the Government, then they go out into private employ, receiving three or four times the amount of salary that is given them by the Government. I know of no way that that can be corrected. It is true in the Interstate Commerce Commission and in the Internal Revenue Department and other departments. You see men working in the departments familiarizing themselves with the work, and then after a while they go out into the employment of private enterprises. I have no suggestion of a way to stop that. Of course, the Government can not hold them. The heads of the Government are not to blame for permitting them to leave the service because of the increased salary that is offered them.

Now, in conclusion I want to go back to the Shipping Board and say to those Representatives especially in the section where cotton is raised that we are all interested in some agricultural legislation, and if you want to be of real service you should support legislation that will be of real service to them, as it has been proven that it has been as to growers of wheat, cotton, and other farm products.

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

Mr. SANDLIN. I will yield myself five minutes more. One of the Shipping Board members stated that a gentleman from Galveston, a business man, told him that the shipping vessels which had been sent in there to handle cotton and wheat had saved the shippers as much as \$15,000,000 in that locality alone. I do not know how he estimated it, for I do not believe you can estimate the real good that the American merchant marine will do to this country. Of course, we have no reason to suppose, nor can we figure what the rate would be on foreign ships if we did not have our ships to compete with them. It is natural to suppose that any competition would keep down the freight rates and that the rates would be very much larger than they are now if we had no vessels to compete with them.

I trust that before the bill becomes a law some provisions of the bill will be amended so that there will be no question that the American merchant marine and the Emergency Fleet Corporation can use \$17,500,000 to make up the deficit, if you call it a deficit, in the operations beginning on the 1st of June next. [Applause.]

I here insert a comparative statement, which I hope will be of interest to the Members:

*Independent offices appropriation bill, 1928*

[A comparative statement of the amounts appropriated for 1927, the Budget estimates for 1928, and the amounts recommended in the accompanying bill for 1928]

Object	Appropriations for 1927 in the independent offices, deficiency and other acts	Budget estimates for 1928, regular annual and supplemental	Amount recommended in the bill for 1928	Increase (+) or decrease (-), bill, compared with 1927 appropriation	Increase (+) or decrease (-), bill, compared with 1928 Budget estimates
Executive Office	\$319,460.00	\$438,460.00	\$438,460.00	-\$38,000.00	
Alien Property Custodian	130,650.00	98,000.00	98,000.00	-32,650.00	
American Battle Monuments Commission	800,000.00	600,000.00	600,000.00	-200,000.00	
Arlington Memorial Bridge Commission	2,500,000.00	2,500,000.00	2,500,000.00		
Board of Mediation <sup>1</sup>		390,000.00	390,000.00	+\$390,000.00	
Board of Tax Appeals	614,224.64	570,000.00	712,780.00	+\$98,555.36	+\$142,780.00
Bureau of Efficiency	210,350.00	210,350.00	210,350.00		
Civil Service Commission	1,001,592.00	1,002,742.00	1,007,442.00	+\$5,850.00	+\$4,700.00
Commission of Fine Arts	5,295.00	7,300.00	7,300.00	+\$2,005.00	
Employees' Compensation Commission	2,744,540.00	2,694,740.00	2,698,240.00	-46,300.00	+\$3,500.00
Federal Board for Vocational Education	843,620.00	798,230.00	798,230.00	-45,390.00	
Federal Oil Conservation Board <sup>2</sup>					
Federal Power Commission	29,400.00	32,500.00	32,500.00	+\$3,100.00	
Federal Trade Commission	997,000.00	984,350.00	984,350.00	-12,650.00	
General Accounting Office	3,859,960.00	3,783,000.00	3,833,000.00	-26,960.00	+\$50,000.00
George Washington Bicentennial Commission	10,000.00	14,000.00	14,000.00	+\$4,000.00	
Housing Corporation	673,398.00	564,236.00	564,236.00	-109,162.00	
Interstate Commerce Commission	6,153,157.00	6,104,967.00	7,811,314.00	+\$1,658,157.00	+\$1,706,347.00
National Advisory Committee for Aeronautics	513,000.00	523,000.00	523,000.00	+\$10,000.00	
Public Building Commission	290,000.00			-260,000.00	
Public Buildings and Public Parks of the National Capital	2,300,850.00	2,422,950.00	2,422,950.00	+\$116,100.00	
Railroad Labor Board	285,220.00	(1)	(1)	-285,220.00	
Smithsonian Institution	833,301.00	849,871.00	879,711.00	+\$46,410.00	+\$20,840.00
Tariff Commission	699,000.00	682,000.00	682,000.00	-17,000.00	
United States Geographic Board	345.00	3,945.00	3,945.00	+\$3,600.00	
United States Shipping Board	24,198,574.00	12,290,000.00	12,290,000.00	-11,908,574.00	
Vermont Sesquicentennial	1,000.00			1,000.00	
United States Veterans' Bureau	462,965,000.00	475,400,000.00	473,400,000.00	+\$10,435,000.00	-\$2,000,000.00
Grand total, regular annual appropriations	\$ 513,504,936.64	\$ 512,964,641.00	\$ 512,901,808.00	-603,128.64	-\$6,833.00

<sup>1</sup> In addition \$100,000 for oil lease investigations.<sup>2</sup> Appropriations aggregating \$285,220 transferred from the Railroad Labor Board.<sup>3</sup> Reappropriation of unexpended balance.<sup>4</sup> Transferred to Board of Mediation.<sup>5</sup> Payable from appropriations for 1926 and 1927.

[CLERK'S NOTE.—In addition to the foregoing appropriations, the following permanent annual appropriations are made without action by Congress.]

Object	Estimated for 1928	Appropriated for 1927
Relief of indigent in Alaska	\$15,000	\$15,000
Federal Board for Vocational Education	7,367,000	7,367,000
Federal Power Commission	10,000	3,000
Smithsonian Institution	60,000	60,000
Total	7,452,000	7,445,000

Mr. SANDLIN. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, so many times there comes to me a letter or a voice from people residing east of the Alleghenies asking me to explain to them that which they do not understand, and that is the economic situation in our Middle West country.

Now, I have asked permission to speak momentarily for the purpose of giving to the eyes of all of our people in the New England realm, as I understand it, about the clearest elucidation of the situation that I have ever read.

A little while ago the editor of *Commerce and Finance*, realizing the misunderstanding of the people east of the Alleghenies with reference to the Middle West situation, made a request of that wonderful fellow out there in the West, Maj. John H. Kelley, editor of the *Sioux City (Iowa) Tribune*. That is so close to Nebraska that it makes it more important, and in reply to that request Major Kelley wrote for the editor of *Finance and Commerce* an article that was published a few days ago.

Mr. Chairman, that article, which I insert here under the unanimous consent granted to me, is as follows:

In the territory east of the Alleghenies and in some few great cities along the Great Lakes, where men and women think almost wholly in terms of the ticker and in cost of production and sales terms, prosperity has continued in abundance until the present time. Fortunes are given away in stock dividends and in bonuses at this Christmas season. Staggering sums have been made and lost in the rise and decline of the stock and bond markets. The great and successful industrial concerns have been able, through combinations or intimate understandings, to regulate production according to demand in so skillful a manner as to maintain high prices for their wares and high wages for their workers. The well-posted middle westerners do not complain about such well-

regulated prosperity. All things being equal in our economic structure, they know that they would share in the prosperity. But because of the marked differential between the industrial dollar and the agricultural dollar 99 per cent of the people living in the Mississippi and Missouri Valleys have fought against an unfair condition in vain for the last five years. These good people speak and think and live literally in the terms and figures of their one vast industry—agriculture, or the farm. They are individuals, whether they be bankers, wholesalers, retailers, professional men, or farmers. So closely are the fortunes of the townspeople interwoven with those of the farmers that the reaction from the surplus of crops or failure of crops is felt almost instantly. There are too many superficial wise men who dismiss the aggravated problem of the Middle West with the trite charge that depression was due to land and other forms of speculation. Figures belie the statement. The cause of complaint and further disaster in many localities is much more fundamental.

In 1921 the conservative men of this territory warned the East, collectively and individually, that a serious situation was impending; that the deflation had been too drastic; that the buying power would be curtailed of necessity, and that the industrial and financial East would come to an appreciation of this condition too late to save itself from grief unless it studied and gave heed to the agricultural problem. The warnings were unheeded, both in New York and Washington. The tickers continued to tick; the wheels of industry continued to run, and an overabundance of gold and money continued to flow into foreign loan channels. Midas was never so blind of others' despair and envy; Croesus never dreamed of the accumulation of such fabulous wealth. If the eastern men, who should have been farseeing leaders, uneasily noted the trend of affairs, they did not raise their voices; they were too busy in their own little confines. And during this five years the middle westerners fought on for survival. Thousands of farm owners and tenant farmers, broken in spirit and unsuccessful in their struggles with the elements of nature and economics, gave up. Many millions of others continue to fight gamely to carry on. There is no question

as to why they buy from hand to mouth. While they are groaning and complaining against inequalities, they have an abiding faith in the sense of American fair play.

Soon there followed the failures in banking and business. Farmers did not know whether they wanted a big crop or a small one. Whether the rain came or the sunshine, it became progressively more immaterial. Prices for all their products, whether fair or low, did not enable them to meet interest charges, costs in transportation, and a consistently high price for their necessities. Buying power declined, therefore, and now the industrial and financial East lends a more sympathetic ear to the plea for equalization. It is unfortunate that the "wise men" of the East delayed until their pocket nerves were affected.

The middle westerners had reason to expect an earlier hearing. They had been generous in voting taxes for all manner of Government subsidies; increases in property and land values had made some 45,000,000 farmers good, substantial citizens and many more millions in the towns and cities willing contributors to every known gouge. They had long been held in the pincers, the handles of which may be called the East and West. They had paid for years higher freight rates and carried a tremendous burden of tax due to high tariffs. They had, in fact, contributed far more than their share to national glory and prosperity. And then, when the pinch came, they received neither understanding nor help nor decent treatment from the East. Considering that agriculture is the foundation for national power and prosperity, it is an amazing thing that there was no one in politics nor business to give support to middle western claims.

Conditions seem never so bad that they can not be worse. On the whole, it may be said that people live close to the soil and starvation is almost unheard of. There is a pride that refuses charity and declines gifts. From the very nature of their living and being, their anger is slow to kindle against injustice and inequality. Optimism prevails; hope springs eternal. Each New Year and every spring bring renewed courage. The gamble with old Dame Nature seems an assured success. When anger and resentment are aroused, however, the task of placating our people by any means will require skill and sympathy. As frankness is the best means to an end, we may state conservatively that conditions in business and agriculture, which are one and the same in these fertile valleys, are neither good now nor fundamentally sound. No half-way measures or profound expressions of sentiment are going to change conditions or check the rising tide of bitterness. The average men in the small town and on the farm are too well posted to accept the old outworn slush and bunkum; they know that they earn their dollars on a basis of world competition and that they have to buy everything in a high, protected market. They know that they have to pay a big differential through freight rates, going and coming, and they are pretty sure by this time that industry, with a capital I, will oppose any and all forms of relief because it wants to buy low and sell high. It is indeed a shortsighted method for industry to pursue, because it eventually kills the geese that are laying the golden eggs—impoverishes its best customers.

Though much ado is made about relief measures, the remedies are surprisingly simple. First perhaps in importance is the lowering of tariffs to a basis fair to manufacturers and buyers alike. Second, means of cheaper transportation, either by railroads or by river and lake routes. Third, the formation of a corporation, with or without Government subsidy, to enable the forty-five million and odd farmers to market their crops at home and abroad in an orderly, well-regulated way; to handle the surplus for this great, unorganized group of producers so that prices will not be subject to the ability and maneuvers of the well-organized buyers. Any one or all of these measures are practical. The development of waterways and the lowering of the transportation costs will take time, and so will not afford any immediate relief to a hard-pressed people. The lowering of tariffs is in the hands of the President, who can give it immediate attention. Congress can then later, by a long and stupid and wearisome and wrangling procedure, make further adjustments. The entire Middle West feels that the charge that the McNary-Haugen bill is uneconomic sounds like so much trash. The Middle West answers simply, that every other kind of business has been granted subsidies through tariffs or direct Government agencies. It is now way past our turn for favors. The other statement, that the Government can not go into business, is just as superficial.

The Middle West does not want it to be in business, but having paid so liberally for its being in business, the Middle West sees no danger and has very good reasons for its giving a little help to this vast territory. And now when the relief measure pending in Congress proposes to charge all costs back to the producers, and the East through its Congressmen continues to object, the Middle West begins to roar. Revolt is not only threatened, but revolt is under way against the forces which control in the East and at Washington. It will be folly indeed to force the Middle West to the place where revenge comes in and reason leaves. Equality only is asked, but soon favors will be demanded and subsidies will be a necessity. Humans, after all, are much the same the world over, and injustice breeds many evils.

As a fourth measure of relief the governors of the Federal reserve banks should make a most liberal interpretation of law in their treatment of banks in agricultural territory so that money could be advanced on a sound basis to small member banks. Fair treatment by the Federal reserve would supply cash to hard-pressed banks and renew confidence of depositors. Such interpretation, to help, must be rendered immediately to prevent much more widespread panic. We do not want more loans but relief to small banks for those loans made and now overdue. If the reserve governors refuse to render this manner of aid, a vast revolving fund must be advanced to take out nonliquid farm paper and to extend time of payment to give farmers, bankers, and business men a respite in which they can work out their own salvation. Given an extension of life, the middle western and southern people will hold their farms, work unceasingly, and feed the world. Without sane help, disaster grows.

Mr. Chairman, I make a further request of my colleagues here, and particularly those of you who come from our New England realm, that you may be pleased to ask the newspapers of your own localities to carry this article from the pen of Major Kelly to the eyes of your own people. Oh, you do not understand us, my friends from the New England country. You are of us, and we are of you, but for long years, governmentally speaking, you have appeared to treat us as though we were not part and parcel of you. We understand that it is a part of the duty of men representing a given locality to look, first, after their own interests, the interests of the people whom they particularly represent; but now let me plead with you just for a little while to look a little more earnestly than you have ever before into the economic conditions in our Middle West, and see if you can not loosen up just a little and help us out of the hole to some extent. I am quite sure that after each of you shall have read this article by this magnificent fellow from out in the Iowa country, a wonderful State which has just been devastated recently, economically speaking, more than any other State in the Union, that it will give you a new insight, a new angle of view regarding the situation out there. I commend it earnestly to you and ask you to spread it as far as you may among your people, in order that they may understand us better. We are not bad. We are peculiar from your point of view, but we are of you, with you, and a part of the Republic, and we want you to take just a little more interest in us than you have heretofore. [Applause.]

Mr. SANDLIN. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. UPSHAW].

#### GENERAL BUTLER AND PROHIBITION ENFORCEMENT

Mr. UPSHAW. Mr. Chairman and gentlemen, naturally the friends of law enforcement were disappointed when the press dispatches last week carried the statement that Gen. Smedley D. Butler had changed front on the prohibition law and had declared in a speech in Oakland, Calif., that the Volstead law was "foolish, silly," and what not.

Because of my wish to present only the truth, and also because of my very great respect and affection for his honored father, our beloved colleague in Congress, I determined not to adhere to my first impulse to indict the statement of General Butler, but wired in order that I might be absolutely sure of this position. Here is my telegram:

Gen. SMEDLEY BUTLER,

*Commander United States Marines, San Francisco, Calif.:*

Washington papers carry flaming headlines over story that you declared in speech to-day that Volstead law is "a fool dry act" and impossible of enforcement. Patriotic dry leaders, who loyally applauded your honest efforts in Philadelphia, are deeply grieved at your statement, feeling that no official or citizen should thus encourage the violation of our constitutional prohibition law. I hope you can wire me before Congress meets Friday repudiating this hurtful report. Am anxious to defend you on floor of House.

WM. D. UPSHAW.

[Telegram from General Butler]

SAN FRANCISCO, CALIF., January 7, 1927.

Hon. WILLIAM D. UPSHAW,

*House of Representatives, Washington, D. C.*

Spoke of guarding of mails. San Francisco newspapers did not publish context. Substance of remarks: "It is not the value of mails stolen that matters, but humiliation to this Republic that counts. I said that marines would uphold the dignity of the Government—that mails would be 100 per cent safe or marines would come back feet first. No half-way upholding of national dignity as in case of silly Volstead Act which has been the greatest piece of class legislation ever enacted in this country; allows the rich to have liquor when the poor can not get it. Had thought law written for everybody, but while a Philadelphia policeman I discovered my mistake. No

other reference to Volstead Act or prohibition. I am emphatically in favor of prohibition and have not said or even intimated anything to contrary; but I do consider Volstead Act and all other toothless enforcement laws silly in the extreme. Laws to be obeyed must be respected; to be respected the hand of the law must be feared, and the hand of the law will only be feared when mandatory, adequate, and severe penalties attach to violations.

S. D. BUTLER.

I am delighted with General Butler's declaration that he is emphatically in favor of prohibition and has never even intimated anything to the contrary.

I think, however, that it was unfortunate for him to refer to a law passed overwhelmingly by Congress and declared constitutional by the Supreme Court as "a silly act." There are enough teeth in the Volstead law now to make America just about as dry as Sahara if enforcement officials and the courts were as honest as the law is strong.

However, I indorse General Butler's worthy impatience over the fact that the rich so often get by with violations while the poor devil down in the street who is foolish enough to want or sell liquor must pay the penalty. And yet all rich offenders do not escape. Quite a bunch of millionaire bootleggers have done time in the Atlanta prison. I have seen them on the job. By their side ought to have been every gilded drinker who conspired with them to defy a constitutional law. Three years ago I declared on the floor of Congress that the buyer ought to be made equally guilty with the seller, and I also declared that no Congressman or Senator should ever be allowed to darken the door of the Prohibition Unit for the purpose of paying a political debt through the appointment of wet men to enforce a dry law. [Applause.] Pass the Stalker bill before Congress adjourns, making jail sentences mandatory, and let those loud-speaking wets at the other end of the Capitol stop their destructive "damp" foolery and pass the Crampton bill putting all enforcement officers under civil service. The efforts of wet officials to nullify the law of the Constitution which they have sworn to uphold and defend is nothing less than a national moral tragedy. [Applause.]

Mr. SANDLIN. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, on the 29th day of December, last year, Mr. J. T. Holleman, president of the Southern Mortgage Co. of Atlanta, Ga., issued "A call—an appeal—a warning to the farmers of the country and to all those who live and move and have their being in the farmers and the farms."

Mr. Chairman and gentlemen of the committee, I feel in my heart that that appeal is to you and to me and to all the peoples of our great Nation and throughout the earth.

Oh, that every word of its truth might be known of all men and be answered by those to whom it is made. It is so hard to secure worth-while legislation to assist the farmer sell the products of his toil at a reasonable price. It is much easier to get governmental assistance in the making of a crop than in the marketing of it. Even the farmer's enemies want him to produce an abundance so that the profiteer can secure his unconscionable profits from the product the farmer is selling at a sacrifice.

The thief wants his victim to be a man of plenty.

But, Mr. Chairman, when we attempt to secure marketing legislation for the farmers, then the words we utter fall on deaf ears, the seed we sow fall on ground that is stony, our efforts are criticized and ridiculed, and our every move is opposed by hurricanes of opposition at all times and from every direction.

Give us more men who feel as Mr. Holleman feels, see as he sees, work as he works, and who call, appeal, and warn for, to, and in behalf of the most honorable and most worthy and yet the most oppressed people of earth.

Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD by inserting therein the remarks of Mr. Holleman, to which I have referred.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, under leave granted me, I place in the RECORD an article written by Mr. J. T. Holleman, of Atlanta, as follows:

I call upon the farmers and landowners of Georgia, and upon all those who are wholly or in part dependent upon the farms, to rouse themselves to action. I advise that, without a moment's delay, they consult among themselves and assemble in meetings in every county—

yes, in every community—for the purpose of ending present conditions, and for the purpose of finding ways and adopting plans that will save them from further distress.

#### A WARNING TO THE FARMERS

I warn them that if they delay longer, they do so at their peril. I warn them that if they await leadership outside their own ranks, they will wait in vain. I warn them that their real condition is unknown to and unappreciated by many who have assumed leadership in matters agricultural. I warn them that many newspapers and prominent men in the large cities of the State are blind to the facts and have disqualified themselves for leadership by taking the position that unbounded prosperity exists on the farms, when the truth is that not since the Civil War have conditions in some respects been so unsatisfactory. I warn them that their fate is in their own hands, and that if they hope to escape poverty and want to preserve their freedom and independence, they have no time to lose.

Let meetings be held at once in every locality. Meetings of the farmers, for the farmers, by the farmers. Meetings of landowners. Meetings of merchants, bankers, and professional men. Meetings of women. Meetings of all those whose lives and fortunes are bound up with the farmers, who realize the condition of the farmers, who know that something must be done, and who believe that something can be done to bring relief.

At these meetings let resolutions be adopted memorializing the President and Congress and calling upon our Senators and Representatives at Washington to unite with those from other States in the passage now, at this session, of laws that shall restore prosperity to the farmers of the whole country. There is no time to lose. The fight for farm relief will start again in Congress in January. Let your Representatives hear from you at once and in no uncertain terms.

#### CHRISTMAS MESSAGE AND NEW YEAR'S GREETING

This is my Christmas message and my New Year's greeting to the farmers of Georgia, to those who own farm lands and to those who dwell in the towns and villages of the State and who live and move and have their being in the farmers and the farms. And if this message reaches you and strikes a responsive chord in your heart, it would please me greatly to know it. But writing me will not be sufficient. Write to your Senators and your Congressman. Write to your governor. Write to your newspapers. Above all, talk to your friends and neighbors. Get them together. Protest with all your strength against existing conditions. Demand relief.

And I say to the farmers of Georgia and of the whole country, for they are all in the same boat, that it makes little difference what they plant or how they plant it, what they grow or how they grow it, what they sell or how they sell it, what they buy or how they buy it, how much or how little they produce, they seem to be falling deeper in debt every year, and will continue to do so, unless they rise in their might and break the shackles that bind them. They are victims of unjust and discriminatory laws. All other lines of business and industry are protected and supported by laws in a thousand ways. Farm relief is purely and certainly a matter of legislation. Relief must come from Washington. It can come from no other source. In the fight for farm relief the guns must be trained on the Congress of the United States.

#### BIG MEN, BIG BUSINESS, AND BIG TOWNS

And I say to the big men and the big interests in the large cities in Georgia and elsewhere, that, if they expect these cities to continue to grow and prosper, they must see to it that agriculture does not languish and die. Something must be done to change the present trend. Tenancy is on the increase everywhere. The number of abandoned farms grows rapidly. We have found the road that leads to peasantry, peonage, and serfdom, and many there be that walk therein. We are going the way that Mexico followed, till 10 per cent of the people got all the land. We are traveling the road that Russia traveled under the czars, the road that led to the bloodiest revolution in the annals of the human race.

If my business for nearly 50 years had not been with the farmers, I should, perhaps, be just as indifferent to present conditions as many other men appear to be. I know that Atlanta is not so dependent upon agriculture as most cities of like size in the South and West. I know that a great industrial development is taking place in Atlanta and throughout contiguous territory, and the falling away of the farmers' patronage is not felt nor noticed as would be the case if her territory were purely agricultural. While I glory in the rapid progress being made in many lines of business and industry, here and elsewhere, I know that back of it all lies agriculture—the farm and the farmer. I know that when agriculture languishes, when the farm is idle, when the farmer is not prospering, all things else are endangered. "Here I stand. I can do no otherwise. So help me, God!" And, feeling so, at the risk of being misunderstood, of being called an alarmist, an extremist, standing almost alone here in Georgia, I have, from time to time, raised my voice in protest and attempted to remedy conditions. I can not understand the stubborn opposition to a consideration of the

farmer's case. A flood or fire or tornado in any part of this country brings quick relief to the sufferers. An earthquake in far off Japan opens the purses of the world. But when millions of farmers, with their wives and children and their dependents, are forced from their homes, when the doors of more than 3,000 banks shut with a bang in the faces of ruined depositors, nothing is done! The great Republican Party—and the great Democratic Party, also—for honors are even in this matter—fear to permit the Congress of the United States to take any action, insist that the matter can be and must be handled outside the halls of legislation, and the distinguished occupant of the White House utters not one word of encouragement.

#### THE NEWSPAPERS DO NOT PLEAD THE FARMERS' CASE

And may I tread on sacred ground and venture a word to the newspapers? With the humiliating experience of many Senators and Congressmen last session still in mind, surely southern editors will not place themselves in a similar predicament. It will be remembered that many southern Members of the House and Senate were totally unprepared for the fight for farm relief, and they said so. Also, their votes showed it. Now, I do not know what is going on in other Southern States, but I assert that Georgia newspapers are dodging the issue of farm relief. In order to avoid discussing it, they are glossing over the ugly conditions existing in agriculture. Either they do not know what conditions are, or they are concealing them. Those who call attention to them are denounced as calamity howlers. These newspapers are in for a rude awakening. When the fight comes on in earnest, as it must come, these papers will also be unprepared. Unless President Coolidge permits the enactment of farm-relief legislation at this session or at an extra session, the chief issue in the next national election will be farm relief, and some man standing for farm relief will be our next President.

One who knows the facts is lost in amazement when he reads these high-sounding editorials or hears one of these boasting speeches. I often wonder what the farmers themselves think of this sort of talk. I challenge any one of these newspapers to interview an intelligent farmer in Georgia and obtain from him a statement that will bear out these boasting editorials. And when we come to think of it, has any newspaper in Georgia taken the trouble to go out among the farmers, talk to them, find out the facts, and give their readers the benefit of what the farmers say and feel and think of conditions? If such a thing has been done by any newspaper, I have not heard of it. They have not done it, they will not do it, they dare not do it. They do not want to learn anything that conflicts with their fanciful ideas about the farmers and the farms.

Have we reached the point in Georgia when the newspapers can not find out in the country a real farmer whom they consider of sufficient intelligence, character, and standing to be interviewed and quoted? Is information about agricultural conditions to be furnished by farmers or by others? Does it not seem that the farmers themselves should know more about their troubles than anybody else? Then why not let them be heard? If there is such great prosperity in the country, doesn't the farmer know it? Why not ask him? Why not interview him? Why not quote him? Give him a chance to speak for himself. Do the editors and the bankers and the professional boosters want the truth, or are they bluffing their way through?

I say to the farmers of Georgia that they must speak for themselves if they expect relief from the troubles that overwhelm them. Have the hardships of the last six years so crushed and broken them that they have lost all fighting spirit? Are they ready to surrender, or are they longing for some way out of their troubles and prepared to defend their families, their homes, and themselves? If so, it is high time for action. It is high time for them to meet and organize and get ready for the struggle that is ahead. It is high time for them to find out what has reduced them to these dire straits. It is high time for them to find the remedy for the ills that beset them. They themselves must act. Nobody else is going to do it for them.

#### A FEDERAL FARM BOARD NEEDED

Farm relief will undoubtedly be a live question at this session of Congress. It is unnecessary to rehearse the misfortunes of the farmer since 1920. Those who are interested know what the situation is. Those who are not interested care little about it. It is a fact that unprecedented prosperity exists to-day among all classes except the farmers. Many people have hoped and believed that in time better conditions would prevail on the farms. But after six years little progress has been made. It was the realization of this fact that impelled the western farmers to bring forward the Haugen bill in the House, and when that was defeated, to renew the fight in the Senate in an effort to pass the McNary bill, which embodied the same principles. Brushing aside all technicalities, there can be no relief for agriculture except in higher prices for farm products. This was the purpose of all the farm-relief measures. I favored these bills because I wanted to see set up in Washington a Federal Farm Board, which would care for all the interests of the farmers of the whole country which would look, not only to the handling of certain basic crops, but to all the products of the farms; which would labor,

not only to increase prices of what the farmer sells, but to lower where possible, the cost of what he buys; a board that would lift the farmers out of poverty, save them from peasantry, make them self-respecting, free, and independent; enable them to be what they want to be—home-loving, liberty-loving defenders of their country, in peace and in war, as they always have been, as they always will be, unless crushed to death by the selfishness of the industrial, manufacturing, financial, and transportation interests of the Nation.

#### DEPARTMENT OF AGRICULTURE DOES NOT FILL THE BILL

No long ago the Interstate Commerce Commission ordered a reduction on fertilizer freights to southern points. I don't know who brought this about. If it were right to do this, why was it not done long ago? If a reduction of freight rates on fertilizer was proper and can be put into effect, why may there not be other commodities on which reductions should be made? Who is looking after matters of this sort? The Federal farm board could do this very thing and many other things of like nature. There is a tariff at this time on peanuts and peanut oil, although these commodities are strictly southern. Even Democrats favor this tariff. There may be other agricultural products to which tariffs might be applied. Nobody is looking after such matters. On the other hand, there may be commodities which the farmers buy on which tariff should be removed or reduced. Who knows? Who is watching such matters? Nobody. Creation of a Federal farm board would give the farmer a friend at court. The present Department of Agriculture does not and can not fill the bill. Something more is needed. If the Department of Agriculture were in Honolulu or Johannesburg it would be no farther removed than it is now from the farmers of Georgia to all intents and purposes. So far as I can recall, no Secretary of Agriculture in my time has set foot on Georgia soil, with one exception. David F. Houston, Secretary of Agriculture in the Wilson administration, came to us, but not to visit the farmers, not to discuss matters agricultural. He came with Secretary of the Treasury McAdoo, on the matter of locating the Federal Reserve Bank.

#### AGRICULTURAL DISASTER HAS FAR-REACHING EFFECT

In the minds of many people the farmer is pictured as a hale and hearty fellow, dressed in overalls, with a pitchfork on his shoulder and a wheat straw in his mouth, walking over his farm or moving among his cattle, while his wife busies herself with the milk and butter, the chickens, and the garden, and his children pick red apples from the green trees in the orchard.

If he now claims to be in distress, there are those who think he is not as economical as he should be, or that he was swept off his feet by war-time prosperity and foolishly bought another tract of land and can not pay for it, or that he has invested in a Ford and thus wrecked himself forever. And many people think farm relief is intended for and relates to men of this type only. They do not know that, outside the large cities, nearly all banks, bankers, merchants, and professional men own farm lands, to say nothing of thousands of women and children solely dependent upon what their farms bring them in rents and otherwise. Few realize how widespread and far-reaching is the distress that follows in the wake of disaster in agriculture. In a late paper Mark Sullivan says the whole country is rolling in prosperity except a little spot in the Middle West. I don't believe the western farmers will agree with him. I am quite certain the Committee of Twenty-two from the 11 great Corn Belt States will say he is wrong. I say he is wrong as to Georgia and the South. We produced in Georgia this year 1,500,000 bales of cotton. Secretary Hoover says cost of production was 18 cents a pound, or \$135,000,000. We sold it for less than \$80,000,000, thus losing nearly \$60,000,000 in Georgia alone. The loss for the Cotton Belt was \$750,000,000 according to the president of the New Orleans Cotton Exchange. What a tragedy! If England controlled the cotton crop as we control it, the world would to-day be paying 50 cents a pound for every pound it needs and be glad to get it at that price. As a war-debt payer, rubber would sink into insignificance in comparison with cotton.

In a recent paper, Roger Babson says crops are fair all over the country, but, unable to resist the temptation to prod the farmer for lagging behind, he adds that there seems to be no hope for higher prices for farm products, and he advises the farmers to reduce the expenses of conducting their farms. This is the only hope he can hold out to them. How can the farmer reduce expenses further? Has he not learned to cut them to the bone during the last six years? Can he reduce taxes, State or national? Can he reduce freight rates? Can he reduce prices of clothing for his wife, his children, and himself? Can he reduce doctors' bills and hospital fees? Can he cut the prices of farm implements and machinery? Can he pay less for labor when it is already impossible for him to hold his help in the face of higher wages paid in other industries? Of course he might withdraw his children from school, he might reduce the allowance for his wife's clothing to the point where she would be ashamed to appear in public, he might, himself, break all contact with his fellow man and live with his wife and children like

rabbits in the fields. And this seems to be what some people think the farmer should do. All they are interested in is the farmer's "purchasing power," and when that is gone, their interest ceases.

#### DIVERSIFICATION ALONE NOT THE REMEDY

Diversification! Ah! Now we come to the solution of the whole problem. Here is the cure all. Here is the panacea for all our ills. Here, indeed, is Utopia. We have found it. Let all shout "Eureka!" From President Coolidge and Secretary Jardine, right on down through governors, Senators, Congressmen, college heads, magazine writers, and newspaper editors, we are told that crop diversification is the remedy for all the troubles that afflict the farmers of the country. But, before they finish their lectures on the subject, they always say: "Of course, we must not cease growing cotton; we must produce some cotton; the world needs cotton; we can not afford to abandon cotton entirely; for cotton, you know, is our money crop." Money crop indeed! Since when? I am in the middle sixties and I have never seen the Georgia farmer really prosperous but once. That was from 1917 to 1920. And during that time his cotton brought him 25 to 40 cents a pound; proving conclusively that he can not prosper when prices are lower.

And let me ask the advocates of diversification how the production of other crops on the farm will cut the cost of producing cotton the same year on that farm? Would the fact that some Georgia farmer this year produced corn and oats and wheat and potatoes and tobacco and peaches and what not, and that he had cows and hogs and a few goats, have enabled him to produce "some cotton" on "reduced acreage" at less than 18 cents a pound (Government figures) and enabled him to escape a loss of \$35 to \$40 on every bale he produced? I will be glad to have an answer to this question from anyone from the President on down. And while we are on this subject, let's go to the bottom. How can we be so dead sure that our farmers are making any money on these wonderful crops that are described as "diversified"? How do we know that they are not losing just as much on these crops as on cotton? As a matter of fact, I think they are, but the facts are not so easily got at as in the case of cotton. I have not the slightest doubt in my own mind that the percentage of losses is greater on melons and peaches and tobacco and fruits and vegetables, corn and wheat and oats, and other diversified crops, than on cotton. But we hear nothing about it and know less.

#### WESTERN FARMERS ALSO IN DISTRESS

If only Georgia farmers and southern farmers were in distress, we might feel that overproduction of cotton and failure to produce other crops cause our troubles. But those who are informed know that farmers are suffering everywhere. If those Western States where cotton can not grow and where the farmers produce in abundance all the crops we have recommended to us as life savers, the distress in agriculture is even more pronounced. And it is the cry for help from the western farmer that has reached the ears of the Washington administration. If wheat and corn and livestock can not save the western farmer, why should we think they will save the southern farmer, especially when the southern farmer is expected to grow "some cotton" and loses on that cotton \$35 a bale?

We are bound to conclude that something is radically wrong in reference to agriculture. The explanation is not to be found in methods of farming nor in the character and volume of crops produced. The trouble lies deeper. The difficulty in fact is to be found in unfriendly, unfair, unjust laws, and the lack of intelligent legislation in the interest of agriculture. The industrial, financial, and transportation interests of the country have hogged everything. The farmer is out in the cold. The losses sustained by the farmers since 1920 just about equal the total cost of the World War, and I am of the opinion that when the struggle is ended and the future historian arrives at the facts and sets down the figures it will be found that the entire cost of the war came out of the farmers' pocket. To accomplish this has been no trick at all, when we remember that the farmer's dollar has been worth only 60 to 80 cents while the dollar of everybody else was worth 100 cents, and when we remember the farmer gives to the world every year agricultural products for which the consumer pays \$21,000,000,000 and that the farmer retains only \$7,000,000,000 of this stupendous sum, and that the \$7,000,000,000 does not equal cost of production. Oh, it's a great game—this process of bleeding the farmer and the farms.

There are those who see no speedy relief for agriculture, who do not believe Congress will act, or that the President will sign any bill, or that southern Senators and Representatives will change the position they took in the last session, and that there is nothing we can do except permit, without protest, a further abandonment of farms, waiting as best we can for the time when the scarcity of food products and clothing material will bring about an increase in prices sufficient to cause a return of many to the cultivation of the land. This is, indeed, a gloomy view, but this is exactly what is going to happen if we do not wake up. At this crucial moment I turn with hope to those who still dwell on the farms, to others who own farm lands, and to still others who live in the towns and cities and whose interests are bound up in the farmers and the farms of the State. They can save the situation, and when they fully realize what it is and understand

how to do it I believe it will be done. And to these people I make my appeal.

Many advocates of diversification with the customary enthusiasm of recent converts talk as though they had discovered something new. The files of the Atlanta Constitution, the Macon Telegraph, the Augusta Chronicle, the Savannah Morning News, the Columbus Enquirer-Sun, and other papers will show that the fight for diversification began almost before the smoke of conflict lifted from the battle fields of the Civil War and has continued to this good hour. More than 50 years ago Sidney Lanier, in his poem *Corn* painted an unforgettable picture of a farmer brought to utter poverty and misery by all-cotton farming. Forty years ago Henry Grady advocated diversification, and his writings and speeches on the subject have never been surpassed and never will be. What he could not accomplish lesser men need not undertake. And, coming down to little men, I am myself a believer in diversified farming and have ever been. For more than 15 years I have said so from time to time in the Atlanta Constitution. But I am forced to the conclusion that no substantial progress has been made, and I said so a few days ago in another article in the Constitution.

#### FUTILE EFFORTS OF COLLEGE OF AGRICULTURE

Dr. A. M. Soule, president of the State college of agriculture, is perhaps the most earnest advocate and the ablest exponent of diversification in the whole country. His work in this matter is not only well known in Georgia but his reputation has extended far beyond the borders of the State. If it were possible to make our dreams of diversification come true, he should be able to do it. And if it were possible to make diversification successful anywhere in the State, surely it would be in the home territory of Doctor Soule and the college of agriculture. But what do we find? Those who are informed and who are not afraid to speak the truth know that at this moment the agricultural distress that exists in those counties that lie under the very shadow of the State college of agriculture is greater than in any other part of Georgia. This, in spite of Doctor Soule's presence and help, and in spite of the efforts of many able teachers and experts connected with the college.

I have often wondered why the efforts of these great Georgia newspapers, extending over this long period, have produced no better results. I have wondered why the songs of Lanier and the brilliant eloquence of Grady made so little impression upon the farmers of the State. I have wondered why the heroic efforts of the Georgia association and of Doctor Soule and his devoted band of able assistants have availed so little. Slowly, during the last six never-to-be-forgotten years, the explanation has been dawning upon my mind. I understand it all now, and it is very simple. We have never received, and we do not now receive, fair prices for the products of our farms. As I said in beginning this letter, it matters not what we plant, nor how we plant it, what we grow, nor how we grow it, what we sell, nor how we sell it, always and ever, what we put into the farm and into the crops seems to exceed what we receive in return. And this, through no fault of our own. Nor is it possible to change this situation by taking thought along the customary lines. We must dig deep for the remedy.

#### THE THING THAT BROKE THE FARMER

Always and ever the farmer buys the things he needs in a market controlled by price-regulating laws. Always and ever he sells in the open market with no laws to protect him in the price he receives. This has always produced a disparity between agriculture and business of every other kind and character. Before the World War this disparity, this discrimination was not so great, and in former days the farmer managed to make some progress and through the slow increase in the value of his land was fairly well satisfied. But all this changed with the close of the World War. Promptly, unceremoniously, with the signing of the armistice, the powers that be determined that war prices should continue in all lines of business, manufacturing, finance, and transportation, but that wages to labor and prices for food and clothing material should go back to a pre-war basis. And war prices have continued in all these lines up to this good hour, with no prospect of ever being less.

But when the powers that be attempted to reduce wages they met fierce resistance at the hands of the labor unions. There was a struggle to the death and the labor unions won. The farmers were not so fortunate. Unorganized, widely separated, without leaders, they were an easy prey. They were deflated promptly, completely, scientifically, unmercifully. One meeting of the powerful Federal Reserve Board—that secret meeting later on uncovered and exposed by Richard H. Edmonds, editor of the Manufacturers Record, a meeting undoubtedly dictated by those same powers that be—one meeting and the work was done. This explains the desperate condition of agriculture to-day all over the country. This is the thing that saddled upon the American farmers a debt of \$12,000,000,000—a debt \$1,000,000,000 more than the amount due to the United States by its European allies in the Great War, which is only \$11,000,000,000. Foreign countries have been given 50 years in which to pay the \$11,000,000,000. The American farmers are told to pay the \$12,000,000,000 they owe and be quick about it.

## THE REMEDY IS FAVORABLE LEGISLATION

To remedy this situation will require something more than the hog and the cow and the wonderful hen. Something more than peanuts and peaches, tobacco, corn, and pecans. Something more than a reduction in cotton acreage, something more than the Coolidge Cotton Commission. Something more than bumper crops sold below cost of production. To remedy his condition the farmer must receive higher prices. If he can have proper prices, he will make money, no matter what he plants, whether cotton and corn and oats and potatoes, as of old, or whether he adds to these crops all the new-fashioned ones so highly recommended. Any farmer who can sell his produce for more than cost of production will make money and any farmer who makes money takes to diversification and livestock like a duck to water. Not otherwise.

The way by which prices of farm products can be increased will be found in some plan of taking surplus crops off the market as proposed in the Haugen and McNary bills in the last Congress and as will be proposed in some form in this Congress. If this plan is not adopted, or if, when adopted, it does not bring full relief, then something must be done to reduce the cost of the things the farmer has to buy. And if the fight reaches this phase, there will be a battle royal. Those who have been selling the farmer everything he uses at prices fixed and supported by laws of every sort, will contest every inch of ground when attempt is made to change those laws. But they must be changed if agriculture is to survive. The fight, if it reaches this stage, will be long and bitter. Arrayed against the farmer will stand all the other commercial interests of the country—the railroads, the manufacturers, and all the great employers of labor, for all these want cheap food and clothing for their workers, because if the prices of food and clothing rise, these workers will demand more pay.

Those who represent in Congress the agricultural States must get down to hard work, just as those who represent the financial, manufacturing, and transportation interests of the country do and always have done. Southern and western Senators and Congressmen must analyze the laws that fix the prices the farmer pays for every article of clothing for himself, his wife, and his children, from the crowns of their heads to the soles of their feet. They must examine the laws that control and fix the prices of his implements and machinery for all the supplies used on his farm. They must go into the whole matter and be prepared to present and defend the farmer's case at every turn. No one bill, no one single act of Congress, will answer. The laws upon the statute books discriminating against the farmer are numberless. For years they have been accumulating. Every interest has made certain that it got the legislation it needed. The farmer asks no special favors. He does insist that laws that discriminate against him be repealed and that if other interests are fostered and protected by law, then laws that will protect him must be enacted. That is all he asks—that is what he must have or he will abandon the farm. He is at the end of the row. He can struggle no longer.

## THE WHOLE STATE IS SUFFERING

Few people realize the withering, blasting effect of the last six years upon the agricultural population of this State. We know how quickly the spirit of an individual or a family can be crushed and broken by failure and misfortune, but we do not stop to consider the effect of failure, misfortune, and poverty upon a State. When 300,000 people abandon sixty-odd thousand farms in Georgia, to say nothing of other States, who can estimate or appraise the effect upon those who remain, especially when the number of those who remained is being daily diminished. Mr. F. H. Abbott, the able secretary of the Georgia association, replying to me in the Constitution, says he expects to see 25,000 more farms abandoned. I think he will see this unless Congress gives relief.

In 1920 we had 310,000 farms. By 1925 we had lost 63,000, or at the rate of 12,000 a year. Counting 12,000 more for this year and adding the 25,000 Mr. Abbott says are yet to go, and we have a total loss of 100,000 for the State. We now begin to see why Georgia has made such a wonderful showing in the matter of reducing cotton acreage. We have hit upon the ideal method of reducing cotton acreage. Instead of pursuing the uninteresting program of 25 per cent reduction on each farm, we at one fell swoop eliminate one-third of all the farms, lock, stock, and barrel—vacate, abandon, turn our backs on them and leave them to the foxes and the owls, the moonshiners and the timber thieves.

A few days ago Mr. Thomas Cadett, the young English newspaper man now sojourning in Atlanta and contributing brilliant articles to the Atlanta Constitution, made a trip to Waynesboro, to see what he could see. And what did he see? He journeyed 180 miles, going from the foothills of the Blue Ridge to the greatest cotton-producing county in the State. He saw some red and some yellow dirt. He saw nothing green except the evergreen, the live oak, and the pine. He saw no pastures, but did see one or two cows, indicating at least one or two pasturing places. He saw withered cornstalks in the rain-gullied fields. He saw vast cotton fields where the once snow-white fruitage was rotting on the plant. He saw storm-beaten shacks, which we call tenant dwellings. He saw one or two old colonial homes, sad remnants and reminders of "the glory that was Greece and the grandeur that was

Rome." When he got back they told him in the Constitution office that he had gone to the wrong place, just as we always tell the fisherman who fails to catch any fish. Mr. Cadett made a great mistake. He should have had a guide. His should have been a personally conducted pilgrimage. There are newspaper men in Atlanta and in all our cities who make a specialty of seeing and writing about things they think will please people away off yonder somewhere, and lead them to believe that Georgia is a veritable garden spot, that she has reduced her cotton acreage to the last notch, and that her diversified crops are the most pluperfected diversified crops in the world. On his next trip Mr. Cadett should get one of our boasting newspaper correspondents to lead the way.

## WHAT STANDS IN THE WAY OF FARM RELIEF?

The greatest obstacle in the way of bringing relief to agriculture is the fact that there are those who insist that there is no ground for complaint by the farmer; those who, in Georgia, point to the bountiful crops as evidence of prosperity. These people mislead men of wealth and influence in the cities, who, if they knew the facts, would take steps to correct conditions. They mislead our Representatives at Washington, many of whom follow the line of least resistance. They actually mislead each other, and we have a fine example of the blind leading the blind and all falling into the ditch. Well-informed men know that agricultural conditions are unsatisfactory. And I make the statement deliberately and as one who has always lived in the State and who has had business relations with farmers for nearly 50 years. Those who proclaim agricultural prosperity in Georgia at this time are not informed or they are willing "to crook the pregnant hinges of the knee that thrift may follow fawning."

## THE COOLIDGE COTTON COMMISSION

A short time ago, when the crash came in cotton prices, it was announced with a great flourish that President Coolidge had come to the rescue by the appointment of a cotton commission to cooperate with the bankers and save the situation. Eugene Meyer headed the commission and Secretary Mellon, Secretary Hoover, and Secretary Jardine were the other members. The purpose of the Coolidge Cotton Commission was twofold. In the first place, it was thought that a show of help by the administration would win the heart of the South and prevent southern Senators and Representatives in Congress from joining hands with the West in an attack on the high tariff laws of the country. This was the prime reason. In the next place, it was a sop to the business interests of the South, in that it enabled them to make sure of their usual profits out of the great cotton crop produced this year. When the Coolidge Cotton Commission was named the cotton growers of the South were already bankrupt.

The commission simply took charge of the assets of the bankrupt farmer. His creditors already owned all this cotton, picked and unpicked, ginned and unginned, baled and unbaled, sold and unsold. He held no further interest in the cotton he had grown, and the Coolidge commission had no interest in him except to honey him along till he had picked and ginned and baled and brought to the warehouse every snow-white lock and every oil-producing seed! And let me tell you that 20,000,000 bales of cotton is one juicy morsel! Oh, the millions upon millions of profits that will come to those who touch it all along the way from the ruined and hopeless men who produced it to the ultimate consumers. They proceeded to conserve the assets of the bankrupt farmer, so that there would be no losses of customary profits to the railroads, the steamship lines, the bankers, the warehousemen, the fire insurance companies, the compress companies, the cotton mills, and others in exploiting the great cotton crop of 1926. It had been feared for some time that the horse was unsafe in the stable. They not only let the horse be stolen, but gravely proceeded to lock the door of the stable after the horse was stolen, and then they took charge of the horse! And they have him at this moment! The 12 Federal land banks belong to the farmers, but the Federal Farm Loan Board, which controls these banks, is permitting itself through the intermediate-credit banks to be used as the instrumental for shielding from loss, not the farmers of the country, who own these banks and who produced all this cotton, but everybody else who has anything to do with the crop after it leaves the farmer's hands. The milk-and-water scheme of retiring a few million bales of cotton for a definite time is a lame imitation of the plan for handling surplus crops set out in the Haugen and McNary bills before the last session of Congress. Every man on this commission and the distinguished author of the commission opposed these bills, because they believed these bills would accomplish the purposes intended.

If the able bankers of the South who have been so active in carrying out the plans of the Coolidge Cotton Commission had with equal enthusiasm got behind the Haugen and McNary bills last summer, we would have had set up then machinery for doing thoroughly and completely the thing they are now trying to do in a hurried, hap-hazard, and ineffective manner; cotton prices would have been held above the cost of production in spite of the big crop, and the cotton growers would have been able to pay their debts. Too late now!

## REDUCTION IN ACREAGE NOT THE REMEDY

And we are told that the success of this holding movement and the very existence of cotton growers depend upon a drastic reduction in

acreage. This is a new doctrine for some people to preach. It is not so long ago that mill owners in New England, old England, and the South denounced as criminal the curtailment of a product so necessary to the commerce of the world and the comfort and happiness of unnumbered millions. Every student of such subjects knows that a reduction in acreage does not necessarily mean decreased production. The statistics on cotton disclose that acreage does not always regulate the size of the crop. And suppose we cut the acreage one-fourth next year. Suppose there should be a drought, such as we had in 1924 and 1925. Or suppose the rains should come and the floods descend, as we have seen them. Or suppose the boll weevil or some other pest should destroy the crop, as we have seen it destroyed, and that, not long ago. What then? Will the farmer still be held accountable? Will he still have to bear the losses? Will he again be denounced for having so little sense as to cut his acreage when the whole world cries for cotton?

And if reduction in cotton acreage is so necessary, why not do it right? Why not ask Congress to pass the Haugen and McNary bill or a similar bill, and set up in Washington, as was proposed, the Federal farm board, to look after this very matter, among others? That was one of the very things proposed last summer, but Senators and Congressmen, who have since called for an extra session, could not see the point then. Some people profess a great horror of such a board. The Federal Reserve Board is all right; the Interstate Commerce Commission is wonderful; but when it comes to a board in the interest of the farmer, the very foundations of the Government are said to be threatened and a mighty protest goes up from those who can only conceive of farmers as hewers of wood and drawers of water for the balance of the human race.

What is this cotton-holding scheme which southern banks have entered into and agreed to help finance? About 4,000,000 bales are to be withheld from the market for not more than 20 months. Will the banks pay the carrying charges, storage, and insurance and the other expenses on the cotton? No. Who pays these charges? The Federal Farm Loan Board, through the intermediate credit banks. Where does it get the money? From the 12 Federal land banks and the intermediate credit banks. Who owns the Federal land banks? Why, they belong to the farmers who have borrowed money from those banks and who own all the stock in all these banks. Then it may be that these farmers are really paying all the expenses of carrying this 4,000,000 bales of cotton for 20 months? Exactly. Beautiful scheme, is it not? We now begin to see what a valuable horse it was that disappeared from the stable. We can but faintly imagine also how grateful cotton spinners in Europe and America must be to have all this cotton carried without expense to them till they need it, and how doubly grateful they must be to know exactly how long it will be held for them.

If it is a good thing for the bankers to unite in a hurry call holding movement when the cotton crop is a large one, why not have Congress, after proper investigation and deliberation, set up a permanent board that will do the job right? Would it not be better to prepare in advance rather than wait for the storm to sweep us off our feet? The Haugen and McNary bills had this very thing in view. Under these bills the farmers themselves sought to do for themselves the very thing the Coolidge Cotton Commission now seeks to do, not for the farmers, but for those who are always in line for the exploitation of the cotton crop. Under these bills the farmers themselves would have borne all the expenses of holding the surplus, just as they will perhaps pay all the expenses of the holding movement of bankers. But under the Haugen and McNary bills they would still have retained an interest in the cotton being held and a chance to come out whole. Under the plan now in operation they may pay the expenses after having already parted with their cotton and lost \$35 on every bale produced.

#### A NEW THEORY OF FINANCE

There are those who say that the cotton growers of Georgia and the South have not been hurt by low prices, even though these prices are below the cost of production. Prominent men have seriously asserted that the large crop overcame low prices, or at least evened up things, and left the farmers in fine shape. The first time I heard or read this statement I was sure it was made inadvertently. But as it has been repeated so often, there are some who evidently believe it. This statement was made in the bankers' meeting at the chamber of commerce addressed by Mr. Eugene Meyer. I felt certain that distinguished financier would take issue with the speaker, but he did not. Think of it! Every pound of cotton produced this year in Georgia cost the grower 18 cents. Every pound of cotton sold in Georgia this year brought the grower not over 11 cents, and in thousands of instances much less. Yet we are told that we produced so many pounds that we lost nothing, and are in better shape than ever. "Can you beat it?" An old Decatur Street merchant used to say he made money selling suits of clothing below cost because he sold so many of them, but never till now have I heard such talk from leaders of finance and captains of industry.

#### MANUFACTURING AND INDUSTRIAL DEVELOPMENT

There is great enthusiasm now over the rapid industrial development in Georgia. The statement is made almost daily in the news-

papers that the value of our manufactures now exceeds the value of farm products. Is not this true because agriculture has been neglected and discriminated against in many ways, while industrial enterprises have been favored and fostered in every way? There are those who lay great stress on a system of "balanced farming." I lay greater stress on a balanced development of Georgia and the South. To neglect or oppress agriculture in a State so largely agricultural is to overlook our greatest asset. We should be proud of the strides we are making in industrial growth. At the same time we should be ashamed of the showing we are making in agriculture. I am not sure of the figures, but I suppose that 80 out of 100 people in Georgia are dependent upon the farms directly and indirectly. It is a cruel thing to boast of the prosperity of 20 per cent of our population and give no thought to the status of the remaining 80 per cent. The value of farm products is now less than the value of our manufactures solely for the reason that prices of farm products are too low. If the prices for farm products can be maintained above cost of production, their value will greatly exceed the value of manufactures.

If what we have accomplished industrially in so short a time has thrilled the State and given us all a new vision of our destiny, what will be the result if we can find some way by which agriculture can be rejuvenated and the farmers also made prosperous? If towns and cities on the bleak and barren soil of New England have become rich and powerful through manufactures alone, what mind can conceive or what pen portray the future wealth and power of Georgia, if, in addition to the establishment of great industrial and manufacturing enterprises, she can also be enabled to give full development to her agriculture. I fear that some of our leading men have given up hope of improving agricultural conditions, and have decided to devote their time and thought and capital to industrial enterprises. And I am inclined to believe that the reason so many people try to conceal the ugly conditions in agriculture is due to their fear that the truth may prevent industrial capital and manufacturing plants from coming into the State. At first the boosters applied the term "diversified" to the products of the farm. They are now using this word in reference to all the enterprises of the State. So "diversification," as these men now employ the term, means not only cotton and grain and other things planted on the farm but applies to industrial plants also; to cotton plants and cotton-mill plants, corn plants and lighting plants, tobacco plants, and power plants, and so on through the whole business and industrial list. By including, along with agriculture, all the other business and industrial enterprises of the State, they make a good showing, and cover up, they think, the miserable showing made by agriculture and the pitiful condition of the farmers of the State.

#### WHAT HENRY GRADY SAID IN 1889

I have already mentioned Henry Grady. No man ever had a more genuine interest in the farmer nor a greater love for the farm. Let me quote what he said 37 years ago at a meeting of farmers at a time when agricultural conditions were almost as bad as they are now. Here are his words:

"General Toombs once said that the farmer, considered the most conservative type of citizenship, is really the most revolutionary. That the farmers of France, flocking to the towns and cities from the unequal burdens of their farms, brought about the French Revolution, and that about once in every century the French peasant raided the towns. Three times the farmers of England have captured and held London. It was the farmers of Mecklenburg that made the first American declaration, and Putnain left his plow standing in the furrow as he hurried to lead the embattled farmers who fought at Concord and Lexington. I realize it is impossible that revolution should be the outcome of our industrial troubles. The farmer of to-day does not consider that remedy for his wrongs. I quote history to show that the farmer, segregated and deliberate, does not move on slight provocation, but organizes only under deep conviction, and that when once organized and convinced, he is terribly in earnest, and is not going to rest until his wrongs are righted."

Heartsick and sorrowful, but with never dying hope, I turn from an unsympathetic and dogmatic leadership, to the farmers themselves. I appeal from those who say the farmers complain without cause, to those who live close to the farmers and who know the facts. I await the verdict with confidence. I call upon them, from every State in the Union, to assert themselves. There is no reason why they should longer be in distress. The same sun shines above them now that lighted and warmed them in other days. The same soil spreads beneath their feet. The men and women on the farms of the West and the plantations of the South are of the blood and breed of those who conquered the wilderness, fought the wars of the Republic, and built the civilization we now enjoy. My faith in them has not faltered and shall not.

J. T. HOLLEMAN,

President, *The Southern Mortgage Co.*

ATLANTA, GA., December 29, 1926.

Mr. WASON. Mr. Chairman, I yield 30 minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Chairman and Members of the House, I have no desire to use the entire 30 minutes that have been allotted to me, and shall not do so if I am allowed to extend my remarks by printing in the RECORD a speech that was delivered by the Assistant Commissioner of Indian Affairs, Mr. Meritt, which I tried to have included in the RECORD under unanimous consent this morning.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. FREAR. In response to that, let me say that I have agreed to have no objection made to the speech, providing the questions and answers are agreed to that accompany the speech. I have called the attention of the gentleman from Montana to specific misrepresentations that he and I know must be misrepresentations, and I do not claim that they were made intentionally. I do not want to be placed in a wrong attitude, and that is the reason why I do not want only a part of the record to go in in that form. If the whole thing goes in, I have no objection. If the gentleman wishes to put something that is not true in the RECORD, I can not consent to inserting the answer of some one who is not a Member of the House.

Mr. BLANTON. Mr. Chairman, a point of order. In protection of the orderly procedure I make this point of order, that our colleague from Wisconsin [Mr. FREAR] claims that this document is a personal attack on him, affecting his integrity. I make the point of order that, even in general debate, our distinguished colleague, who is now on the floor [Mr. LEAVITT], should not make a personal attack on his colleague, and certainly he should not be allowed to read a personal attack upon his colleague here by an outsider, affecting his integrity. I call his attention to that feature of the rule as to procedure in protection of the orderly business of the House.

The CHAIRMAN. The Chair overrules the point of order. The gentleman from Wisconsin has knowledge of the method followed.

Mr. LEAVITT. Mr. Chairman, in the CONGRESSIONAL RECORD of January 6 the gentleman from Wisconsin [Mr. FREAR], under leave to print, sets forth a number of rather serious statements with regard to the Bureau of Indian Affairs, and particularly Assistant Commissioner Edgar B. Meritt. It seems that Mr. Meritt was recently in California, where he delivered speeches on various occasions replying to previous statements made by the gentleman from Wisconsin.

It is not my intention at this time to take up in detail the cause of the Bureau of Indian Affairs or of Mr. Meritt. I do feel, however, that my position as chairman of the Committee on Indian Affairs makes it proper that I should be the one through whom the statement of Mr. Meritt, who has been a Government official for 33 years, more than 20 of which have been with the Indian Service, should be inserted in the RECORD. He does not himself have access to the floor of this House. Certainly a bureau of this Government charged with such serious duties as are those of the Indian Service should have opportunity to present its side of the case in a controversy of this kind in the same forum as that chosen by the one who attacks it.

It was with a statement of that kind, Mr. Chairman, that I undertook to insert in the RECORD, a speech made by Mr. Meritt in Oakland, Calif. Objection was made by the gentleman from Wisconsin [Mr. FREAR] unless I would also include in my remarks a stenographic report that he has received from some one who attended this meeting, who took down what questions were asked and what answers were given by Mr. Meritt. We know, as Members of this House, that even with the experience of these men who report the proceedings of this House we find it necessary to have the statements made by ourselves upon this floor placed before us for revision in order to be sure that the reporter has gotten exactly what we said, particularly with regard to the use of names and figures and things of that kind.

This material that the gentleman from Wisconsin wishes me under my responsibility to include in the RECORD is something that has been sent to him, I do not know by whom, and I do not know its responsibility, and I do not know whether it is correct or not. On the other hand, this statement of the Assistant Commissioner has been furnished to me by the Bureau of Indian Affairs as constituting what was said by Mr. Meritt on that occasion. It has seemed to me only proper that it should be inserted in the RECORD as the statement of the Bureau of Indian Affairs in reply to the continuous statements made in the RECORD by the gentleman from Wisconsin under leave to extend his remarks. He has filled up the issue of the 6th day of this month 24 pages of the RECORD, none of which was said on the floor of the House. No one on the floor of the House had an opportunity to question the accuracy of it.

The Bureau of Indian Affairs is charged with perhaps the most difficult responsibility confronting any bureau of this Government. Its administration affects human beings in every stage of development from that in which they live according to their tribal customs, speaking their native languages, to a position where they should be entirely divorced from any control or supervision of the Government. The bureau is continually under attack. There seems to be no plea that can be placed before the American people that will be so easily taken up and believed if made by anybody who professes to speak in the name of the Indians as will charges against the Bureau of Indian Affairs.

It is not my purpose to sponsor or protect the Bureau of Indian Affairs except in a broad way, or to say that everything that has been done under the jurisdiction of that bureau has been correctly done. I am not going to say anything of that kind. I have been critical of some things. I have called attention to things I believed to be wrong, and I have tried to bring about a correction of them. That is helpful. On the other hand, there recently went through the western country, I am told, a man claiming to speak in the name of the Indians, and raising money, and then after raising money for the cause of starving Indians, getting into a Pierce-Arrow car and riding to some other meeting. I am told he did this even in the name of Indians supposed to be starving out in the State of Montana.

Mr. FREAR. Will the gentleman yield there?

Mr. LEAVITT. Yes. I think the gentleman was with him.

Mr. FREAR. I was with the gentleman. He never did anything of which the gentleman is charged.

Mr. LEAVITT. I make that statement on my own responsibility.

And to-day when I rose and asked to have Mr. Meritt's reply inserted in the RECORD the gentleman from Wisconsin rose to his feet and said that unless I would include with it, under my leave to extend, these stenographic notes that have come here—I do not know from whom, and which the gentleman himself can not assure the House are correct because he was not in the meeting—he objects to having it put in the RECORD, and he asks that I be made to read it.

There may be some things in it that are violative of the rules. I do not know. However, I would be the first one to agree that those parts of what Mr. Meritt has said should not go in, but I do feel that he should be allowed to make his reply in his own way and this is the way in which he wishes to have that reply made.

Speaking before the Oakland Forum on the 1st of December, Mr. Meritt said, according to the statement he has furnished to me:

It is a real pleasure to have the opportunity of addressing this splendid audience. We wish to express sincere appreciation of the friendly interest shown by the good men and women of the West in the Indian question. We know that you are sincere friends of the Indians and desire to distinguish between propaganda and truth and assist the Government in every way practicable to promote the best welfare of the American Indians.

There has been so much misrepresentation and so many misstatements regarding the Government's handling of Indian affairs that it seems appropriate to give to the public some accurate information regarding this important subject—information that can be substantiated by the records of the Government at Washington.

\* \* \* Mr. FREAR advised his audiences in the West that for 14 years he had served on various committees in the House of Representatives, including the Ways and Means Committee, and that about a year ago he was assigned to the House Indian Committee. Ever since that assignment the Indian Service has been subjected to his unwarranted criticisms. Mr. FREAR has told his audiences that he had practically no Indians in his district, and few Indians in his State. \* \* \*

1. Mr. FREAR said:

"The heavy death loss has been neglected so that to-day the Indians are only skeleton tribes."

The truth of the matter is that the Indians in the last 25 years have been steadily increasing in population and are no longer a vanishing race. For example, in 1900 there were 270,544 Indians in the United States and to-day we have 349,876. The Indians are increasing in population at the rate of about 1,500 per annum (which is the result of the work of the Indian Bureau along educational and health lines.

2. Mr. FREAR said:

"Indian Bureau control is effected by an army of political employees, good, indifferent, and sometimes bad."

The facts are that out of the 4,960 employees in the Indian Service there are only two political appointees, namely, the Commissioner of Indian Affairs and the Superintendent for the Five Civilized Tribes. The Assistant Indian Commissioner has been in the Government service nearly 33 years, and more than 20 years in the Indian Service, and his position can not properly be called a political one. The present

Commissioner of Indian Affairs was selected for that office because of his preeminent qualifications for the position, having spent 40 years of his life among the Sioux Indians, and served for many years in Congress as a member of the Committee on Indian Affairs of the House of Representatives and later as chairman of that very important committee. No man ever filled the office of Commissioner of Indian Affairs who was more efficient, better equipped, or more sincerely interested in the Indians than is Commissioner Burke. He is the soul of honesty, honor, and fair dealing, and deserves the undivided support of the American people in administering the difficult duties of his responsible office. Practically all of the employees in the Indian Service are appointed through civil-service channels, and approximately 1,700 of these employees are Indians who have been educated in our Government Indian schools. Mr. FREAR's "army of political employees" dwindles to 2 out of nearly 5,000 when the facts are known.

3. Mr. FREAR says that the Indian agents appoint Indian judges at \$10 per month to carry out the policy of oppression, and that the Indians are without jury, without attorney, without bail, and without right of appeal.

The facts are that these Indian judges are among the leading Indians on each reservation. They are selected because of their prominence and the respect with which they are held by the Indians. Any Indian has the right to employ an attorney. Any Indian has a right to appeal from the decision of the Indian court to the superintendent, from the decision of the superintendent to the Commissioner of Indian Affairs, and from the decision of the Commissioner of Indian Affairs to the Secretary of the Interior. The Indians therefore have three appeals. Few Indians are ever sentenced to jail beyond 30 days, and most sentences are less, and then the jail is used only for sleeping and eating purposes, the Indians being required to work on roads and do other useful tasks on the reservations. The Indian courts are much more lenient than would be the case if the Indians had their trials in either State or Federal courts. These Indian courts are a fine example of the constructive methods of the Government in teaching the Indians real self-government.

4. Mr. FREAR said:

"From present prospects the bureau will not lose its job or its control of the person and property of the Indians for hundreds of years to come if the Indians live that long."

The facts are that the jurisdiction of the Indian Bureau has been relinquished over approximately one-third of the Indians of the United States during the last 20 years. Any Indian who can demonstrate his competency can have a patent in fee to his land and be entirely free from restrictions of every kind and character whatsoever.

5. Mr. FREAR said:

"The power to employ an attorney, like the power over person and property, must have the approval of the Indian Bureau, which, in effect, names the Indian's lawyer who is to protect the Indian against the bureau."

Any Indian may employ an attorney and the Indian Bureau does not attempt to supervise the employment of attorneys for individual Indians, except to see that they are not overreached in the fees they are required to pay. Section 2103 of the Revised Statutes requires that attorneys employed by Indian tribes shall have their contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior. This legislation by Congress is necessary in order to protect the tribal property of the Indians and so that a few Indians can not make contracts with attorneys that would obligate the tribal property of all the Indians. The Indians, in their personal rights, are as free and independent as any other citizens of this country, and may go and come as they please. The property of restricted Indians is held in trust by the Government for the benefit of the Indians; otherwise, grafters would soon acquire practically all of the property that is now held by the Indians. This statement is proven by past experience. Under Secretary Lane's tenure of office as Secretary of the Interior about 10,000 Indians were released from the jurisdiction of the Interior Department. Unfortunately Indians, as a rule, do not have full appreciation of the value of property. Soon after the issuance of patents in fee to these 10,000 alleged competent Indians 90 per cent of them disposed of their lands, bought automobiles, and within six months were without property and dependent upon their Indian relatives whose property was protected by the Indian Bureau. To-day the Indians of this country, as a rule, who own the least property are the ones who have been released from governmental supervision and no longer have their property interests protected by the Government.

6. Mr. FREAR said:

"No Indian is called before the congressional committees by the bureau."

The Indian office does not control who shall appear before committees of Congress, but the Indian Bureau has, upon the request of the committees of Congress, brought to Washington Indians for the purpose of testifying before congressional committees. The records of the Indian Committees of Congress will show that quite a number of Indians are appearing before the Indian Committees of both the House

and Senate. This statement may be confirmed by writing to the chairman of either the House or Senate Indian Committee of Congress. For example, during the last session, not less than 50 Indians appeared before the House and Senate Indian Committees. These Indians were from the Kiowa Reservation in Oklahoma, the Klamath Reservation in Oregon, the Crow, Fort Peck, and Tongue River Reservations in Montana, and the Sioux Reservations in North and South Dakota.

I will pause right here to interject a brief statement. The gentleman from Wisconsin [Mr. FREAR]—and we should be fair and I desire to be entirely fair to him—undoubtedly when he said that no Indian was called before the congressional committees by the bureau had reference to one or two particular bills he was discussing, such as the oil leasing bill which has to do with the Navajo Indians, and it is true that there was no Indian called before the committee during the hearings on that bill. It is the very general practice, however, for Indians through their representatives who come here from the different reservations, to appear before the Committees on Indian Affairs. There are several delegations in Washington at this time. So in this particular case, both the gentleman from Wisconsin and the Bureau of Indian Affairs are correct. The gentleman from Wisconsin is correct in stating that in reference to a particular bill, which I understand he was discussing, no Indian had been called, but it is generally the case that they are called.

Mr. HASTINGS. Will the gentleman from Montana yield?

Mr. LEAVITT. Yes.

Mr. HASTINGS. May I ask whether the Committee on Indian Affairs has ever denied the right of any Indian to appear before the committee during the consideration of a bill that touches his interests?

Mr. LEAVITT. Not since I have been in Congress.

Mr. FREAR. That is just the point. Mr. Chairman, and the last three lines which criticize me for misrepresentation are the lines that I object to. Of course, I never made any such statement. No member of the Committee on Indian Affairs would make such a statement as is quoted there, and the gentleman, Mr. Meritt, in the questions and answers that I wanted to put in the RECORD, shows that he got that from a newspaper report and did not know the source of it.

Mr. LEAVITT. Mr. Meritt continues:

7. Mr. FREAR says:

"The Jackson Barnett case is another scandal unique and original. It was 'investigated' by the House Indian Committee two or three years ago and the committee whitewashed Burke. What else could happen where every member of the committee is dependent on Burke's approval of Indian bills in which the member is interested?"

I think before I read the reply of Mr. Meritt, the gentleman from Wisconsin should state whether or not he made that statement.

Mr. FREAR. No; not in the language quoted there. I do not know where he got that, and in my remarks, which cover about seven pages of reply to this speech, I there discuss specifically what I said and the facts as I understand them.

Mr. CRAMTON. Mr. Chairman, if the gentleman will yield—

Mr. LEAVITT. I yield.

Mr. CRAMTON. The gentleman from Wisconsin seems very tender about an opportunity to reply to anything that implies the least criticism, but the gentleman from Wisconsin does not put in his remarks in a way to give others an opportunity to enjoy that privilege.

Mr. FREAR rose.

Mr. CRAMTON. Let me finish this statement. In the extension of remarks the gentleman brings my name in and prints a letter and assumes that the statements in that letter are true, which statements imply a criticism of my action, and I did not know about it until I saw it in the RECORD a few days ago.

Mr. FREAR. Mr. Chairman, if the gentleman will permit, I struck out of the letter everything that reflected, as I believed, on the gentleman from Michigan, and I put it in to show the condition of affairs down on what is known as the Pima Reservation.

Mr. CRAMTON. If the gentleman had taken out all that implied a criticism of me and my official actions there would not have been any letter left.

Mr. FREAR. I will leave it to the gentleman himself to examine the letter and see.

Mr. LEAVITT. Now, Mr. Chairman, I wish to interject briefly at this point in regard to the statement attributed to the gentleman from Wisconsin—and he has made it in effect on the floor of the House in my hearing—that the Committee on Indian Affairs of the House can not be expected to render honest judgment in matters of this kind, because it must de-

pend upon Commissioner Burke to report favorably upon its bills.

I think the Committee on Indian Affairs is entitled to a defense. The committee is made up of men, half of whom—and I was careful in making my suggestion to the committee on committees—half of whom come from States in which there are absolutely no Indians—of the Eastern and Middle Western States. The minority leader of the Indian Affairs Committee is the gentleman from Arizona [Mr. HAYDEN]. Mr. HAYDEN, in spite of the charges that were made as to a measure he introduced in good faith, being impugned—that it was a steal from the Navajo Indians—went before the people of his State in the last election and was elected to represent that State in the Senate of the United States.

When we go down the list of the Committee on Indian Affairs we have men of that type—men whose honesty and motives can not be impugned by another Member of the House. I have been told that it is against the rules of the House for me to criticize the gentleman from Wisconsin or question his motives on the floor. That is according to the rules of the House. But the gentleman from Wisconsin has not hesitated himself to make statements that must be considered as questioning the honor of the members of the Indian Affairs Committee.

Mr. FREAR. Will the gentleman yield to me to say that I never made any such statement?

Mr. LEAVITT. I can not yield now. I know what the gentleman has said. I have in my hand four measures that have been acted upon by the Committee on Indian Affairs since I have been chairman that will alone refute any such statement. They have to do with matters that have come before the Committee on Indian Affairs without the approval of the Commissioner of Indian Affairs and reported favorably regardless of that. What I mean is that the Secretary of the Interior made an adverse report on this one I hold in my hand, and yet in spite of that it was reported favorably by us and became a law.

We have in addition to that two others that have received a pocket veto. After having an adverse report by the Secretary of the Interior and having been passed by the House and the Senate, they were subjected to a pocket veto. And still they have been reintroduced and reported favorably by the Committee on Indian Affairs. Not only that, but I have here one that has been thus reported unfavorably since the convening of the present session that we have reported favorably. There could be nothing further from the truth than to say that the Committee on Indian Affairs is compelled in its action by the opinion of anybody.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. WASON. I yield the gentleman 10 minutes more.

Mr. LEAVITT. When it comes to raising a question of that kind I think those who are acquainted with the membership of our committee are unanimous in resenting it. I know that that is the unanimous sentiment of members of the Indian Committee. If I wanted to go into some things in committee I might make it embarrassing at this time for the gentleman from Wisconsin.

Mr. Meritt continues:

Briefly stated, Jackson Barnett is a full-blood Creek Indian over 70 years of age. He was married to a white woman February 23, 1920, in Kansas. Jackson Barnett was fortunate in having allotted to him a tract of land which later proved to be one of the richest Indian oil allotments in the United States. More than \$2,000,000 have been recovered in oil royalties from this allotment. Jackson Barnett has no near relatives living at this time. No one can question the fact that Mrs. Barnett has made Jackson Barnett for more than six years a good wife and has brought to him more of the comforts and pleasures of civilization than he ever before enjoyed. Jackson Barnett expressed a desire to donate a part of his money for educational purposes. He signed, by thumb mark, a letter addressed to the Secretary of the Interior requesting that \$550,000 be set aside to his wife and \$550,000 be held in trust by the American Baptist Home Mission Society for the benefit of Bacone College and the Murrow Indian Orphan Home, both located near Muskogee, Okla. Jackson Barnett, under the terms of this settlement, which was approved by the Interior Department on January 29, 1923, is to receive a substantial income out of these donations during his life. His present income amounts to more than \$60,000 a year. The Bacone College and the Murrow Orphan Home are exclusively Indian educational institutions which have long been established and have contributed much to the advancement of the Indian race in Oklahoma. The restrictions on the property of the Five Civilized Tribes of Indians will expire in 1931 and unless extended by Congress there will

be very little Federal or tribal money available for educational purposes among the Indians of the Five Civilized Tribes. Jackson Barnett did not give to his lawful wife more than she was entitled to under the law after Jackson Barnett's death and upon the distribution of his estate. Jackson Barnett could not have conceived of a more worthy plan to help his people and for the uplift of the future generation of Indian children in the Five Civilized Tribes than by the donation he has made to the Bacone College and the Murrow Orphan Home.

This matter has been gone into fully by a committee of Congress and the Commissioner of Indian Affairs and the Indian Bureau given a thorough vindication by this congressional investigation. The case is now pending in the courts and it is the prediction of many lawyers familiar with Indian law and procedure that when the decision of the Supreme Court of the United States is finally handed down in this case the action of Jackson Barnett and the approval of the Commissioner of Indian Affairs and the Secretary of the Interior of the donation of Jackson Barnett will be found legal and will be sustained. \* \* \*

8. Mr. FREAR says:

"Last session the Indian Bureau was more brazen than ever before and drew a bill, introduced by Chairman LEAVITT, which gave \$10 per month to Indian judges, appointed by Indian agents, the right to sentence Indians to six months in jail and also to fine \$100 additional for violating rules of the agent of bureau or department. Without right of attorney, without right of bail, or jury, or any appeal to any court, this bill drafted by Mr. Burke's bureau wiped out the last vestige of protection the Indian had."

Mr. Chairman, I pause here long enough to state that as chairman of the committee I introduced the bill, but that neither I nor the majority of the committee are satisfied that the bill is yet in proper form to come out. Probably it will not come out at this Congress in any form. But it should be stated that the intention of it, as explained by the Commissioner of Indian Affairs to the committee, has not been to do the things that are stated here by Mr. FREAR. I state now, although I have been charged by a worthy named John Collier with having made every effort to get the bill reported out and passed that the records of the committee show and the hearings show that I have opposed that sort of action all the way through, and that I stated at the end of the hearings last spring that I was not satisfied that the bill was in proper form or that it should be reported out.

Mr. FREAR. The gentleman introduced the bill, as he states, by request. I have stated that everywhere. Of course, anything that predicts any future action from the gentleman is gratuity. I do not think that he was in favor of the bill.

Mr. LEAVITT. I thank the gentleman. Mr. Meritt goes on:

\* \* \* The facts are that at the beginning of the last session of Congress there was drafted and introduced House bill 7826, which had as its purpose the improvement of law and order conditions among Indians on Indian reservations. It was stated in the hearings on this bill that there was no pride of authorship, that perfecting amendments were welcomed, suggested, and recommended, and that the proposed legislation was submitted in order to bring the matter to the attention of Congress and cure certain unfavorable law and order conditions existing on Indian reservations.

The main purpose of House bill 7826 is to make Indians subject to more of the laws of the land than they are now required to observe and obey. At present, restricted Indians living on Indian reservations are not subject to the laws of the States and to but very few of the criminal laws of the United States. Section 328 of the United States Criminal Code of 1910 makes provision for the punishment of only eight offenses committed by restricted Indians on reservations, namely, murder, manslaughter, rape, assault with intent to kill, assault with a dangerous weapon, arson, burglary, and larceny. The other crimes and misdemeanors in the Federal Criminal Code and the State codes are not punishable in the regular Federal district courts so far as restricted Indians are concerned. It is claimed by Mr. FREAR that the Indian Bureau is endeavoring to extend its authority by the enactment of the proposed legislation. As a matter of fact, the purpose of the legislation is exactly the opposite, as section 1 of House bill 7826 increases the jurisdiction of the United States district courts and reduces the jurisdiction of the reservation courts of Indian offenses. Practically all missionaries, organizations working for the benefit of the Indians, and all persons familiar with the present law and order situation on Indian reservations recognize the need of additional legislation covering this most important subject and until additional legislation is enacted by Congress the law and order conditions on Indian reservations will continue to be unsatisfactory.

Mr. Chairman, I come next to the matter of the Lees Ferry Bridge. That is a measure that was introduced by the gentleman from Arizona [Mr. HAYDEN]. Mr. Meritt said in his speech at Oakland:

9. Referring to the appropriation for the Lees Ferry Bridge, Congressman FEAR said:

"This legalized robbery of the Navajo Indians of \$100,000 was made possible by the aid of Commissioner Burke and Secretary Work. \* \* \* Remember, Burke, in exclusive control of the Indians' property, urged the passage of a bill of no benefit to the Indians that would take \$100,000 from the \$116,000 in his hands if collected at once."

Of course, Mr. Chairman, there was no proposal to collect this \$100,000 at once either in the form of the bill as originally introduced or as the measure finally passed. The restriction put on the appropriation said that it could not be taken from the \$116,000 the Indians now have. But Mr. Meritt continues:

In the first place we can say positively that there never was any intention of taking \$100,000 out of the \$116,000 belonging to the Navajo Indians. For 100 miles there is no bridge across the Colorado River, which borders on the Navajo Reservation for a long distance.

Mr. Chairman, if I can have further time on this to-morrow, I would like to proceed at that time. I would like to have the gentleman from Arizona [Mr. HAYDEN], who introduced this measure, present when it is further taken up. If I can proceed under general debate to-morrow for an additional few minutes I would like to do it.

Mr. WOOD. How much time would the gentleman want?

Mr. LEAVITT. I should think 20 minutes.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. SANDLIN. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, I would not ask the committee to remain longer in session at this late hour but for the fact that I feel that if what I am about to say is of any importance at all it probably should be said to-day.

I wish to comment for just a few moments upon the message of the President of the United States, which was read from the desk earlier in the day.

Mr. Chairman, I appreciate fully the delicacy involved in a Member of the House entering upon a discussion of our international relations under circumstances similar to those that now confront us. I certainly have no desire to trespass in any way or in any degree upon the prerogatives of the executive branch of the Government, nor shall I do so. However, in view of the fact that possibilities of grave and serious consequences exist, the possibility that there may flow from conditions in Central America a necessity for some sort of action by the Congress, I do think that it is not improper just now to say a few things touching some of the features of the message.

I am not satisfied with the information that is given. I do not think it is sufficiently full. Primarily I should like to know positively just what is the danger to American lives in Nicaragua at the present time? Throughout the message the President several times uses the expression "for the protection of American lives and property." Always the two are coupled. Mr. Chairman, I distinguish between the duty that we owe toward the protection of life and the duty that we owe toward the protection of property, and I am not content to let this matter go to the country without there being an understanding that some of us, at least, do draw that distinction, and that we shall feel at liberty to do so if there be any action required of us in the future. Circumstances may call for extreme action in the protection of life, while not justifying it in the case of property alone.

I do not regard the statement of fact contained in the message relative to the rights that have been ceded to us by treaty in regard to the proposed Nicaragua Canal or the protection of the Panama Canal as being sufficient in themselves to justify the action that has been taken. There is nothing in the situation which exists now, if I am correctly informed, certainly nothing is shown in this message, which is the first official Executive utterance to us, to indicate that those rights that we have acquired by that treaty have been in any way threatened or that they are in the slightest danger whatsoever. By Article II of that treaty certain islands were ceded to us in order to enable us to protect the Panama Canal. That cession has not been interfered with, and we are in peaceful control of them with sovereign power.

There is nothing here to indicate that our interest there is in any jeopardy, and it seems to me the bringing of that feature into the picture is confusing, and has a tendency to lead the public mind off upon an angle which does not appeal to me as being a legitimate one in the present crisis.

Another feature of the message that I want to make a little comment upon is the recital of the fact that something like \$1,000,000 of the Nicaragua bonds are held by people in the United States, and for some reason which I do not fully fathom

the President seemed to think it desirable to state that, so far as known, no bank in the United States is now holding any of these obligations.

I do not see why it should make any difference who the holders are. If it is intended by this recital to indicate that it is the duty of the United States to use armed force and virtually commit an act of war in order to assure the stability and integrity of that indebtedness due to persons in the United States who bought those bonds with their eyes wide open, I respectfully take issue with it and must decline to give assent to any such policy.

The individual who buys a bond of a South American or Central American country buys it with a knowledge of history and a knowledge of the temperament and disposition of that people, and I do not wish to be placed in a position where I may appear to subscribe to the idea that it is the duty of this Government to commit acts of war in order to assure payment of those bonds, no matter by whom they are held.

Therefore that part of the message does not appeal to me as of itself furnishing a basis upon which I could agree that it is our duty to go to the extent which is easily possible under the action that has been taken there.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SANDLIN. How much more time would the gentleman like?

Mr. GARRETT of Tennessee. Three minutes more.

Mr. SANDLIN. I yield to the gentleman three minutes.

The CHAIRMAN. The gentleman from Tennessee is recognized for three minutes more.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Certainly.

Mr. KINDRED. In the gentleman's opinion, to what country does the President refer in his message read here to-day? What foreign country does the President refer to when he says that certain foreign countries have been guilty of transgression and have violated the Monroe doctrine in Nicaragua?

Mr. GARRETT of Tennessee. I do not remember that the President referred to the Monroe doctrine.

Mr. KINDRED. He did not refer to the Monroe doctrine, but he spoke of the violation or transgression of the spirit of the Monroe doctrine by certain foreign countries. Now, does any act of Mexico constitute any transgression in the sense of a transgression by a foreign country of the Monroe doctrine?

Mr. GARRETT of Tennessee. Of course, Mr. Chairman, that brings us to a very large question. I observe that this morning the theory was advanced in a publication of this city that the Monroe doctrine was capable of the interpretation—indeed, I think it put it so strong as to assert that the true interpretation of the Monroe doctrine was that it was the duty of this Government to protect a government of Pan America not only from encroachment by nations of the other hemisphere but to protect one nation of Pan America against another nation of Pan America.

Now, the President does not say that. I do not subscribe to that interpretation. That has never been my understanding of the Monroe doctrine. The President—let me make it very clear—says nothing in this message which I construe to mean that. I do not recall the exact language to which the gentleman from New York refers, and so I could not state what nation the President had in mind in what he said.

Mr. KINDRED. Would any reasonable interpretation of the Monroe doctrine include any transgression of Mexico?

Mr. GARRETT of Tennessee. I have never believed and have never thought that the Monroe doctrine in even its broadest legitimate interpretation and scope meant that it was, because of that doctrine, the duty of this country to interpose in the struggles between two of the Pan American nations.

Mr. KINDRED. That is an answer to my question.

Mr. GARRETT of Tennessee. That certainly has never been my view.

Now, I wish to speak—and I hope I am speaking—circumstantially. I surely have no disposition to do other than that which is just for my country and for the nations of the earth. The time may come when we of this House may have some duty to discharge in connection with this trouble. I trust it may not be so. But in view of that possibility, I have felt that it was well to say these few words.

Now, to go back to the thought expressed at the very beginning, because I would like to emphasize it: I should like to know in some detail the extent to which American lives have been in danger, and under what circumstances they were in danger; what was the conduct of those who were in danger; what was their relation to the events which were then transpiring there; what was their interest which carried them to the

country? Were they mixed with the politics of the nation? All these things, Mr. Chairman, I think it is highly important to know, in order to try and reach a just conclusion and in doing what we can best do to preserve peace, justice, and the honor of our own Nation.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. GARRETT of Tennessee. I would like to have two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JACOBSTEIN. Mr. Chairman, has the gentleman from Tennessee read that the American Lumber Co. has stated that it had been inconvenienced by the fact that some of the native employees working for that company have been forced to bear arms by Sacasa? Should that be construed to be interfering at all with American interests in that country?

Mr. GARRETT of Tennessee. Oh, no, not in a sense of imposing a duty on this country.

Mr. JACOBSTEIN. That is the only concrete statement I have seen where American interests have been involved.

Mr. BLANTON. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Texas.

Mr. BLANTON. I hope the message that goes to the President from the minority leader's statement will mean to him what in naval parlance is meant by the signal, f. o. g.—“navigate cautiously.”

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BEGG, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT—ANNUAL REPORT OF THE AMERICAN BATTLE MONUMENTS COMMISSION (H. DOC. NO. 636)

The SPEAKER laid before the House the following message from the President of the United States:

To the Congress of the United States:

I transmit herewith for the information of the Congress the annual report of the American Battle Monuments Commission for the fiscal year 1926.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 10, 1927.

The SPEAKER. The message and accompanying papers are ordered printed and referred to the Committee on Foreign Affairs.

#### EXTENSION OF REMARKS

Mr. JACOBSTEIN. Mr. Speaker, do the rules of the House permit newspaper articles to be reprinted in the RECORD when they bear upon so important a subject as the President's message? I have in mind the two official statements printed in the New York Times by the contenders in the Nicaragua affair. It seems to me it would be very valuable for the Members of the House to have these official statements when they read the President's message again in the RECORD.

The SPEAKER. Of course, they could be printed by unanimous consent as a part of the extension of remarks of some gentlemen.

Mr. JACOBSTEIN. Mr. Speaker, I ask unanimous consent that these two official statements be printed in the RECORD for the enlightenment of the Members of the House and of the country.

Mr. BLANTON. Are they authentic?

Mr. JACOBSTEIN. They are official statements by Adolfo Diaz and by Juan Bautista Sacasa.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing the two statements to which he has referred. Is there objection?

Mr. BEGG. Mr. Speaker, I regret very much to object to the gentleman's request, because he seldom makes one, but I think it is going pretty far afield to begin to print newspaper articles on a subject like that. If we permit it this time everybody will want to do it, and I do not believe this is the way to get authentic information. Therefore I am forced to object.

Mr. JACOBSTEIN. Will the gentleman withhold his objection for just one moment?

Mr. BEGG. Yes.

Mr. JACOBSTEIN. And permit me to explain why I ask this. A newspaper man came to me and asked whether there were not some discrepancies in the statements made by the President of the United States and Mr. Diaz. I said I did not think so. He said, “If you will compare the statement printed in the New York Times with the President's message, you will find some discrepancies.” I have gone over them and there is some doubt, in my own mind at least.

Mr. GARRETT of Tennessee. Will the gentleman from Ohio permit this suggestion?

Mr. BEGG. Yes.

Mr. GARRETT of Tennessee. This is not a newspaper article; that is, it is not from the newspaper itself. These are signed statements by the parties to this controversy. I do not know whether that will make any difference to the gentleman from Ohio.

Mr. BEGG. No. I will say, Mr. Speaker, that the minute we extend these statements in our own RECORD it will be at least a quasi acknowledgment of them. It has all been brought to our attention through the proper channel, by the President of the United States and referred to the Foreign Affairs Committee, and I think any official report to the House ought to come from the Foreign Affairs Committee. Consequently I must object to these newspaper articles.

The SPEAKER. Objection is heard.

#### COMMITTEE ON ENROLLED BILLS

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bill:

H. R. 13452. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. to construct, maintain, and operate a railroad bridge across the Wabash River.

#### ENROLLED BILLS SIGNED

The SPEAKER announced his signature to the following Senate bills from the Committee on Enrolled Bills:

S. 2043. An act to authorize the opening of a street from Georgia Avenue to Ninth Street NW., through squares 2875 and 2877, and for other purposes;

S. 4393. An act to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum;

S. 4445. An act to amend the act entitled “An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes,” approved June 7, 1924; and

S. 4862. An act granting the consent of Congress to the commissioners of Fayette and Washington Counties, Pa., to reconstruct the bridge across the Monongahela River at Belle Vernon, Fayette County, Pa.

#### ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 11, 1927, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, January 11, 1927, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

State, Justice, Commerce, and Labor Departments appropriation bill and deficiency appropriation bill.

#### COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

For the relief of the Uintah and White River Tribes of Ute Indians, of Utah (S. 1924).

#### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the Secretary of the Navy to proceed with the construction of certain public works (H. R. 11492).

#### COMMITTEE ON WAYS AND MEANS

(10 a. m.)

To conserve revenues from medicinal spirits and provide for the effective Government control of such spirits, to prevent the evasion of taxes (H. R. 15601).

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

851. A message from the President of the United States, transmitting herewith, for the consideration of Congress, and without revision, a paragraph of legislation relative to an existing appropriation submitted by the Architect of the Capitol (H. Doc. No. 634); to the Committee on Appropriations and ordered to be printed.

852. A letter from the Secretary of the Interior, transmitting a copy of a letter from the Commissioner of the General Land Office, dated January 5, 1927, transmitting report of the withdrawals and restorations contemplated by the statute; to the Committee on the Public Lands.

853. A letter from the Secretary of the Navy, transmitting copies of two letters of the Board of Inspection and Survey, dated March 10, 1926, and December 4, 1926, respectively; and of letter of the United States Naval Observatory, dated November 26, 1926, in which authority is requested for the disposition of certain useless papers; to the Committee on Disposition of Useless Executive Papers.

854. A message from the President of the United States, transmitting a supplemental estimate for the Department of State for the fiscal year 1927, to remain available until June 30, 1928, for the International Joint Commission, United States and Great Britain, under the treaty of January 11, 1909, relating to the boundary waters between the United States and Canada, \$10,000 (H. Doc. No. 635); to the Committee on Appropriations and ordered to be printed.

855. A letter from the Chesapeake & Potomac Telephone Co. transmitting a report of the Chesapeake & Potomac Telephone Co. to the Congress of the United States for the year 1926; to the Committee on the District of Columbia.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

## Under clause 2 of Rule XIII,

Mr. ABERNETHY: Committee on the Public Lands. H. R. 12889. A bill to relinquish the title of the United States to the land in the claim of Moses Steadham, situate in the county of Baldwin, State of Alabama; without amendment (Rept. No. 1701). Referred to the Committee of the Whole House on the state of the Union.

Mr. HADLEY: Committee on Ways and Means. S. 4537. An act to amend the Harrison Narcotic Act of December 17, 1914, as amended, and for other purposes; with amendment (Rept. No. 1709). Referred to the House Calendar.

Mr. UNDERHILL: Committee on Claims. H. R. 14238. A bill to amend section 3702, Revised Statutes; without amendment (Rept. No. 1710). Referred to the Committee of the Whole House on the state of the Union.

Mr. UNDERHILL: Committee on Claims. S. 2620. An act for the relief of certain newspapers for advertising services rendered the Public Health Service of the Treasury Department; without amendment (Rept. No. 1711). Referred to the Committee of the Whole House on the state of the Union.

Mr. WURZBACH: Committee on Military Affairs. S. 3992. An act to provide for the purchase of land for use in connection with Camp Marfa, Tex.; without amendment (Rept. No. 1716). Referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

## Under clause 2 of Rule XIII,

Mr. MORROW: Committee on Claims. S. 3918. An act for the relief of Robert R. Bradford; without amendment (Rept. No. 1712). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 3295. A bill for the relief of Sherman P. Browning; with amendment (Rept. No. 1713). Referred to the Committee of the Whole House.

Mr. CARPENTER: Committee on Claims. H. R. 10447. A bill for the relief of First Lieut. Walter T. Wilsey; with amendment (Rept. No. 1714). Referred to the Committee of the Whole House.

Mr. WHEELER: Committee on Military Affairs. H. R. 15432. A bill to correct the military record of Curtis P. Wise; without amendment (Rept. No. 1715). Referred to the Committee of the Whole House.

## CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on the Public Lands was discharged from the consideration of the bill (H. R.

11888) amending so much of the sundry civil act of June 30, 1906 (34 Stat. p. 730), as relates to disposition of moneys belonging to the deceased inmates of St. Elizabeths Hospital, and the same was referred to the Committee on Military Affairs.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MANLOVE: A bill (H. R. 16104) to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 16105) to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDRESEN: A bill (H. R. 16106) to amend sections 11 and 12 of the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. HOOPER: A bill (H. R. 16107) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. SINNOTT (by departmental request): A bill (H. R. 16108) to repeal an act entitled "An act to provide for stock-raising homesteads, and for other purposes; to the Committee on the Public Lands.

Also (by departmental request), a bill (H. R. 16109) to repeal the desert land laws, and for other purposes; to the Committee on the Public Lands.

Also (by departmental request), a bill (H. R. 16110) to amend section 2455 of the Revised Statutes of the United States, as amended, relating to isolated tracts of public land; to the Committee on the Public Lands.

Also (by departmental request), a bill (H. R. 16111) to withhold timberlands from sale under the timber and stone act; to the Committee on the Public Lands.

Also, a bill (H. R. 16112) confirming in States and Territories title to lands granted by the United States in the aid of common or public schools; to the Committee on the Public Lands.

By Mr. ZIHLMAN: A bill (H. R. 16113) to permit extension of period of detail by the President of officers from the Corps of Engineers as Engineer Commissioner of the District of Columbia, and for other purposes; to the Committee on Military Affairs.

By Mr. BELL: A bill (H. R. 16114) authorizing an appropriation of \$150,000,000 for the manufacture at Muscle Shoals of ammonium phosphate, or other high-grade fertilizer, to be sold to farmers for cash at cost for agricultural purposes; to the Committee on Military Affairs.

By Mr. HOLADAY: A bill (H. R. 16115) to provide for a system of voluntary registration by certain aliens, and to facilitate their naturalization; to the Committee on Immigration and Naturalization.

By Mr. WOODYARD: A bill (H. R. 16116) granting the consent of Congress to the Henderson Bridge Co., its successors and assigns, to construct, purchase or lease, maintain, and operate a bridge across the Kanawha River, at or near the town of Henderson, W. Va., to a point opposite thereto, in or near the city of Point Pleasant, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mrs. ROGERS: A bill (H. R. 16117) to authorize the Secretary of Agriculture to establish grades and standards for farm products, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. BRITTON: A bill (H. R. 16118) prohibiting in the courts of the United States of America a further jeopardy for an act in violation of criminal laws of both State and United States where jeopardy therefor by prosecution has been already inflicted for such act in the courts of any of the States; to the Committee on the Judiciary.

By Mr. MEAD: A bill (H. R. 16119) to amend the national prohibition act to permit the manufacture, sale, transportation, importation, or exportation of beverages which are not in fact intoxicating as determined in accordance with the laws of the respective States; to the Committee on the Judiciary.

By Mr. CRUMPACKER: A bill (H. R. 16120) authorizing the acceptance from the French Republic of a diploma and medal Legion d'Honneur, by Col. John G. Strohm, M. R. C., United States Army; to the Committee on Foreign Affairs.

By Mr. DENISON: A bill (H. R. 16121) to amend the act entitled "An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes," ap-

proved December 29, 1926; to the Committee on Interstate and Foreign Commerce.

By Mr. REECE: A bill (H. R. 16122) to extend the limitations of time upon the issuance of medals of honor and distinguished-service crosses and distinguished-service medals to persons who served in the Army of the United States during the World War; to the Committee on Military Affairs.

By Mr. JACOBSTEIN: A bill (H. R. 16123) to create an American institute of agriculture and to provide for a permanent national agricultural policy for the well-balanced development of American agriculture, including production, marketing, and the limiting of losses from surplus production; to the Committee on Agriculture.

By Mr. PEAVEY: Joint resolution (H. J. Res. 327) providing for the disposal of surplus funds in the United States Treasury, and for other purposes; to the Committee on Ways and Means.

By Mr. PORTER: Joint resolution (H. J. Res. 328) to provide for the expenses of delegates of the United States to the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland; to the Committee on Foreign Affairs.

By Mr. LINTHICUM: Joint resolution (H. J. Res. 329) to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro; to the Committee on Foreign Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 330) to provide for the expenses of delegates of the United States to the Eighth Pan American Sanitary Conference, to be held at Lima, Peru; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 331) to provide for the membership of the United States in the American International Office of Protection for Childhood; to the Committee on Foreign Affairs.

By Mr. LAGUARDIA: Resolution (H. Res. 369) directing the Secretary of the Treasury to furnish the House of Representatives certain information concerning the Howell & King brewery; to the Committee on the Judiciary.

By Mr. SMITH: Resolution (H. Res. 370) providing for the consideration of H. R. 9826, to provide for the protection and development of the lower Colorado River Basin; to the Committee on Rules.

By Mr. MOORE of Virginia: Resolution (H. Res. 371) that the Committee on Foreign Affairs shall ascertain and report to what extent countries have accepted the provisions of the Mexican laws relative to oil rights and concessions; to the Committee on Rules.

By Mr. ROMJUE: Resolution (H. Res. 372) that the Committee on Foreign Affairs ascertain and furnish all information concerning the relations of the United States with the Nicaraguan Government; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD: A bill (H. R. 16124) granting a pension to Sarah Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16125) granting a pension to Nettie Edington; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 16126) for the relief of William Downing Prideaux; to the Committee on Naval Affairs.

Also, a bill (H. R. 16127) granting an increase of pension to Orrison H. Van Horn; to the Committee on Invalid Pensions.

By Mr. COLLINS: A bill (H. R. 16128) for the relief of William D. Wilson; to the Committee on War Claims.

Also, a bill (H. R. 16129) for the relief of William H. Harris; to the Committee on the Civil Service.

By Mr. ROY G. FITZGERALD: A bill (H. R. 16130) granting a pension to Hannah E. Lore; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 16131) to correct the military record of Larkin Tonguet; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 16132) granting a pension to Thomas H. Swafford; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 16133) granting a pension to Mary Burdick; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 16134) granting a pension to Maude Liming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16135) granting an increase of pension to Dully A. Chain; to the Committee on Invalid Pensions.

By Mr. LUCE: A bill (H. R. 16136) granting a pension to Alice G. Taylor; to the Committee on Invalid Pensions.

By Mr. MACGREGOR: A bill (H. R. 16137) granting an increase of pension to Alice F. Webster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16138) granting an increase of pension to Ellen Hanour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16139) granting an increase of pension to Frederick Smith; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 16140) granting an increase of pension to Margaret E. Sanders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16141) granting an increase of pension to Lillian E. Connelly; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 16142) granting an increase of pension to Sarah A. V. Pepper; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 16143) granting an increase of pension to Eliza Schoonover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16144) granting an increase of pension to Rosa Ulman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16145) granting an increase of pension to Permelia E. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16146) granting an increase of pension to Emma M. Alexander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16147) granting an increase of pension to Alice Gormley; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 16148) granting an increase of pension to Elizabeth Bogart; to the Committee on Invalid Pensions.

By Mr. RANSLEY: A bill (H. R. 16149) granting an increase of pension to Anna E. Brosey; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 16150) granting an increase of pension to Sarah A. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16151) granting a pension to William M. Robinson; to the Committee on Pensions.

By Mr. REID of Illinois: A bill (H. R. 16152) granting a pension to Ruth H. Wight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16153) to reimburse the Farmers Savings Bank, of Brandon, Iowa, for currency destroyed by fire; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 16154) granting an increase of pension to Mary J. Rounds; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 16155) for the validation of the acquisition of Canadian properties by the War Department and for the relief of certain disbursing officers for payments made thereon; to the Committee on War Claims.

Mr. SWOOPE: A bill (H. R. 16156) granting an increase of pension to Alice A. Robb; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 16157) granting an increase of pension to Teddy Sexton; to the Committee on Pensions.

Also, a bill (H. R. 16158) granting a pension to George H. Majors; to the Committee on Pensions.

Also, a bill (H. R. 16159) granting a pension to Laura Harrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16160) granting a pension to Swin Leadford; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 16161) granting a pension to Martha E. Blough; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 16162) granting a pension to Mary E. Vore; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 16163) granting an increase of pension to Katie Berry; 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:

4576. Petition of the National Council of Traveling Salesmen's Associations and the United Commercial Travelers of America, favoring the United States adherence to the 5-5-3 naval ratio, and urging the passage of Tilson's bill for cruiser appropriations; to the Committee on Naval Affairs.

4577. By Mr. BIXLER. Petition of John E. Oberg and other citizens of Tidioute, Pa., for increase of pensions to Civil War veterans and dependents; to the Committee on Invalid Pensions.

4578. Also, petition of R. B. Hayes Post, Grand Army of the Republic, and other citizens of Oil City and Venango County,

Pa., urging increase of pensions to Civil War veterans and their dependents; to the Committee on Invalid Pensions.

4579. Also, petition of Mrs. T. M. Law and other citizens of Franklin, Pa., for increase to Civil War veterans and their dependents; to the Committee on Invalid Pensions.

4580. By Mr. BLAND: Petition of two voters of Hampton, Va., urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows and carrying the rates proposed by the National Tribune, Washington, D. C.; to the Committee on Invalid Pensions.

4581. By Mr. BROWNE: Petition of citizens of the eighth congressional district of Wisconsin, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4582. By Mr. CARTER of California: Petition of Charles L. Hermann and 80 other citizens of Alameda County, Calif., urging the passage of legislation increasing the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4583. By Mr. CHAPMAN: Petition of various and sundry citizens of Estill County, Ky., urging relief for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4584. By Mr. COOPER of Ohio: Petition of citizens of the nineteenth Ohio congressional district, urging the passage of a bill to increase the pensions of the Civil War veterans and their widows; to the Committee on Invalid Pensions.

4585. By Mr. EATON: Petition of several citizens of South Bound Brook, N. J., urging immediate and favorable action on bill granting Civil War veterans and their widows an increase in pension; to the Committee on Invalid Pensions.

4586. By Mr. FOSS: Petition of the Massachusetts Department of Veterans of Foreign Wars of the United States, that the adjusted service certificate be matured immediately; to the Committee on World War Veterans' Legislation.

4587. By Mr. GALLIVAN: Petition of Frank T. Keane, 515 Adams Street, Dorchester, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4588. By Mr. GARBER: Bulletin of the Immigration Restriction Leagues, urging further restriction of immigration; to the Committee on Immigration and Naturalization.

4589. By Mr. GARRETT of Tennessee: Petition of citizens of Benton County, State of Tennessee, requesting action on the bill for an increase of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4590. Also, petition of citizens of Buena Vista, State of Tennessee, requesting action on the bill for an increase of pension to the Civil War veterans and their widows; to the Committee on Invalid Pensions.

4591. Also, petition of citizens of Carroll County, State of Tennessee, requesting action on the increase of pension bill to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4592. Also, petition of citizens of Ohio County, State of Tennessee, requesting action on the proposed bill for an increase of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4593. By Mr. HALE: Petition of citizens of Manchester, N. H., favoring the passage of pension legislation for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4594. Also, petition of citizens of Laconia, N. H., favoring the passage of pension legislation for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4595. By Mr. HALL of Indiana: Petition of O. G. Gaskill and four others, of Huntington, Ind., favoring the National Tribune's Civil War pension bill; to the Committee on Invalid Pensions.

4596. Also, petition of Lida A. Litter and 13 others, of Huntington, Ind., to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4597. Also, petition of George W. Pfeiffer and 30 others, of Marion, Ind., to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4598. By Mr. HERSEY: Petition from voters of Dover-Foxcroft, Me., urging passage of Civil War pension bill to aid the widows, etc.; to the Committee on Invalid Pensions.

4599. Also, petition from Edith A. Hathaway and 34 other residents of East Millinocket, Me., urging passage of bill to aid the widows, etc., of the Civil War; to the Committee on Invalid Pensions.

4600. Also, petition from R. R. Higgins and 28 other residents of Mapleton, Me., urging the passage of the Civil War pension

bill to aid the widows of the Civil War, etc.; to the Committee on Invalid Pensions.

4601. Also, petition of Truman N. Norton and 22 other residents of Maine, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4602. By Mr. HICKEY: Petition signed by Josephine Wright and other citizens of Knox, Ind., advocating more liberal pensions for Civil War soldiers and their widows; to the Committee on Invalid Pensions.

4603. Also, petition signed by Mr. Joseph Burke, 224 South St. Peters Street, South Bend, Ind., and many other citizens of South Bend, advocating more liberal pensions for Civil War soldiers and their widows; to the Committee on Invalid Pensions.

4604. By Mr. HOOPER: Petition of Mrs. Rose Perkins and seven other residents of Galesburg, Mich., favoring pending legislation to increase the rates of pension of Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4605. By Mr. HOWARD: Petition in behalf of the voters of Decatur, Burt County, Nebr., seeking support of the Civil War pension bill for relief of the surviving veterans and their widows; to the Committee on Invalid Pensions.

4606. By Mr. IRWIN: Petition of W. F. Brennan et al., of East St. Louis, Ill., urging the passage of pension legislation for the relief of veterans of the Civil War and their widows at the present session of Congress; to the Committee on Invalid Pensions.

4607. By Mr. KINDRED: Petition of 90 voters of New York City, N. Y., urging that immediate steps be taken to bring to a vote the Civil War pension bill, and urging that support on the part of their Senators and Representatives in Congress be accorded this legislation; to the Committee on Invalid Pensions.

4608. By Mr. LUCE: Petition of residents of Brookline, Mass., for the relief of Civil War veterans and widows by bringing to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4609. By Mr. LETTS: Petition of Fred Worth and 70 other citizens of Davenport, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4610. By Mr. McLAUGHLIN of Michigan: Petition urging that immediate steps be taken to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4611. By Mr. MAGRADY: Petition of numerous residents of Northumberland County, Pa., urging the passage of House bill 13450 in behalf of Civil War soldiers and widows; to the Committee on Invalid Pensions.

4612. Also, petition of numerous residents of Northumberland County, Pa., protesting against the further admission of aliens and urging the deportation of all criminal aliens; to the Committee on Immigration and Naturalization.

4613. By Mr. MAJOR: Petition of certain citizens of Polk County, Mo., urging passage of Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4614. Also, petition of certain citizens of Sedalia, Mo., urging the passage of Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4615. By Mr. MEAD: Petition of postal employees of City Hall Station, New York City, re night work differential; to the Committee on the Post Office and Post Roads.

4616. By Mr. MICHENER: Petition signed by residents of Saline, Mich., asking that certain pension laws be amended; to the Committee on Invalid Pensions.

4617. By Mr. MOORE of Kentucky: Petition signed by 33 voters, urging immediate steps be taken to bring to a vote the Civil War pension bill now pending before Congress; to the Committee on Invalid Pensions.

4618. Also, petition signed by 23 voters, urging immediate steps be taken to bring to a vote the Civil War pension bill now pending before Congress; to the Committee on Invalid Pensions.

4619. Also, petition signed by 23 voters, urging immediate steps be taken to bring to a vote the Civil War pension bill now pending before Congress; to the Committee on Invalid Pensions.

4620. Also, petition signed by W. L. Wright and about 17 other voters, urging immediate steps be taken to bring to a vote the Civil War pension bill now pending before Congress; to the Committee on Invalid Pensions.

4621. Also, petition signed by C. A. Lawton and 12 other voters, urging immediate steps be taken to bring to a vote the Civil War pension bill now pending before Congress; to the Committee on Invalid Pensions.

4622. Also, petition signed by Martha Williams and 73 other voters, urging immediate steps be taken to bring to a vote the

Civil War pension bill now pending before Congress; to the Committee on Invalid Pensions.

4623. By Mr. MORROW: Petition of citizens of route 2, Mountainair, N. Mex., indorsing House bill 13450, Civil War pension bill; to the Committee on Invalid Pensions.

4624. By Mr. O'CONNELL of New York: Petition of the Chamber of Commerce of the State of New York, favoring the immediate authorization and construction and appropriation of funds whereby 10 cruisers of 10,000 tons each, in addition to the 3 already authorized, may be added to the Navy at the earliest practicable moment; to the Committee on Naval Affairs.

4625. Also, petition of Los Angeles Chapter, the Disabled Emergency Officers of the World War, favoring the passage of the Tyson-Fitzgerald bill at this session of Congress; to the Committee on Military Affairs.

4626. By Mr. PHILLIPS: Petition of citizens of Butler and Lawrence Counties, Pa., urging Congress to take immediate steps to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4627. Also, petition of citizens of Butler County, Pa., urging the passage of House bill 10311; to the Committee on the District of Columbia.

4628. By Mr. PRATT: Petition of citizens of Kerhonkson, Ulster County, N. Y., urging enactment of legislation further increasing the pensions of Civil War veterans and their widows; also, two petitions of citizens of Saugerties, Ulster County, N. Y., requesting legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4629. By Mr. RAGON: Petition of W. H. Campbell and others, of Little Rock, Ark., for increase of Civil War widows' pensions; to the Committee on Invalid Pensions.

4630. Also, petition of R. J. Lipey and others, for increase of Civil War widows' pensions; to the Committee on Invalid Pensions.

4631. Also, petition of George Neal and others, of Russellville, for increase of Civil War widow's pension; to the Committee on Invalid Pensions.

4632. By Mr. REECE: Petition of sundry citizens of Erwin, Tenn., favoring the passage of legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4633. By Mr. ROBINSON of Iowa: Petition of citizens of Whitten, State of Iowa, requesting action on a bill for an increase of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4634. By Mr. ROUSE: Petition of citizens of Campbell County, Ky., urging that immediate steps be taken to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

4635. Also, petition of citizens of Crittenden, Grant County, Ky., urging that immediate steps be taken to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

4636. By Mr. SANDERS of New York: Petition of Mrs. Mary Getty and 13 other residents of Pike and Castile, Wyoming County, N. Y., urging the passage by Congress of a bill granting increased pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4637. By Mr. STALKER: Petition signed by citizens of Owego, Tioga County, N. Y., urging immediate relief for Civil War veterans and widows; to the Committee on Invalid Pensions.

4638. Also, petition signed by 70 citizens of Watkins Glen, N. Y., and vicinity urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4639. By Mr. STRONG of Kansas: Petition of voters of Chapman, Kans., urging enactment of Civil War pension bill to increase pension for soldiers and their widows; to the Committee on Invalid Pensions.

4640. Also, petition of voters of Junction City, Kans., urging passage of legislation providing increases of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

4641. By Mr. STROTHIER: Petition of citizens of Wayne County, State of West Virginia, requesting action on a proposed bill for an increase of pension to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4642. By Mr. SWING: Petition of certain residents of San Diego, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4643. Also, petition of certain residents of Santa Ana, Calif., urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4644. By Mr. TAYLOR of Colorado: Petition of citizens of Craig, Colo., praying for pension relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4645. By Mr. TINCHER: Petitions of sundry citizens of Beeler and Haven, Kans., urging the passage of a pension bill for the relief of needy Civil War veterans and their widows; to the Committee on Invalid Pensions.

4646. By Mr. WATSON: Petitions from ninth congressional district of Pennsylvania, for increase of pensions for veterans and widows of the Civil War; to the Committee on Invalid Pensions.

4647. By Mr. WOLVERTON: Petition of George N. Robey and others, of Harrison County, W. Va., urging the Congress of the United States to take immediate steps to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

4648. Also, petition of Mrs. Phoebe M. Osbone and others, of Lewis County, W. Va., urging the Congress of the United States to take immediate steps to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

4649. By Mr. WOODYARD: Petition of Parkersburg Council, No. 91, Junior Order United American Mechanics, Parkersburg, W. Va., against House bill 6238, known as the Wadsworth amendment; to the Committee on Immigration and Naturalization.

4650. Also, petition of citizens of Parkersburg, W. Va., relative to pension legislation; to the Committee on Invalid Pensions.

4651. By Mr. ZIHLMAN: Petition of citizens of Smithsburg, Md., urging immediate action and support of the Civil War pension increase bill granting relief to needy veterans and their widows; to the Committee on Invalid Pensions.

## SENATE

TUESDAY, January 11, 1927

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

Our Father and our God, we bless Thee for every mercy which comes to us and ask that Thou wilt help us through this day whatever may come in the line of duty. Give us wisdom to understand the times and so may we cooperate with a high sense of obligation that this land of ours may be blessed. Save us, we beseech of Thee, from the things which are not right, and give unto us a larger conception of the business of the hour. We ask in Jesus Christ's name. Amen.

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

### PERSONAL EXPLANATION—PRESIDENT DIAZ AND GENERAL DIAZ

Mr. BINGHAM. Mr. President, I desire to correct a statement which I made yesterday due to the fact that I did not hear all that the senior Senator from Idaho [Mr. BORAH] said in reply to a remark of mine.

On page 1333 of the RECORD it is reported that I said:

The Senator from Idaho in an interview given out a few days ago implied that President Diaz was General Diaz, an officer of the Nicaraguan Army.

Mr. BORAH. No; I did not give any such inference at all. My information in regard to this matter is more accurate than that. This is the same Diaz.

I did not understand that the Senator said "This is the same Diaz," otherwise I should not have replied as I later did.

The facts are these: General Diaz, whose name is Humberto Pasos Diaz, was born in 1890, and was a nephew of Adolfo Diaz. During the administration of Emiliano Chamorro, from 1916 to 1920, he was undersecretary for foreign affairs. He was a military man and held the rank of general. He was a qualified aviator and pilot, one of the few Nicaraguans who had this training and he was therefore named the head of the Nicaraguan aviation service, and served with General Chamorro. He held command under Chamorro in 1926 as a general in the Chamorro forces and as chief of aviation. While reconnoitering on the Escondido River in 1926 he was shot by a revolutionary sniper and killed.

The other Diaz, the president, to whom I referred yesterday, Adolfo Diaz, was born in 1875 in Costa Rica of Nicaraguan parents temporarily in exile. He returned to Nicaragua as a young man and entered into business. He took part in the revolution in 1909 against Zelaya. Under the Estrada government he was minister of government and hacienda and later Vice