

County, Ind., favoring the passage of pension legislation for the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4861. By Mr. VINCENT of Michigan: Petition by residents of Saginaw, Mich., protesting against the passage of House bill 10311, concerning Sunday observance; to the Committee on the District of Columbia.

4862. By Mr. WOLVERTON: Petition of Guy R. Post and others, of Lewis County, W. Va., asking that the bill for the relief of widows of Civil War veterans be considered at this session of Congress; to the Committee on Invalid Pensions.

SENATE

THURSDAY, January 13, 1927

(Legislative day of Tuesday, January 11, 1927)

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

The VICE PRESIDENT. The Senate resumes the consideration of House bill 7555.

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.

The VICE PRESIDENT. The Senator from South Carolina [Mr. BLEASE] is entitled to the floor.

Mr. CURTIS. Mr. President—

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Kansas?

Mr. BLEASE. I yield.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Frazier	La Follette	Robinson, Ind.
Bayard	George	Lenroot	Sackett
Bingham	Gerry	McKellar	Schall
Bleese	Gillett	McLean	Sheppard
Borah	Glass	McNary	Shipstead
Bratton	Goff	Mayfield	Shortridge
Broussard	Gooding	Metcalf	Smith
Bruce	Gould	Moses	Smoot
Cameron	Greene	Neely	Steck
Capper	Hale	Norbeck	Stephens
Caraway	Harris	Norris	Stewart
Couzens	Harrison	Nye	Trammell
Curtis	Hawes	Oddie	Tyson
Deneen	Healin	Overman	Wadsworth
Dill	Howell	Pepper	Walsh, Mass.
Edge	Johnson	Phipps	Walsh, Mont.
Ernst	Jones, Wash.	Pine	Warren
Ferris	Kendrick	Pittman	Willis
Fess	Keyes	Ransdell	
Fletcher	King	Robinson, Ark.	

Mr. ODDIE. I desire to announce that the Senator from Colorado [Mr. PHIPPS] and the Senator from South Dakota [Mr. McMASTER] are engaged in the Committee on Post Offices and Post Roads.

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

Mr. BAYARD. Mr. President, yesterday my attention was called to the RECORD of the previous day showing that the senior Senator from Texas [Mr. SHEPPARD] had introduced a telegram from Mrs. A. D. Warner, of Wilmington, Del., purporting to represent the women's joint legislative committee of Delaware in regard to the subject of the so-called maternity bill, and thereafter, in making some comment in reply to the statement of the Senator from Missouri [Mr. REED], he suggested that the telegram speaks for itself.

I desire to state that I am opposed to the maternity bill for the same reason that I was opposed to the child labor amendment to the Federal Constitution. These good ladies representing the same organization were in favor of that proposed amendment. When the final test came before the people of my State on the adoption of the amendment to the Federal Constitution touching child labor it was unanimously turned down in both houses of the legislature. I feel quite sure, from my knowledge of the people of the State, that I better represented in my remarks what their real feeling is than does the telegram of Mrs. Warner.

THE NICARAGUAN SITUATION

Mr. BORAH. Mr. President, I desire to state that at 2 o'clock, if I can get the floor, I shall submit some remarks on the Nicaraguan situation.

CONDITIONS IN FLORIDA

Mr. FLETCHER. Mr. President, I wish to have inserted in the RECORD an article appearing in to-day's New York Times of January 13, 1927, entitled "Optimism and work is Florida's slogan." The other day in an issue of the New York Times there was an article criticizing conditions in Florida. That paper is now giving very generous space to a correction of some of the misapprehensions which might arise from the former article. I ask to have it printed in the RECORD, because it is a matter of more than local interest.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

OPTIMISM AND WORK IS FLORIDA'S SLOGAN—JACKSONVILLE MAYOR TELLS NEW YORK INVESTORS THAT RECENT REVERSES ACT AS TONIC—STATE'S RESOURCES HUGE—BARRON COLLIER AT LUNCHEON IN HIS HONOR, H. H. RAYMOND, AND AUGUST HECKSCHER HAVE FAITH IN ITS FUTURE

Mayor John T. Alsop, jr., of Jacksonville, Fla., told the Faith in Florida Club, composed of New Yorkers with investments in Florida, at a luncheon given by Joseph P. Day in honor of Barron Collier at the Bankers' Club yesterday, that the people of Florida were united in optimism and hard work for the future of their State, despite the depression caused by the collapse of the "boom" and the destructive hurricane last year. Declaring that these setbacks had acted as a tonic, he said he was glad the "boom" was over, because it had been followed by sanity and stability, which, he said, would mean unlimited normal development. All Florida was working together to bring about this development, he went on, under the slogan, "Pull with us or pull out!"

Other speakers were Bird M. Robinson, president of the Short Line Railroad Association; H. H. Raymond, president of the Clyde and Mallory Steamship Lines, recently elected chairman of the board of the Atlantic, Gulf & West Indies Steamship Lines; August Heckscher, capitalist and philanthropist; Mr. Collier, representing advertising, and Mr. Day, real estate. All agreed in optimistic predictions of Florida's future. Mr. Robinson announced that a traveling exposition of Florida's products and resources in three railroad trains would set out before the end of the month for New York, New England, and the Middle West to show people the substantial possibilities of Florida.

SETBACKS ACT AS TONIC

Mayor Alsop said:

"The boom, the hurricane, and the critics have served as a tonic to Florida. For the work of the State chamber of commerce, the county and city chambers of commerce, State, county, and city officials throughout the State has been better coordinated than ever before, with the result that our people are pulling together as a mighty team. A Florida slogan is 'Pull with us or pull out.' We believe in Lincoln's famous adage, 'In union there is strength.'"

"The people of New York have played an important part in the building of Florida.

"Within the last two years the Florida East Coast Railway has expended \$60,000,000, the Atlantic Coast Line has expended \$22,000,000 and the Seaboard Air Line Railway has expended \$30,000,000 in double-tracking and making extensions to their roads to Florida—\$112,000,000, mostly of New York capital. Can you conceive of a better expression of faith in Florida?"

"The Clyde Line of New York and Florida has placed in service from New York to Florida four new boats within a little over a year, which cost \$2,000,000 each, and the Merchants & Miners Steamship Co., operating between Baltimore and Florida, has placed in service two new boats, which together cost over \$4,000,000.

"The Florida Power & Light Co., owned by New York capitalists, has expended \$100,000,000 in building plants all over Florida and they intend to spend more. The major portion of this development has been started since the boom.

BELL COMPANY EXTENDS SYSTEM

"The Southern Bell Telephone Co., owned by the parent company, the American Telegraph & Telephone Co. of New York, has invested \$10,000,000 in the last two years in extending their system throughout the State, and their budget for 1927 calls for \$4,000,000 more. This company surely has faith in Florida.

"After a most comprehensive survey, made since the boom and hurricane, the Southern Bakery Co., of which Harry Tipton, of New York, is president, has placed in its budget the sum of \$5,000,000 to be expended in Florida. A million and a half has already been invested in Jacksonville. The Ward Baking Co., also of New York, will invest a like amount.

"The Famous Players-Lasky Corporation, of New York, has invested over \$15,000,000 in Florida in the construction of moving-picture theaters patterned after your modern theaters in New York.

"When you consider the enormous capital which has been and is now being invested in Florida by New York financiers, I wonder sometimes if New York City doesn't look upon Florida as its offspring. If so, now that we have been spanked quite sufficiently and have shown a disposition to be good, why scold the infant any further?"

"Let me tell you of some of the accomplishments of our own Florida folks. The State of Florida does not owe a dollar in the form of bonds or any other indebtedness and has a balance of over \$20,000,000 on hand in the treasury. Notwithstanding the elimination of our inheritance taxes during 1926, through the efforts of our most efficient governor and his official family, the taxes were reduced 3 mills. Is that not abundant evidence that the State government is being conducted on a conservative business basis?"

"According to the chairman of the Florida State road department, \$40,000,000 has been spent on building roads during the life of the road department, and a similar amount has been expended by counties throughout the State, aggregating \$80,000,000 for good roads. The State road department expended \$14,000,000 on roads in 1926 and will exceed that amount in 1927. Certainly nothing can be more indicative of progress than the building of good roads.

HUGE REVENUE FROM CITRUS CROP

"In 1925 the total revenue, including price paid producer, wholesale and retail merchants, derived from the citrus crop reached a peak of \$108,000,000. In 1926 the citrus crop brought \$95,000,000, which though less than 1925 was greater than 1924. Reports from the citrus exchange are reassuring for 1927, and it is the opinion of the president of this organization that the citrus crop will next year even exceed the bumper crop of 1925.

"The manufacturing business for 1926 amounted to \$320,000,000, as compared with \$280,000,000 for 1925.

"George Blume, manager of the Whidden stores, the largest chain stores in Florida, phoned me just before leaving on Monday that his business throughout the State in 1926 was about 20 per cent better than in 1925.

"The business of the chain stores is a pretty good barometer of all other retail business.

"Reports from the lumber business, naval stores—and, by the way, Jacksonville, as you are aware, is the largest naval stores market in the world—phosphate, sponge, and fisheries business, all of which are carried on in a large way in Florida, indicate that in each of these various lines business is normal.

"Wires from leading hotels throughout the State show conclusively that the tourist business is at least 80 per cent as good as in 1925, and all signs point to a steady increase in January, February, and March. All railroads confirm the belief that the tourist business will increase greatly during the balance of the winter season.

HOTELS TO STANDARDIZE RATES

"Many magnificent hotels have been erected throughout Florida with the very best accommodations, and the great majority of them have entered into a compact to standardize their rates, publishing same at all times.

"The year 1926 witnessed the greatest building program Jacksonville has ever known, \$22,000,000 having been expended during the year in the construction of office buildings, hotels, manufacturing plants, homes, churches, and schools. Jacksonville went over the top in bank deposits, bank clearings, postal receipts, imports and exports, manufacturing—and may I pause to tell you that the manufacturing business in 1926 exceeded \$100,000,000, with payrolls of over \$20,000,000—the wholesale business topped \$75,000,000, while the retail business was normal in all lines. Jacksonville reflects the prosperity of all Florida."

Mayor Alsop read messages from Mayor Perry G. Wall, of Tampa, and the Chamber of Commerce of Miami, asserting that conditions were good. He cited reports from various parts of the State that crops of various kinds were good, and said that the people of Florida were beginning to realize that their greatest potential asset for the future was in agricultural development.

OTHERS TELL OF FAITH IN STATE

"I joined the Faith in Florida Club," said Mr. Collier, "because I had absolute faith in the success of that great State. The future appears to me to be rosy, bright, and sure. The absolute values are there, and to the thinking mind their ultimate realization is certain, despite all temporary vicissitudes, bank failures, and other setbacks that any human institution is bound to meet at times. Its wonderful climate and soil and its great natural resources will forever put Florida in the front rank of valuable real-estate investments. In time the whole world will look upon Florida as one of the handsomest resorts in the Eastern and Western Hemispheres."

Mr. Heckscher said: "The hundreds of millions of dollars of northern, eastern, and western capital that have gone to Florida have been wisely and well invested in most instances, have made for the greater beauty and attractiveness of the State, and will help bring it back to good times much more quickly than anyone can imagine. The setbacks Florida has suffered do not make any difference in the long run. Anybody who can wait a little while in Florida is bound to be successful and to come out well from the financial angle.

"There have been comparisons between Florida and California. Florida has unmatched advantages, especially in its marvelous supply of water both on the surface and in the subsoil, while California is always fishing for water—and after all, water is the lifeblood of the

soil. Florida is wonderfully to the fore from any angle that can commend itself to me. I am firmly of the opinion that no State in the Union holds greater possibilities for wealth."

HAS NATURAL ADVANTAGES

"The faith in Florida name can be applied to anybody who has had anything to do with Florida," said Mr. Raymon. "No man can have greater faith in the State than I. I have witnessed its development from the beginning, and I have greater faith now than ever. It has climate—you can't take that away. It has the Gulf stream—you can't move that away. It has sunshine—you can't take that away. And there will always be several million people nearby who will want that climate and sunshine."

Mr. Robinson said:

"The people of Florida realize there is an intense ignorance throughout the country in the products and resources of our State, which is the reason we have planned our traveling exposition to show the people of the North and East what we produce."

Mr. Day read messages from Gov. John E. Martin and United States Senators DUNCAN U. FLETCHER and PARK TRAMMELL, of Florida. Senator FLETCHER wrote:

"The fundamental and substantial resources of the State of Florida have been in no wise interfered with or disturbed by recent experiences or otherwise. Florida has the climate, location, sunshine, rainfall, soil, rivers and lakes, and all the needful conditions for perpetual growth and development. The building program illustrates the determination and courage and faith of conservative, intelligent investors. The State is moving forward and will continue to progress and the people of the country are beginning to realize the wonderful advantages and opportunities offered by the State."

THE MEXICAN SITUATION

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the New York Journal of Commerce, dated Wednesday, January 12, 1927, dealing with the Mexican situation.

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

AND NOW FOR MEXICO

The American public, or those parts of it that take a direct interest in such matters, have had the President's unexpected Nicaraguan message before it for 24 or more hours. It is not surprising that in that time the Nicaraguan situation as such has become more and more subordinated in the minds of well-informed citizens to the Mexican angles of it. There is no doubt a pretty general satisfaction that at length the President has felt it wise to make a full and official statement of the course of events in that little country to replace the vague, indirect, and confusing versions that had been coming out of Washington. But, after all, President Coolidge has told us little, if anything, about the state of affairs in Nicaragua that we did not know well enough before. The value of his detailed chronology lies chiefly in its official character. His apologia is strongest when based upon our desires, interests, and requirements, direct and indirect, in Nicaragua, and weakest when it attempts to cite "principles" of international law and precepts of "constitutionality" in justification of our acts. As is well enough known, "international law," as applied between two or more first-rate powers has never had much place in situations that involved large and powerful nations on the one hand and "backward" peoples on the other, and certainly it is plain as a pikestaff that Mexico is not even charged with doing anything in Nicaragua that we ourselves have not done whenever it seemed to suit our own purposes. As to the "constitution" of Nicaragua—well, it is no longer much more than a joke.

Why then all this righteous wrath against Mexico? The answer in part, no doubt, is to be found in the President's candid words that "the United States Government can not . . . 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 any outside influence or by any foreign power." But fully to understand the *raison d'être* of the significant, not to say unusual, words of the President of this great country concerning the government of another sovereign nation, it is necessary to travel northward from Nicaragua into Mexico itself. The present régime in Mexico is, thanks to its attitude toward American concession holders, deeply distasteful to the Washington Government. Our Department of State evidently feels itself bound to do something to "protect" American interests. Its "case" in re oil would be greatly strengthened in popular opinion, perhaps in official opinion, if it can be shown that Mexican intrigue and Mexican bolshevism are active against us in Nicaragua.

Where is all this leading us? It would be hard, indeed, to say with any great degree of certainty. There has for some time past been much whispering, if nothing more positive, about war with Mexico. It is almost inconceivable that we should permit ourselves to be drawn into any such deplorable extreme. The rank and file of the people in this

country certainly do not appear to be ready for anything of the sort, and they ought not to be. What is far more likely, if precedents mean anything at all, is that the President and others in places of power and authority in Washington will, by inveighing sufficiently against revolution in Nicaragua, precipitate in Mexico just what they are denouncing in Nicaragua.

It would be ungraceful to suggest that this is just what is desired in Washington. Whether it is, indeed, the purpose of a good deal that is being done there had better be left to the judgment of individual citizens. Meantime, it is inconceivable that the President and his Secretary of State are unaware of the danger that their course of conduct will end in this way.

The President has done well to make a "clean breast" of it all in Nicaragua. His next step ought to be to do likewise with the Mexican situation. There are many more obscure points in this controversy than there ever were in the Nicaraguan matter. For one thing, the people of this country would like to know just what information the Department of State has concerning the nature of the titles by virtue of which American companies hold land and other property in Mexico. It would, moreover, be much pleased to learn if there have been exchanges of notes with Mexico about which the public has been kept in total ignorance. Then the Chief Executive would be well advised to tell the country just why it is that the whole set of questions in dispute could not with safety be submitted to The Hague tribunal, as the President of Mexico has suggested. With full information of this sort in hand the average man could make up his mind intelligently just how far he is ready to support the administration in its anti-Mexican policies. Can the President not gain his own consent once more to send a message of facts to Congress?

PETITIONS AND MEMORIALS

Mr. GILLET presented a petition of sundry citizens of Orleans, in the State of Massachusetts, praying for the prompt passage of legislation regulating radio broadcasting, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Revere and Newton, all in the State of Massachusetts, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. NYE presented memorials of sundry citizens of Wishek, Lehr, and Ashley, all in the State of North Dakota, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions numerous signed by sundry citizens of Fairmount, McCanna, Park River, and Linton, all in the State of North Dakota, praying for the prompt passage of the so-called White radio bill without amendment, which were ordered to lie on the table.

Mr. FRAZIER presented telegrams in the nature of petitions from Lewie Kostelecky, E. E. Anderson, Fred Esslinger, and Hugh McGillivray, of Dickinson, N. Dak., praying for prompt action on the radio control legislation, which were ordered to lie on the table.

He also presented petitions of G. C. Bush and 48 other citizens of Oakes, and of Mrs. H. C. Flaskrud and 10 other citizens of Shyenenne, all in the State of North Dakota, praying for prompt action on the radio-control legislation, which were ordered to lie on the table.

REPORT OF THE AGRICULTURAL COMMITTEE

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 4863) authorizing the adjustment of the boundaries of the Arapaho National Forest, and for other purposes, reported it without amendment and submitted a report (No. 1243) thereon.

BILLS INTRODUCED

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

By Mr. ODDIE:

A bill (S. 5249) to authorize the Secretary of the Navy to develop an ammunition depot at Hawthorne, Nev., and for other purposes; to the Committee on Naval Affairs.

By Mr. OVERMAN:

A bill (S. 5250) granting an increase of pension to Louise Hendershott; to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 5251) granting a pension to Cyrus Edson; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 5252) granting a pension to Luke H. Morris; and A bill (S. 5253) granting an increase of pension to Charlotte E. Johnson; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 5254) to amend the act of February 12, 1925 (Public No. 402, 68th Cong.), so as to permit the Cowlitz Tribe of Indians to file suit in the Court of Claims under said act; to the Committee on Indian Affairs.

By Mr. NEELY:

A bill (S. 5255) granting a pension to Martha C. Hawkins; and

A bill (S. 5256) granting an increase of pension to Edgar C. Martin; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5257) granting a pension to Carrie E. Noyes (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5258) to amend the World War adjusted compensation act as amended; to the Committee on Finance.

By Mr. ROBINSON of Arkansas:

A bill (S. 5259) granting permission to Maj. Charles Beatty Moore, United States Army, to accept the following decorations, namely, the Legion of Honor tendered him by the Republic of France, and the officers' cross of the order "Polonia Restituta," tendered him by the Republic of Poland (with accompanying papers); to the Committee on Foreign Relations.

By Mr. WILLIS:

A bill (S. 5260) granting an increase of pension to Mary Russell (with accompanying papers);

A bill (S. 5261) granting an increase of pension to Hannah Funk (with accompanying papers); and

A bill (S. 5262) granting an increase of pension to Elizabeth R. Smeltzer (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO LEGISLATIVE APPROPRIATION BILL

Mr. CAMERON submitted an amendment 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, as follows:

On page —, line —, insert the following:

"For the services of Dr. G. R. King as a sanitary engineer in the office of the Architect of the Capitol, at the rate of \$3,600 per annum, and for a helper and supplies, \$1,400; in all, \$5,000."

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on January 11, 1927, the President approved and signed the joint resolution (S. J. Res. 113) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C.

CUSTOMS COURT SALARIES

Mr. GILLET. Mr. President, I ask unanimous consent for the immediate consideration of House Joint Resolution 303. I am confident it will take but a moment. If it leads to debate I shall not press it.

Mr. SHEPPARD. Mr. President, I will ask the Senator from South Carolina [Mr. BLEASE] to yield for the purpose of enabling us to pass the joint resolution. It merely corrects a clerical error.

Mr. BLEASE. I am willing to yield if it does not take me off the floor.

The VICE PRESIDENT. The Chair will recognize the Senator from South Carolina. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 303) to correct a misnomer in the act to fix the salaries of certain judges of the United States, which was read as follows:

House Joint Resolution 303

Resolved, etc., That the act of December 13, 1926, entitled "An act to fix the salaries of certain judges of the United States," be, and it is hereby, amended by striking out the words "To each of the members of the Board of General Appraisers, which board" and inserting in lieu thereof the words "To the chief justice and associate justices of the United States Customs Court, which court."

Mr. GILLET. The joint resolution was approved yesterday in the Committee on the Judiciary and was reported unanimously. It simply means that when the Federal judges' salary bill was drawn and considered, the proper title was "the Board of General Appraisers," but before the bill became a law another bill was passed which changed that name to "the United States Customs Court."

The joint resolution merely makes the act conform to the law in that respect.

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

RED RIVER BRIDGE, LOUISIANA

Mr. STEWART. From the Committee on Commerce I report back favorably with an amendment the bill (H. R. 14236) granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La., and I submit a report (No. 1242) thereon. It is a bridge bill in the usual form, and I ask unanimous consent for its present consideration.

Mr. RANSDELL. I think there is an amendment of just one word. Am I correct? The bill is exactly as it passed the House with a change of one word.

Mr. STEWART. That is correct.

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

The amendment was, on page 2, line 7, before the word "years," to strike out "twenty" and insert "thirty," so as to make the bill read:

[H. R. 14236, Sixty-ninth Congress, second session]

Be it enacted, etc., That the consent of Congress is hereby granted to the police jury of Rapides Parish, La., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River at a point suitable to the interests of navigation at or near Boyce, La., in the parish of Rapides, in the State of Louisiana, in accordance with the provisions of an 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. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the completion thereof. After a sinking fund sufficient to pay the cost of constructing the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls 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 cost of 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. 3. 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 amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NOMINATION OF CYRUS E. WOODS

Mr. EDGE. Mr. President, my attention has been called this morning to an article appearing in the Washington Post referring to the meeting of the Interstate Commerce Committee of the Senate on yesterday, in which the qualifications of Mr. Woods and Mr. Cox were discussed by the Senator from Pennsylvania [Mr. REED]. I understand the Senator from Pennsylvania is not in the city, and I do not care to discuss the matter in his absence. Therefore I will await his return. As a Senator representing in part the State of New Jersey, I merely wish to observe at this time that I am not favorably impressed with efforts to advance Mr. Woods's claims to the office for which he has been nominated by attempting to belittle Mr. Cox, and I desire to discuss the subject when the Senator from Pennsylvania shall be in the Chamber.

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. BLEASE. Mr. President, on yesterday I made a brief Biblical quotation, and not being sure whether or not I got it exactly right, I desire to place it in the Record this morning in correct form. The quotation is as follows:

(St. Matthew, vii, verses 1 through 5)

Judge not that ye be not judged. For with what judgment ye judge, ye shall be judged; and with what measure ye mete, it shall be measured to you again. And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thy own eye? Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye? Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye.

Mr. President, I wish to read from the Columbia State, of South Carolina, of Monday, April 19, 1926, an editorial, as follows:

THE DEMOCRATIC PARTY'S NEED

When will the leaders of the Democratic Party in Congress look squarely in the face the plain truth that the party can be made virile and effective only through the development of statesmanlike leadership, and never through the practice of "politics"?

For some years the activities of the party's spokesmen seem to have been centered upon digging holes for Republicans to step into; in hoping the opposition would commit blunders—a small and futile policy. To make headway, to regain lost ground, the party must build itself a firm foundation and then stand on its own bottom. It must rely upon its merits, not upon the demerits or blunders of the opposition; until its own merits have appeal to a majority of voters, they will not turn to it, whatever faults may be discovered in the Republicans.

What benefit comes to the Democratic Party from flashes in the pan? Take for instance the "publicity" for income-tax returns. Many vocal Democrats imagined it would "put the Republicans in a hole," and therefore turn voters into the Jeffersonian fold. Publicity came and has gone. It doesn't hurt the Republicans or do the Democrats three cents worth of benefit.

Before the party of Jefferson may exercise a directing influence in national affairs, it must acquire strength by attracting to its ranks four or five million men and women who have recently voted to sustain the Republican Party; and it would be stupid to base hope of accomplishing this enormous change in sentiment and allegiance except with a platform—an honest platform, not a catch-vote contraption—containing plans of fundamentals that have wide appeal.

Individual Congressmen may ride two horses on the tariff with fair success for themselves; they may advocate a tariff for revenue only, with a private assurance to Democratic manufacturers that their interests would be looked after; but the party can not attempt the two-horse stunt without courting certain disaster.

From the same newspaper, of the same issue, I desire to read the following editorial:

WHO IS "A DEMOCRAT"?

Were a citizen to run for the legislature in the general election next November, and in his campaign speech declare that all negroes able to meet the constitutional requirements should be encouraged to register and vote, would you, a Democrat, insist that he have a respectful hearing?

If in all the counties men should run for the legislature in the general election on a platform demanding the repeal of the separate coach law, would you, a Democrat, stand up and say that they have a right to be heard?

If a Roman Catholic, or a Jew, were to run for governor in the Democratic primary, would you, a Democrat, vote against him on account of his religion?

Last Friday the State quoted the definition of a "Democrat" awarded a prize by the Pathfinder magazine. Here it is again:

"A Democrat is one who believes in the fullest freedom of speech, press, and religion; and separation of church and state; laws that bear equally upon all classes, without special privilege or monopolistic advantage; rights of States guaranteed by the Constitution, and less national paternalism."

Do you accept this definition of a Democrat?

Do you "believe in the fullest freedom of speech, press, and religion?"

Are you "a Democrat"?

Mr. President, I sometimes wonder if the governor of one of our States were to give a reception at the governor's mansion or at some other place and were to serve whisky and wine or either in his home or on his table, and it should happen that a United States Senator or Senators were present and participated in that open and flagrant violation of the law, would they vote to keep VARE and SMITH out of their seats in the Senate? I sort of wonder, also, if that governor thereafter would let some poor devil who had violated the so-called prohibition law go to the State penitentiary or the chain gang and serve a sentence for having done the same thing that the governor himself had done?

When I look back, Mr. President, at the robbing of the States of their rights, or, as stated by Mr. Hayne, "the steal-

ing of power from the States by the Federal Government," I wonder if the words of Doctor Burchard in the Blaine campaign are to reappear in the political history of this country in 1928? "Rum"—the wet and dry issue; whisky, wine, beer. "Romanism"—the religious intolerance being exhibited against certain candidates, in which I do not concur. "Rebellion"—the governors of States and other officials of this Nation and the people of the States who are in open rebellion against the eighteenth amendment to the Constitution and all laws in force in pursuance of that section of the Constitution. I repeat are the words "Rum, Romanism, and rebellion," as used by Burchard in the Blaine campaign, to reappear in the next great national campaign, and are we next year to see the political battles of this country fought not on the tariff, not on the right of the States to control themselves, not on the great principles of democracy which have been the foundation of this Republic since the beginning of the Government, but upon the issue of "rum," coupled, if you please, with "rebellion" on the part of some officers of this Nation in the effort to bring the prohibition law into disrepute?

Section 5, Article I, of the Constitution of the United States reads:

Each House shall be the judge of the elections, returns, and qualifications of its own Members.

Then another section, as amended, reads:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof.

There is nothing in the Constitution relating to primary elections, party conventions, or any other method employed in the nomination of candidates. Neither does any statutory law give the Senate the power to control primary elections. Its prerogatives begin with the general election. If the people of a State uphold rotten primaries for the selection of candidates for the Senate, it is their right, a God-given right, a constitutional right to do so.

I can not conceive it is possible in this American Union of ours, and, although I have heard a great deal to that effect I do not believe it, that a great majority of the white people of any State in the American Union would long tolerate bribery and fraud and corruption in the selection of their officers.

I remember years ago in my State when certain men, believing themselves to be the dictators and bosses of South Carolina, would meet in a club at night and name the ticket from United States Senator down, and when the convention met it would simply be to ratify what the Columbia Club crowd had already done. I know of States to-day that are boss ridden just like that. Senator B. R. Tillman, then a farmer in the county of Edgefield, took up the fight that had been left off by Gen. Martin W. Gary on account of his death, led the people of South Carolina into the light, and they adopted a law providing for primaries for the selection of all officers, county and State. I do not mean to say that we have not some people in South Carolina who may be influenced by money; I do not mean to say that we have not some people in South Carolina who may not be unduly influenced at the primary; but I do say that they constitute a very small portion of the electorate and that if their votes were all added together in one box they would not change the result of the election of any State officer in my State.

Why should the Senate attempt to say to any State how it shall run its primary elections? Do the southern Senators and Representatives in Congress propose to pass a law saying that every citizen of the United States, regardless of color, who is 21 years of age and has not been convicted of some infamous crime shall vote in the primary elections either on one side or the other in the Southern States? Tamper with the primary elections and see what will be the effect! Tamper with the primary elections and see whether or not we will have to fight out upon this floor and the other floor of Congress the question of the rights of many people who claim to belong to the party holding the primary but are denied the right to vote! Then ask yourselves the question, "What will be the answer?"

Mr. President, I omitted yesterday, I notice, to read one very important extract from Mr. Black's book. It is the opinion of Mr. Justice Clarke in the *Gradwell* case, in which he said:

Although Congress has had this power of regulating the conduct of congressional elections from the organization of the Government our legislative history upon the subject shows that except for about 24 of the 128 years since the Government was organized it has been its policy to leave such regulations almost entirely to the States, whose representatives Congressmen are. For more than 50 years no congressional action whatever was taken on the subject until 1842, when a law was enacted requiring that Representatives be elected by districts (5 Stat. L. p. 491, chap. 47), thus doing away with the practice which had pre-

valled in some States of electing on a single State ticket all of the Members of Congress to which the State was entitled.

Then followed 24 years more before further action was taken on the subject, when Congress provided for the time and mode of electing United States Senators (14 Stat. L. 243, chap. 245), and it was not until four years later, in 1870, that for the first time a comprehensive system for dealing with congressional elections was enacted. This system was comprised in sections 19 to 22 of the act approved May 31, 1870 (16 Stat. L. p. 144, chap. 114), in sections 5 and 6 of the act approved July 14, 1870 (16 Stat. L. p. 254, chap. 254), and in the act amending and supplementing these acts, approved June 10, 1872 (17 Stat. L. pp. 347-349, chap. 415).

These laws provided extensive regulations for the conduct of congressional elections. They made unlawful false registration, bribery, voting without legal right, making false returns of votes cast, interfering in any manner with officers of election, and the neglect by any such officer of any duty required of him by State or Federal law; they provided for appointment by circuit judges of the United States of persons to attend at places of registration and at elections, with authority to challenge any person proposing to register or vote unlawfully, to witness the counting of votes, and to identify by their signatures the registration of voters and election tally sheets; and they made it lawful for the marshals of the United States to appoint special deputies to preserve order at such elections, with authority to arrest for any breach of the peace committed in their view.

These laws were carried into the revision of the United States Statutes of 1873-74 under the title, "Crimes against the Elective Franchise and Civil Rights of Citizens," Revised Statutes, sections 5506 to 5532, inclusive.

It will be seen from this statement of the important features of these enactments that Congress by them committed to Federal officers a very full participation in the process of the election of Congressmen, from the registration of voters to the final certifying of the results, and that the control thus established over such elections was comprehensive and complete. It is a matter of general as of legal history that Congress, after 24 years of experience, returned to its former attitude toward such elections and repealed all of these laws with the exception of a few sections not relevant here. (Act approved February 8, 1894, 28 Stat. at L. p. 36, chap. 25, Comp. Stat. 1913, sec. 1015.) This repealing act left in effect, as apparently relating to the elective franchise, only the provisions contained in the eight sections of chapter 3 of the Criminal Code, sections 19 to 26, inclusive, which have not been added to or substantially modified during the 23 years which have since elapsed.

That opinion, Mr. President, shows that Congress did not intend, nor do the laws we have to-day intend, to interfere with the States in electing whom they please to the Senate or in electing whom they please in the House. That is a question for the people. The candidates have gone upon the rostrum, face to face, man to man, and discussed the issues. The newspapers have heralded the matter all over the State, and the people of that sovereign State have said, in effect: "We do not believe these charges against this candidate. We know him and have known him from his childhood. We have known him all of his life. We know him better than the people who live in the eastern part of this country, or the northern part of this country, or the southern part," if they be westerners, and the same with regard to the other sections of this country, "and we send him to the Congress as our representative."

That is what the Congress provided for. That is what the Congress means; and now for the Senate to say that they will close the door in the face of a man who brings his certificate here, regularly made out, properly certified as having been elected by the sovereign people of his State, is not right. That man should be sworn in as a Member of the Senate; the sovereignty of his State should be recognized; and then if we can find any reason why he is not fit to sit in this body, that is a matter for personal investigation by the Senate and not the right of the State to send him here.

If there is rottenness, deceit, or fraud in the primaries, the party machinery should deal with it; but if the party machinery declares its nominee, and the people elect the nominee with full knowledge of the facts, the Senate has no right to go behind the general election returns and to inquire as to how the candidate was nominated. It can investigate how he was elected, but not how he was nominated.

I said on the floor of the Senate, in the Brookhart case:

I hope, Mr. President, that Senators will stop and think. It is not simply a question of this case. It may be a very small matter as to whether or not you will turn out Mr. Brookhart. That is simply a question, possibly, as to one man; but it reaches further than that. It sets a precedent that will be held up for years and years before the Senate. It will be said that the Senate in 1926 decided that they were not bound by the laws of Iowa, that they made their own laws.

Yes, Mr. President; and the chairman of the committee—I am his friend, and I hope he is mine—who made that report and said that his committee would not take into consideration the laws of Iowa, was defeated for reelection in the State of Kentucky. While he goes out on the 4th of March, the State whose laws he said he and his committee did not recognize sends back into this body, possibly to take his very seat, Smith W. Brookhart, the man who was turned out at that time. It is rather peculiar, is it not, that the chairman of the committee who said he would disregard the State rights, who said that he paid no attention whatever to the laws of Iowa—that is in his report—should go back to the people and be defeated for reelection, while the man against whom that report was made comes back into the Senate, I think by the largest majority that any man has ever received in his home State?

Mr. President, I hope not, but I very much fear that the Brookhart decision went further than that. Sometimes, when hope leaves a man, or after he has been governor of his State for three terms and has been elevated by his people to a seat in this great body and served here for two or three terms, then to go back home and be defeated, turned out, as it were, possibly it helps to lessen the number of years that he remains on this earth; and the unseating of Brookhart possibly helped to defeat Albert B. Cummins. Possibly to-day he would be sitting here with his bright face, his ever-happy smile, and his great brain, as one of us, had we stood by this right of the sovereign State of Iowa to send whom she pleased to this great body. I hope that is not the case, but it may be.

Now Mr. President, I wish to quote from some distinguished gentlemen in reference to State rights as the finality of my talk.

Hon. L. Q. C. Lamar, in delivering an oration on the life of the Hon. John C. Calhoun, said:

The American Union is a democratic Federal Republic, a political system compounded of the separate governments of the several States and one common government of all the States, called the Government of the United States.

Each was created by written constitution, those of the particular States by the people of each acting separately, and that of the United States by the people of each in its *sovereign capacity, but acting jointly*. The entire powers of government are divided between the two—those lodged in the General Government being delegated by specific and enumerated grants in the Constitution; and all others not delegated being reserved to the States, respectively, or to the people. The powers of each are sovereign, and neither derives its power from the other. In their respective spheres neither is subordinate to the other, but coordinate; and being coordinate, each has the right of protecting its own powers from the encroachments of the other, the two combined forming one entire and perfect Government. The line of demarcation between the delegated powers to the Federal Government and the powers reserved to the States is plain, inasmuch as all the powers delegated to the General Government are expressly laid down, and those not delegated are reserved to the States unless specially prohibited.

And in this matter of elections to the House and Senate it is not specially mentioned.

Mr. President, those words were spoken by a man who served for years with distinction in this body, and who served for years with great ability, displaying wonderful knowledge, as an Associate Justice of the Supreme Court of the United States of America.

We sometimes hear a great deal about Thomas Jefferson. I very often wonder, when I hear some people talk about Jeffersonian democracy, if they have ever read anything Tom Jefferson ever said; but he did say in New York, at a banquet in 1821:

It is a fatal heresy to suppose that either our State governments are superior to the Federal, or the Federal to the State; neither is authorized literally to decide which belongs to itself or its copartner in government. In differences of opinion between their different sets of public servants the appeal is to neither, but to their employers peaceably assembled by their respective conventions.

In a letter written just after that speech, he said:

I see, as you do, and with the deepest affliction, the rapid strides with which the Federal branch of our Government is advancing toward the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic, and that, too, by constructions which leave no limits to their powers, etc. Under the right to regulate commerce, they assume, indefinitely, that also over agriculture and manufactures, etc. Under the authority to establish post roads, they claim that of cutting down mountains for the construction of roads and digging canals, etc.

There is Jeffersonian democracy, if Senators want to follow it; that each State is sovereign; that the Federal Government

has not the power to usurp the powers of the States as laid down in the Constitution, nor have the States the power to usurp the power of the Federal Government as laid down in that instrument.

Patrick Henry said in the Virginia convention, in speaking of Federal encroachment upon State rights:

The officers of Congress may come upon you now, fortified with all the terrors of paramount Federal authority. Excisemen may come in multitudes, for the limitation of their numbers no man knows. They may, unless the General Government be restrained, go into your cellars and rooms and search, ransack, and measure everything you eat, drink, and wear. They ought to be restrained within proper bounds.

That was from Patrick Henry, whose democracy, I suppose, no man questions, whose love for this Nation, I suppose, no man questions. He made that prophecy, and yet if he had been living to-day, and stood upon this floor, it would have been impossible for him to have seen more clearly than he saw then just exactly what is coming, just exactly what did come; the Government taxing its citizens to death, searching their houses when it pleases, going into their cellars, and if they dare to ask what is wanted, shooting them like dogs, the official going on the witness stand and swearing to a lie about it, and having a Federal judge, appointed by a Republican, directing a verdict of "not guilty," so that the man who is supposed to be a Federal officer, but is nothing less than a thief and a murderer, walks out of the courthouse a free man. Mr. Henry must have seen that, or he could not have made that prediction.

Louis Kossuth, speaking in this country on local self-government, made this remark:

We Hungarians are very fond of the principle of municipal self-government; and we have a natural horror against the principle of centralization. That fond attachment to municipal self-government, without which there is no provincial freedom possible, is a fundamental feature of our national character. We brought it with us from far Asia a thousand years ago, and we conserved it throughout the vicissitudes of 10 centuries.

Sir Wilfred Laurier in 1890, speaking at a banquet given in his honor in this country, said:

There was a civil war in the last century. There was a civil war between England then and her Colonies. The union which then existed between England and her Colonies was severed. If it was severed, American citizens, as you know it was, through no fault of your fathers, the fault was altogether the fault of the British Government of that day. If the British Government of that day had treated the American Colonies as the British Government for the last 20 or 50 years has treated its colonies; if Great Britain had given you then the same degree of liberty which it gives to Canada, my country; if it had given you, as it has given us, legislative independence absolute, the result would have been different—the course of victory, the course of history would have been different.

Those men knew what they were talking about. They were for self-government. They were for State rights. They believed, as I believe, that every State should be allowed to handle its own affairs in its own way and that the Federal Government should not interfere.

I was opposed to the prohibition amendment. I am opposed to prohibition. My State had the best system of handling whisky ever known to man. We were getting along all right. You could not buy less than a half pint, and had to buy it between sun up and sun down. You could not drink it on the premises where it was bought. You could not buy it except at one time of the day. You had to be 21 years of age. That system rendered a great service to our State in the way of promoting temperance. We were getting along splendidly. Some other States preferred the barroom. Then came the prohibition amendment. I believe in enforcing it. I believe in enforcing in a proper way the laws which have been passed to carry the prohibition amendment into effect. If I were to go to the ballot box to-morrow in my State to vote "prohibition" or "no prohibition," I most emphatically would vote "no prohibition." But as a representative upon this floor in part of people who had every opportunity to and who have cast their ballots for prohibition I shall stand here and cast my ballot in defense of that prohibition amendment and in defense of the laws which have been passed to carry it into effect. I will do that because I like to be consistent.

I take it for granted and presume that every Senator on this floor is an honest man, that he believes he is doing that which is for the best interests of the people of this country. I hope to have accorded to me as much, but whether I have or not, no caucus, no body of men, no precedents heretofore set, or decisions of courts heretofore or hereafter shall ever cause me to cast a ballot in this or any other body that reflects upon the

cause for which the bravest, the noblest, and the truest soldiers of the world have fought and died, led by Hampden, Butler, Gary, Kershaw, and the other great and distinguished heroes of South Carolina—the right of each State to control its own affairs, commonly called State rights.

I am a Democrat based upon the rights of each State to control its own affairs without interference from the United States Government; of each individual to do as he or she pleases, so long as they do not trample upon the rights of others; and of every person worshipping God in his own way.

I have no fear, should I ever offer for reelection to this body, of facing my people man to man and fighting out this proposition as I have fought for nearly 40 years on the open forum, with my people as my jury and my God as my judge.

I desire now to read something from the pen of Mr. Edgar A. Guest, which expresses my sentiments, and I truly pray to be a man—

MANHOOD

I do not ask to be
Greatest of all the great,
To win the largest fee,
Or own a king's estate,
But through the passing years
And all which God may plan,
Laughter and care and tears,
I pray to be a man.

I do not ask that I
Shall never meet with care,
Or see a cloud drift by
With only joy my share;
For I would cope with doubt
And storm and stress and strife,
And from them fashion out
A clean, courageous life.

I do not ask to miss
All tests of care and pain,
I merely ask for this,
Faith for the dark and rain,
Strength for the task which falls,
Wisdom to know the right,
And when the curtain falls
Courage to face the night.

Life is a blended whole,
Mixture of joy and care.
Pleasure may test the soul
Deeply as hurts we bear;
So through the passing years
Marking off our life's span,
Whether in smiles or tears
I pray to be a man.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	George	Lenroot	Sackett
Bayard	Gerry	McKellar	Schall
Bingham	Gillett	McLean	Sheppard
Blease	Glass	McMaster	Shipstead
Borah	Goff	McNary	Shortridge
Bratton	Gooding	Mayfield	Smith
Broussard	Gould	Metcalf	Smoot
Bruce	Greene	Moses	Steck
Cameron	Hale	Neely	Stewart
Capper	Harreld	Norris	Swanson
Caraway	Harris	Nye	Trammell
Causey	Harrison	Oddie	Tyson
Curtis	Hedlin	Overman	Wadsworth
Deneen	Howell	Pepper	Walsh, Mass.
Dill	Johnson	Phipps	Walsh, Mont.
Edge	Jones, N. Mex.	Pine	Warren
Ernst	Jones, Wash.	Pittman	Watson
Ferris	Kendrick	Ransdell	Wheeler
Fess	Keyes	Reed, Pa.	Willis
Fletcher	King	Robinson, Ark.	
Frazier	La Follette	Robinson, Ind.	

Mr. TRAMMELL. I desire to announce the unavoidable absence of the junior Senator from New Jersey [Mr. EDWARDS].

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present. The question is on the amendment of the committee, which the clerk will read.

The CHIEF CLERK. On page 2, line 1, before the word "years," strike out "seven" and insert "six."

Mr. SHEPPARD. I hope the amendment will be disagreed to.

The amendment was rejected.

Mr. BRUCE. Mr. President, I had not expected to say anything whatever in relation to the pending bill, and I have not the slightest inclination to retard its passage, if it is to be

passed. But some of my friends in this body, knowing the very strong convictions that I cherish with respect to legislation of this sort, have asked me to say a few words touching the measure.

First of all, I wish to sound just a note of warning to some of my Democratic colleagues in this body. At the last session of Congress the child labor amendment to the Federal Constitution was submitted to it, and at that time the policy of that amendment and its hopeless incompatibility with the principles of State rights were very lucidly and persuasively presented to the Senate. Yet the amendment finally received the two-thirds vote that was essential to its adoption, and it went to the legislatures of the different States pursuant to the provisions of the Federal Constitution. No less than 11 Members of this body from the South, which has always been supposed to be the very citadel of State rights in this country, voted in favor of the amendment. That is to say, one Senator in every one of the former Confederate States voted in favor of it.

Yet what was the result? The amendment, not to use a too indelicate expression, has been literally spewed out of the mouths of the people of the United States. The last time that I took the trouble to inform myself of the action of the different States of the Union with respect to it, I found that the vote of the legislatures of those States stood 36 against to 4 for ratification. Such has been the overwhelming, the crushing measure of condemnation visited by the people of the United States upon a proposal which received the assent of more than two-thirds of the Members of this body.

Mr. WADSWORTH. Mr. President—

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Maryland yield to the Senator from New York?

Mr. BRUCE. I yield.

Mr. WADSWORTH. Has it occurred to the Senator from Maryland that the people have learned a lesson about constitutional amendments as the result of their experience with the eighteenth amendment, and has not that lesson contributed largely to the rejection, by such a large majority, of the proposed twentieth amendment?

Mr. BRUCE. I agree with the Senator absolutely. I think that it was the popular experience in relation to the eighteenth amendment which, more than anything else, fostered the antagonism of the American people to the child labor amendment. I may say further to the Senator that in my opinion it is the calamitous results of the practical workings of the eighteenth amendment which have brought to life the general reaction against further encroachments of the Federal Government upon the domain of State authority which is now so apparent.

Of course the disapproval of the child labor amendment by the States could signify but one thing, and that was that this body had most erroneously, I had almost said most blindly, misinterpreted the present sentiments of the people of the United States with reference to all such amendments to the Constitution as the eighteenth amendment and all such congressional legislation as the pending bill. In other words, the popular reaction at the present time is distinctly, unmistakably, against any further violation of either the spirit or the letter of the Federal Constitution as respects the proper relations of the Federal Government to the States.

Mr. OVERMAN. Mr. President—

Mr. BRUCE. I yield to the Senator from North Carolina.

Mr. OVERMAN. I was one of the Senators who voted against the child labor amendment, but I wish to inquire how that sentiment was created. Was it not done by propaganda gotten up and carried on by the people in the States, which misled the Senate?

Mr. BRUCE. Yes, indeed.

Mr. OVERMAN. The Senate is frequently misled by propaganda, and we ought to learn that fact.

Mr. BRUCE. We ought to, and I do not pretend to say that I am not as susceptible to it as any other Senator. The curse of legislation at the present hour, and we all know it, is this "bloc" influence which in one form or another is from time to time brought to bear on the Senate. The effect of that influence, apart from the compulsory force of direct pressure, is to becloud and confuse the issue with which the Senate is dealing.

There was, of course, a most persistent demand outside of the Senate Chamber on the part of a certain group of individuals, deeply tainted with socialistic or communistic tendencies, to secure the passage of the child labor amendment, and then, again, it would not be just not to admit that in some respects it made quite a strong appeal to the purely sentimental side of the human character. Sympathy is easily aroused in any normal man when we begin to talk about any wrong to

childhood. Anyone who has a heart in his bosom, anyone who has any real sensibilities is quick to respond to an appeal made to him on behalf of helpless youth.

But be the causes in which the adoption of that amendment was rooted what they may, the lesson, as the Senator from New York has intimated, which we should take to heart now, is that it is easy even for such a body of intelligent and experienced men as the United States Senate to be misled as to the real popular attitude toward such a question as that which is involved in the pending bill.

So I beg especially my Democratic colleagues not to be misled a second time. Do not again make the mistake that was made before and which is now recognized pretty much by every Member of this body as being a mistake. The fact that the true principles of the Federal Constitution have once been violated and the popular disapprobation which followed that fact supply the best of reasons why those principles should not be violated again, why we should not repeat the blunder so recently made, and why we should take now a resolute and inflexible stand against such legislation as the pending bill. My whole soul, I can truly say, is filled with alarm when I think of the profound change that the Federal Constitution is undergoing. I recollect that once John Randolph of Roanoke, referring to the beginning of this change, said:

It looks to me, Mr. Speaker—

It will be remembered that he was a man always in very infirm health—

as if my constitution, infirm as it is, will outlast the Federal Constitution.

In the course of nature my physical constitution can not possibly survive but a very few years more, and I can truly say that to me it is the source of the keenest grief, the intensest sorrow, to observe the extent to which the Federal Government is being steadily consolidated year after year, and the rights, even the most fundamental rights, of the States either impaired or destroyed. Just think of it! Congress has proceeded even to the point of passing an industrial education act and a physical rehabilitation act and a maternity and infancy act.

There is hardly a vestige of State authority that has not been infringed by recent encroachments of the Federal Government.

To change my form of expression, the Federal Government has thrust its hand into the very penetralia, into the innermost sanctuary of State power. Nay, am I not justified in saying, in connection with such a bill as the pending one, that it has thrust its hand into the very womb of the States? Most disastrous have proved the efforts of the author of this bill, for whom I entertain the highest degree of personal respect, to redress the abuses of the whisky bottle. Now, notwithstanding that fact, here he comes along with an obstetric forceps in one hand and a milk bottle in the other. [Laughter.]

In a few years more there will be nothing left to the State worth preserving; and are not the sequels of that catastrophe likely to be ruinous to our political institutions in the very highest degree? Everybody knows that the county, the township, the city, the State, have been the real training schools of American statesmanship from the beginning. It was in those schools that all the great men of our past, Washington, Jefferson, Adams, Webster, Clay, Calhoun, Lincoln, and all the other leaders of men whose fame has shown so resplendently in the pages of our national history were educated. The truth of it is that all true, popular government begins with an even smaller unit than the county, the township, the city, or the State; it begins with the home, and it is only on that primordial unit that the foundations of any Republican commonwealth can be safely and lastingly laid. It has always been the American idea that, as educational agencies, upon the influence of the home there should be superimposed, first of all, the influence of the county, of the township, of the city, and of the State. Under his sagacious plan for the distribution of governmental authority in the State of Virginia Mr. Jefferson's idea was that political power should be extended, to a certain degree, even to such a small local unit as the one that he termed "the ward."

But now, year by year, the old constitutional principles of our political life are being more and more departed from.

The consequence is, that sensibly, visibly, a kind of creeping paralysis is stealing over all the powers and functions of the States. An organization has recently been formed, of which our friend, Mr. John Hays Hammond, is the president, for the purpose of wooing back to the polls, throughout the United States, the voters who have become so careless in the discharge of their civic duties. In other words, the voters of the United States have become so indifferent, so listless in the performance

of these duties, that a large percentage of them are unwilling to take the trouble of going to the polls at all, and it is necessary to organize a national association for the purpose of reminding them of their political obligations.

Can anybody gainsay the statement that this condition of things is in no small degree attributable to the measure in which the Federal Government has absorbed the activities that belong properly to the States? All of us know the difference between the interest that the ordinary man who resides in one of the States of the Union feels in the affairs of his township, his county, his city, or his State, and that which he feels in the remote operations of the Federal Government in Washington. Those operations, unless he is a Member of the House of Representatives or of the Senate or holds some Federal position, he has no opportunity to share. His concern about them is more or less lukewarm, casual. Ultimately, unless something shall be done to arrest present tendencies, the Federal Government will become, what some of the great men of our history have so profoundly apprehended, that is, a consolidated Government, a Government sufficiently centralized to take over exclusively even such matters as education, health, maternity, infancy, and all the thousand and one other things that until recently have always been supposed to appertain to State power alone.

I say, therefore, that the pending bill should be defeated, and should be defeated by as large a majority as that by which the child labor amendment was adopted in this body. It is a step in the wrong direction. Above all, would it not at the present time be lamentable for such a bill to be enacted, when the public mind is rebelling against further Federal centralization and there are healthy signs in many quarters that there may yet be a renaissance of the Federal Constitution as it left the hands of our fathers? And need I say that of all forms of centralization this bill, like the other acts of Congress which have contained the same feature of Federal and State reciprocity, assumes the most insidious one imaginable? Nobody, of course, will pretend that, apart from the principle of 50-50 Federal aid, the Federal Government could possibly take cognizance of such a subject as the welfare and hygiene of maternity and infancy. It could not conceivably, except by indirection in some form or other, assert jurisdiction over such a field. So here, as so often before in recent years, it has resorted to what may justly be termed a kind of legislative bribery, or solicitation, for the purpose of inducing the States to surrender a part, and a most essential part, of their sovereignty.

This bill—and when I speak of this bill, of course, I am speaking also of the bill of which it is an extension—this bill, when analyzed, is a *douceur*, a bait, a bribe, which is proffered to the States for the purpose of inducing them to give up a portion of their own powers. As I have said once upon the floor of the Senate, of nothing does such legislation remind me more than the box of glistening jewels with which Faust tempts the virgin purity of Marguerite. In effect, under the maternity and infancy act, the Federal Government says to each and every one of the States, "Create a board of maternity and infancy, if you have not already one; let it formulate a plan for the promotion of the welfare and hygiene of maternity and infancy; let it submit that plan to the Federal Government; let that plan, if the Federal Government approves it, go into effect and continue in effect; and so long as it is executed in a manner satisfactory"—mind you, not to the State involved, but to the Federal Government—"the Federal Government will match every dollar that the State appropriates for the purposes of the maternity and infancy act with a Federal dollar."

Such is the character that this corrupting species of Federal approach bears; but it is important to bear in mind that the dollar with which the Federal Government proposes to match the dollar of the States is in point of fact not a Federal dollar in any true sense at all. It is a dollar that comes out of the pockets of the States, and, under the provisions of this bill, a dollar that the Federal Government proposes to apply to the purposes of the maternity and infancy act, whether all of the 48 States of the Union consent or not.

In point of fact, no less than five States of the Union—and among them are several of the most enlightened States of the Union, the States of Maine, Massachusetts, Connecticut, Illinois, and Kansas—have refused to accept the supposed benefits of that act and have declined to match dollar for dollar with the Federal Government; and yet, notwithstanding that fact, the treasuries of those States, too, are required by the act to contribute to the Federal fund that is to be used under it in setting off Federal dollars against State dollars.

Nothing that can be called substantial evidence has been produced here, to my knowledge, to show that the act has been productive of any benefits at all. It has been demonstrated that the decline in infant and maternal mortality for some years

before it went into effect was much more decided than it was during the years that succeeded its enactment. It is said that infant and maternal mortality in this country is more pronounced than it is in foreign countries; but no reliable statistics of any kind are produced for the purpose of furnishing any trustworthy basis of comparison by which we can ascertain whether the claim is true or false. In point of fact, infant and maternal mortality have declined to as conspicuous an extent in the five States which have refused to comply with the provisions of the act as in those States which have complied with its provisions.

Another thing: It is perfectly obvious that the act was intended to be only a tentative or provisional one. When it was passed the idea was that this great master of statecraft, the Federal Government, should have an opportunity to show the States, by proper object lessons, just how infant and maternal mortality can be kept down. That was the view of the House. By the pending bill the life of the act is extended for only two years. By the Senate committee amendment it is extended for only one year. So it is obvious that in the opinion both of the House and the Senate the maternity and infancy act was intended to be a mere interim act, an act enacted merely for the purpose of educating the States as to the proper methods which should be pursued by them for averting excessive infant and maternal mortality.

Pass the pending bill, however, and you will hear asserted more dogmatically than it has yet been asserted the claim that the maternity and infancy act was intended to be permanent legislation. As soon as the term fixed for its duration by the pending bill—whether it be one year or two years—expires, the fight that we are conducting now upon the floor of the Senate will in all human certainty have to be renewed. The timely thing, the wise thing, the effective thing for us to do at this time is not to pass the pending bill and extend the act for one year or for two years, but to defeat the pending bill and thereby bring to a termination for all practical purposes the existence of the maternity and infancy act itself; or, if that does not sufficiently scotch the snake—not to use too disrespectful an expression in the hearing of the Senator from Texas [Mr. SHEPPARD]—let us wait until there comes over to us a bill now pending in the House which seeks totally to repeal the act.

I confess that I did not very clearly understand the position taken by the Senator from South Carolina [Mr. BLEASE]. He said that if the question of prohibition were submitted to the people again, he would vote "no prohibition"; and, of course, that statement is indicative of the marked change, if I may be allowed to say so, which is taking place in the mind of more than one Senator at the present time with respect to prohibition; but the Senator from South Carolina deprecated the idea that "rum," as he expressed it, should be the dominant issue in the next presidential campaign.

If I had been deprecating the raising of such an issue in that campaign I should not have spoken of it as the issue of "rum," for there is not a human being in the world who has a greater disgust than I have for the excessive use of alcoholic beverages; but I should have spoken of it as the issue of personal liberty, the issue which from time immemorial has stirred the hearts and the imagination of men as no other issue has ever stirred them. I can not see how the Senator from South Carolina can with any consistency deprecate prohibition as an issue in the next presidential campaign, and yet in the same breath say that he thinks the next campaign ought to be waged on the issue of State rights. You can not agitate for State rights more appositely, more justly, more effectually than by agitating for modification of the Volstead Act or modification of the eighteenth amendment; because of all the blows that ever have been struck by the legislative hand of Congress at the very vitals of our American system of constitutional liberty, the deadliest was that struck by the eighteenth amendment and the Volstead Act.

As the Senator from New York has so well declared, it is because of the growing realization of that fact, which is impressing itself so profoundly upon the popular mind, that we see the general reaction against further Federal centralization, which is now so manifest and discern solid reasons for hoping that in time the plague will be stayed and our system of government brought back safe and sound to the old constitutional anchorage.

So I say, if there is a Member of this body who believes that the United States of America should be an Empire and not a Republic, who believes that further Federal encroachments upon the rights of the States are desirable, that the Federal Government should arrogate to itself the office of mothering the States in practically all respects, then by all means let him vote for the bill of my friend the Senator from Texas. But

if there is a Senator here who believes that it is difficult, indeed, to improve upon the Constitution of our fathers, that the line of partition that they drew between Federal and State authority is a line marked by the very highest degree of political sagacity and foresight and that local self-government, as has been so often said, is the very cornerstone of American liberty, then, I say, that Senator can not consistently vote in favor of this bill.

To get back to my party associates, they least of all can afford to incur the reproach of being faithless to those principles of State sovereignty which were so earnestly espoused and so powerfully advocated by the founder of our party, Thomas Jefferson, and which were for so many years the very life breath of our party.

Senators will recollect that on one occasion Disraeli said in Parliament, when the Tory Party had appropriated some of the principles of the Whig Party, that the Tories had caught the Whigs bathing and had gone off with their clothes. It looks very much to me from present indications as if that might be measurably true of the Democratic and Republican Parties.

No man who has been here during the last three years can have failed to note—and I have noted it with pleasure—that among the most genuine, the ablest, and the most consistent upholders of the old constitutional principles of State sovereignty are some of the more conspicuous Republican Members of this body, like the distinguished Senator from New York [Mr. WADSWORTH], who is an arm of strength to any cause he espouses; and the able Senator from Connecticut [Mr. BINGHAM], not to use any other personal illustrations for my purpose.

It looks to me as if it were by no means impossible that in the course of time the Democratic Party might incur the utter discredit of deserting the principle of local autonomy which has been one of its cardinal tenets in the past, and the Republican Party acquire the credit of being the real trustworthy champion and guardian of the rights of the States.

I say without hesitation, and I say it with no disrespect to anybody, that any man who undertakes to lead the Democratic Party at this time, and does not bear that prospect in mind, is unfit to lead that party.

I can not say of the Federal Constitution, as one of the great Irish orators said of the Irish constitution, that he was present at its birth and followed its hearse; but I can say that I grew up to manhood with a profound, inextinguishable love of the Federal Constitution, and that if in my relations to it I can indulge no other ambition, I can at least indulge that of having it said of me as it is said of Abdiel in John Milton's sublime epic—

Among the faithless, faithful only he.

If Congress has the power and is willing to pass legislation in relation to the welfare and hygiene of maternity and infancy, what is there to keep it from passing legislation relating to any field of health or sanitation whatsoever? Why not have Congress enlarge the powers of the board created by the infancy and maternity act and undertake the care not only of infancy and maternity, but the treatment of diphtheria, of scarlet fever, of tuberculosis, of anything else that relates to the field of State health jurisdiction? In point of fact, under this insidious 50-50 plan, we know it did take over for a time the control of venereal diseases. That particular legislation, I believe, has now expired; but that is no reason why the example set by it should not be followed hereafter.

The truth is that under the principle of pecuniary reciprocity which marks the pending bill there is no subject matter of any kind, no matter how exclusively domestic in its nature it may be, no matter how intimately allied to the province of State authority it may be, that the Federal Government can not take over. Under that principle it can invade any field, whether it be the field of health or the field of education or the field of sumptuary restrictions or the field of sabbatarian restrictions, any field, in a word, that State legislation has heretofore covered.

It will be remembered that when this maternity and infancy act went up to the Supreme Court of the United States because of an attack upon its constitutionality that court refused to pass upon the question of its constitutionality or unconstitutionality, but disposed of the case on purely jurisdictional grounds.

Give full scope to the 50-50 basis of Federal aid and it is entirely possible for the States, for all practical purposes, to be all but wholly ousted of their jurisdiction by the Federal power. Are the Members of this body willing to give their assent to any train of legislative events by which such a result might be achieved?

Mr. President, I have already addressed myself to this bill at much greater length than I had intended, and I hope that I have given adequate expression to at least the leading thoughts that have been passing through my mind since this discussion began. As I have said, I have no disposition to prevent the bill from coming to a vote, but when it does I trust, as earnestly as I have ever trusted in my life, that the views which I have endeavored to voice will prevail.

Mr. WADSWORTH. Mr. President, about 40 or 50 minutes ago the Senate, by a viva voce vote, rejected an amendment known as the committee amendment on this bill. I think I am not far wrong in saying that not more than 12 or 15 Senators were present in the Chamber at the time, and a considerable percentage of them were not aware of what was happening. I believe the Senate should have an opportunity of expressing its real judgment on the merits of the committee amendment, and certainly it has not had such an opportunity, at least to-day. It is for that purpose that I move to reconsider the vote by which the committee amendment was rejected.

Mr. SHEPPARD. I make the point of order that the Senator can not make that motion.

Mr. WADSWORTH. For what reason?

Mr. SHEPPARD. Not having voted in the affirmative.

Mr. WADSWORTH. There is no record of the vote.

Mr. SHEPPARD. I want to have pending a motion to table the motion to reconsider, and I enter that motion.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The Senator from Texas moves to table the motion of the Senator from New York to reconsider the vote by which the committee amendment to the pending bill was rejected.

Mr. BORAH obtained the floor.

Mr. ROBINSON of Arkansas. Mr. President, I know there are a number of Senators not now in the Chamber who would like to have the privilege of hearing the address of the Senator from Idaho, and 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	Frazier	McKellar	Sackett
Bayard	George	McLean	Schall
Bingham	Gerry	McMaster	Sheppard
Borah	Gillett	McNary	Shipstead
Bratton	Glass	Mayfield	Shortridge
Broussard	Goff	Metcalf	Smith
Bruce	Gooding	Moses	Smoot
Cameron	Hale	Neely	Stephens
Capper	Harris	Norris	Stewart
Caraway	Harrison	Nye	Swanson
Couzens	Hawes	Oddie	Trammell
Curtis	Hefflin	Overman	Tyson
Dale	Howell	Pepper	Wadsworth
Deneen	Johnson	Phipps	Walsh, Mass.
Dill	Jones, N. Mex.	Pine	Walsh, Mont.
Edge	Jones, Wash.	Pittman	Warren
Ernst	Kendrick	Ransdell	Watson
Ferris	King	Reed, Pa.	Wheeler
Fess	La Follette	Robinson, Ark.	Willis
Fletcher	Lenroot	Robinson, Ind.	

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

THE NICARAGUAN SITUATION

Mr. BORAH. Mr. President, I am gratified that the opportunity is now presented to discuss in the open what is known as the Nicaraguan situation. This is a subject which has been before the Senate in one way and another since 1910, but there has never been an opportunity heretofore afforded of discussing the matter in open session. When the treaties were here for consideration the Senate, in its wisdom, declined to permit open discussion. I am pleased that at last the matter may be discussed where I think all these questions which involve a question of policy should be discussed.

I am also gratified that the administration has had the opportunity of presenting in full the facts and principles upon which it bases its action. It was entirely proper, and it was certainly satisfactory to me to have the matter presented by those who are immediately responsible prior to the discussion here upon my part.

This is not a personal controversy between the President and myself nor between the Secretary of State and myself. I am going to discuss it with, I trust, entire respect not only for the character of the President, but for the Presidency, and also the same may be said as to the Secretary of State.

As I view it, it involves profoundly a question of national policy. It is not to be confined to the mere question of recognition of this or that particular individual, but must necessarily take on the problem of under what circumstances and under what principles and according to what policy we should proceed to deal with affairs not only in Nicaragua but Central America.

The matter has been, as I said, before the Senate since 1909 and 1910. Those of us who were here during that period and have had to do with it, long ago formed our opinions as to the facts and principles involved, and the views which I am expressing to-day are views which I have repeatedly expressed heretofore. The situation is made interesting at this time by reason of the development of a new condition of affairs and some new facts coming into the controversy, but fundamentally it is the same as has heretofore been discussed.

In passing, Mr. President, I wish to say that I do not see the application of the Monroe doctrine to the situation as it now obtains. I am not going to discuss this doctrine at length, but I feel justified in referring to it as I am passing on to a discussion of the main subject.

There is at this time no non-American power, no European power, seeking to acquire territory in Nicaragua or in Central America. There is no foreign power, no non-American power, seeking in any way to overthrow the Government of Nicaragua. I do not see in the entire situation any facts or circumstances which would justify an appeal to the Monroe doctrine.

I realize that the American people praise highly the virtues and principles of that doctrine; and it is characteristic of some people in this country when a desperate situation arises with reference to Central or South America, to appeal to the doctrine, which is peculiarly dear to the American people.

The Monroe doctrine was the outgrowth of a controversy between hemispheres. It has nothing whatever to do and furnishes us no guide with reference to dealing with different factions or different conditions internal in any Central American country. I know it is claimed that all these matters in Central America are of peculiar concern to us. I do not challenge that proposition at all. They are of peculiar concern to us not by reason of the Monroe doctrine but by reason of the propinquity of those countries to the United States. Where we are permitted to speak or act in regard to them, it is not necessarily and alone because some foreign government may or may not be interfering, but because we have special interests in that portion of the country. To this I shall refer more particularly hereafter. But under the Monroe doctrine we have no right to interfere with the internal concerns of any Central American country or the integrity of any government in Central America.

I am going to digress long enough to read a line or two from Mr. Root upon this particular phase of the Monroe doctrine:

The Monroe doctrine does not assert or imply or involve any right on the part of the United States to impair or control the independent sovereignty of any American State. In the lives of nations as of individuals there are many rights unquestioned and universally conceded. The assertion of any particular right must be considered not as excluding all others but as coincident with all others which are not inconsistent. The fundamental principle of international law is the principle of independent sovereignty. Upon that all other rules of international law rest. That is the chief and necessary protection of the weak against the power of the strong. Observance of that is the necessary condition to the peace and order of the civilized world. By the declaration of that principle the common judgment of civilization awards to the smallest and weakest States the liberty to control its own affairs without interference from any other power, however great.

The Monroe doctrine does not infringe upon that right. It asserts the right. The declaration of Monroe was that the rights and interests of the United States were involved in maintaining a condition, and the condition to be maintained was the independence of all the American countries.

In closing his article he says:

A false conception of what the Monroe doctrine is, of what it demands and what it justifies, of its scope, and of its limits has invaded the public press and affected public opinion within the past few years. Grandiose schemes of national expansion invoke the Monroe doctrine. Interested motives to compel Central or South American countries to do or refrain from doing something by which individual Americans may profit invoke the Monroe doctrine. Clamors for national glory from minds too shallow to grasp at the same time a sense of national duty invoke the Monroe doctrine. The intolerance which demands that control over the conduct and the opinions of other peoples, which is the essence of tyranny, invokes the Monroe doctrine. Thoughtless people who see no difference between lawful right and physical power assume that the Monroe doctrine is a warrant for interference in the internal affairs of all weaker nations in the New World. Against this supposititious doctrine many protests, both in the United States and in South America, have been made, and justly made. To the real Monroe doctrine these protests have no application.

John Quincy Adams, who was one of the authors of this doctrine, and who was Secretary of State at the time it came to be our national policy, said:

Considering the South Americans as independent nations, they themselves and no other nation had the right to dispose of their condition. We have no right to dispose of them, either alone or in conjunction with other nations. Neither have any other nations the right of disposing of them without their consent.

Mr. Root, when Secretary of State of the United States, said:

We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire, and we deem the observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights or privileges or powers that we do not freely concede to every American Republic.

The Monroe doctrine, as it was announced, Mr. President, as it was and as it is, was as beneficial and helpful to the South and Central American countries as to the United States. The Monroe doctrine as it was announced could never have been objectionable or obnoxious to any South American or Central American people. It was designed solely to protect those countries and that region of the earth from invasion or domination by foreign non-American powers. At the time it was announced the United States was the only power upon this continent of sufficient strength, economically and politically, to assert the doctrine announced by Mr. Monroe.

At that time the struggle was going on for the domination of those countries by foreign powers, and, as announced, it was for their benefit equally with ours. But, Mr. President, if that doctrine be construed or widened so as to include the right of the United States in any way to interfere with the complete independence and sovereignty of the South American countries or the Central American countries, to interfere with their independence, it becomes a dagger and not a shield to those people. Those who believe in the Monroe doctrine, and think it of vital importance to the people of this country, are doing it a great disservice by undertaking to invoke it in aid of any kind of interference in those countries, either Central or South American.

I do not contend, Mr. President, mind you, that there is not a situation, to which I referred a moment ago, which makes the Central American countries particularly of peculiar concern to us, but it does not arise out of any principle flowing from the doctrine announced by Mr. Monroe but upon an entirely different principle, with which we are all familiar, and to which I may refer briefly in a few moments. We would have this interest, these people at our door were there no Monroe doctrine.

So much, Mr. President, for that which would not call for any consideration whatever if it not for the fact that this appeal is always made when there is any exploitation or any invasion or any justification of financial imperialism in Central or South America. The imperialist, whatever form his activities may take—oil or mahogany or bonds—appeals to the Monroe doctrine to protect and justify his course.

I understand perfectly, of course, not only the right but the duty of the United States, or of any other power, to protect the lives of its citizens or their property at whatever place they may find themselves or their property may be located. I do not desire anything which I may say to-day to be construed into denial of the well-known and well-accepted doctrine and the well-known and well-accepted obligation of a nation to throw about its citizens and about their property that protection which every nation worthy of the name is supposed to give to its citizens. It is only when that doctrine is used for the purpose of establishing a policy which reaches far beyond the mere protection of their rights or their property, and which interferes with the sovereignty of a people or which results in carrying on war against a people, that I find myself in discord with some of those who assume to apply these policies.

Mr. President, let us take up the history of the Nicaraguan struggle. I am compelled to go back, because I can present this matter neither in justice to the cause itself nor to myself without going back somewhat into history. I think the past not only discloses the policy which we are seeking to establish, but it throws a vast amount of light upon what seems to me the extraordinary action of the present time.

In 1909 and for a number of years prior thereto one Zelaya had been President or ruler of Nicaragua. He is now referred to as a despot and a tyrant, and I have no desire to challenge that designation. I think he was acting, perhaps, in a manner somewhat similar to that in which many of the Central American rulers at times act; but, at any rate, whether he was a despot or a tyrant had nothing to do, or ought not to have anything to do, with a policy of the United States. The people of Nicaragua have just as much right, as has any other Government, to have a despotic form of government as to have a Republic; and we have no more right to interfere with them in regard to that condition of affairs as presented by their

form of government than we have a right to interfere with any great power which might choose to set up that form of government. If we can but realize, Mr. President, that in dealing with powerless and helpless countries, we are in duty and in conscience bound to practice the same precepts and follow the same principles as we practice and follow when we deal with powerful nations, we will have no trouble in finding our light along the pathway of duty in this matter.

Zelaya had been the ruler of Nicaragua for some years. On the 7th day of October, 1909, Mr. Thomas C. Moffat, the United States Consul at Bluefields, telegraphed the State Department that a revolution would start on the next day, the 8th day of October. He said that Estrada, the governor of the district of Bluefields, would upon the next day declare himself President of Nicaragua; that he would immediately ask for the recognition of the United States, and that General Chamorro was in command of the army. I trust those who are interested in the present situation will identify General Chamorro early in this campaign. On October 11 Mr. Moffat telegraphed that Estrada had achieved the revolution; that he had declared himself President; that he was entirely friendly to the American interests; that when he was in power and in control of his government he would see to the reduction of the tariff duties and would cancel all concessions in Nicaragua, save those which belonged to foreign powers.

From the record it is as clear as the noon-day sun that Mr. Moffat was entirely familiar with and a part of the organization of the revolution of 1909. The State Department was advised in advance of any overt act or any act which could have been known only to those who were behind the scenes.

On the 17th day of November an American, by the name of Cannon, and another American, by the name of Groce, who were said to have held commissions in Estrada's army, were captured by Zelaya forces, and they were, in accordance with what their captors contended to be the rules of war, executed. They were captured, as I remember, at a time when they were in the act of blowing up a ship belonging to the Nicaraguan Government.

On December 1, 1909, the Secretary of State sent a note declaring emphatically in favor of the revolutionists of Nicaragua, and breaking off all negotiations with the Zelaya government. Zelaya shortly afterwards resigned and left the country.

Mr. President, I have not the time nor would the Senate have the patience to go into all the details, but I ask those who may be interested in this history to go into the details as they are now to be had and they will arrive at the conclusion that Mr. Moffat aided and abetted the revolution of 1909; that he advised our Government of it in advance; that he had helped to select the men who were to be at the head of it; that he was from the beginning to the end a part of the movement; and that this Government, not only through Mr. Moffat, but through its highest officers authorized to speak to foreign powers, specifically in telegrams indorsed the revolutionists and excited the people to overthrow their government. I shall ask leave at the close of my remarks to insert in the Record some of those telegrams.

When Zelaya left the country the Zelayan faction declared in favor of Madriz as president to succeed Zelaya. Madriz was a gentleman, apparently, of standing and character, a lawyer by profession, I believe, and recognized as a leading citizen of Nicaragua. Estrada, however, refused to recognize Madriz, and the fight began between them. Estrada was driven back into the limited field of Bluefields. He had extended his influence and his forces pretty well over the country, but he was driven back by the fighting forces under Madriz and was on the verge of surrendering to the forces of Madriz. At this time we landed marines in Nicaragua and began the practice of declaring neutral zones, and declared the neutral zones where they would interfere with the forces with which we were not friendly. The result of it was that ultimately Madriz was defeated.

Mr. BINGHAM. Mr. President, will the Senator tell us who was Secretary of State at that time?

Mr. BORAH. At that particular time, Mr. Knox. Equally as great men have also indorsed this, if that will be helpful to the Senator.

On June 13, 1910, Madriz sent President Taft a long telegram. This telegram was ignored by President Taft. I shall insert this telegram in the Record.

On October 19 the Chamorro forces, by the friendly aid of the American forces, accomplished the complete defeat of the forces of Madriz.

On October 20 Madriz resigned in favor of Estrada's brother, who immediately recognized his brother, Estrada, as President, and their first act after they became President and Vice President was to apply for a loan from the United States. The first

business transaction upon the part of these people was to apply for a loan. The Assembly immediately elected Estrada President and Adolfo Diaz Vice President. I trust that the Senate will also note the appearance for the first time of Diaz in the history of Nicaragua.

We have Chamorro in charge of the Estrada forces. We have Diaz, at that time one of his allies and advisers, made Vice President by the Assembly, over which Chamorro exerted the same kind of influence that he did in 1926. Diaz at that time was clerk of an American corporation at \$1,000 a year. He contributed some \$600,000 to the revolution of Estrada.

Estrada was recognized by the United States January 1, 1911. On February 25 Northcott, our representative at Managua, telegraphed the Secretary of State that the sentiment was overwhelmingly antagonistic to Estrada and to the United States. In the meantime the assembly had assembled and prepared a constitution, certain features of which were objectionable to the United States.

The United States objected to certain provisions of the constitution which preserved in its integrity the sovereignty of Nicaragua and insisted that they should be eliminated. The assembly, nevertheless, ratified the constitution without eliminating these provisions. After the assembly ratified the constitution with the provisions in it to which the American representative had objected Estrada immediately adjourned the assembly, vetoed the constitution, and I believe—I am not sure about this—called for a new election.

At this time Diaz, the Vice President, practically became the President in the activities of the situation. He in conjunction with Chamorro and other friends representing the particular interests with which they were concerned came to dominate practically the entire situation; so on May 5 Estrada resigned and Diaz became President.

On May 25 our representative telegraphed that the loan was in danger and that the people were organizing against it. In the meantime, I should say, the loan had been agreed to; the loan convention had been submitted; its contents had become known to the people of Nicaragua, and almost a universal protest went up from the people of Nicaragua against the loan. So our representative at Managua telegraphed that it would be necessary in order to protect the loan, as I shall read you in a few moments, to send warships to Nicaragua.

Mr. EDGE. May I ask the Senator what year that was?

Mr. BORAH. That was in 1912, I think.

Mr. REED of Pennsylvania. Mr. President, what did they mean by "protecting the loan"—protecting the payment of it or securing the negotiation of it?

Mr. BORAH. Securing the negotiation of it. It had not been negotiated.

Mr. BINGHAM. Mr. President, will the Senator tell us before he gets through what was the object of this loan?

Mr. BORAH. I will tell you what I think was the object of it. I judge of the object by the fact that those particular persons who were interested in it got it.

This is a telegram of May 25 from the American minister:

Rumors have been current that the Liberals are organizing a concerted uprising all over the country, with the declared object of defeating the loan. It is difficult to estimate how serious a measure this might be if well organized and led, as the Liberals are in such a majority over the Conservatives. I therefore hasten to repeat my suggestion as to the advisability of stationing permanently—at least until the loan has been put through—a war vessel at Corinto.

I might read a number of telegrams along the same line, urging the stationing of war vessels at Corinto not to protect American lives, not to protect American property, but to drive through a loan against the wishes of the people of Nicaragua. Under the guise of protecting American lives we force contracts and treaties upon a helpless people.

Mr. BINGHAM. Mr. President, is it not true that the loan was very much less than they owed before, and that it was a help to the people of Nicaragua?

Mr. BORAH. The Senator can make his argument along that line. If he does, I refer him as a complete answer to the telegrams which are now embedded in the archives of this country.

Mr. President, that loan was obnoxious, as our own representative stated, to 80 per cent of the people of Nicaragua. I do not care whether it was beneficial or detrimental; the only people who could determine that fact were the people of Nicaragua themselves. If this program means that we are to establish a protectorate over the Central American countries and force upon them loans which they do not desire, or economic policies which they think unwise, then, let us have it out in the open, and, before we adopt the policy, let the American Congress speak in regard to it. Such a

policy finds no justification in the Monroe doctrine or the duty of a government to protect life or property. It finds no justification in good conscience or international law.

I desire to call attention here to a letter from Mr. Root in connection with the loan and the Nicaraguan Canal treaty. The date is January 7, 1915. I will come to the ratification of the treaties later.

Mr. ROBINSON of Arkansas. Mr. President, what was his official position at that time?

Mr. BORAH. At that time he was United States Senator. It seems to me that he states the whole proposition. He says:

I was unwilling to have our Government accept from any Nicaraguan government a grant of power which I felt certain the people of Nicaragua could not and ought not to approve. With those provisions out, however, and nothing left but the grant which I have described, I would be for a favorable report on the treaty. I am, however, troubled about the question whether the Nicaraguan government which has made the treaty is really representative of the people of Nicaragua and whether it will be regarded in Nicaragua and in Central America as having been a free agent in making the treaty. I have been looking over the report of the commanding officer of our marines in Nicaragua, and I find there the following:

"The present government is not in power by the will of the people; the elections of the House of Congress were mostly fraudulent."

And a further statement that the Liberals; that is to say, the opposition, "constitute three-fourths of the country." It is apparent from this report and from other information which has in a casual way come to me from various sources that the present government with which we are making this treaty is really maintained in office by the presence of United States marines in Nicaragua.

It appears to me, from information which I have, says the Secretary of State previously, then Senator—

that the government with which we are dealing, concerning which we are taking important grants, is in power by virtue of the force applied by the United States.

Mr. President, we made the loan treaty and we made the canal treaty with ourselves. Diaz would not have remained in Managua overnight without force exerted by the United States. He owed his political life, if not his physical life, to the presence of the force supplied by the United States; and while that force was there we made a loan which he approved, and we made a canal treaty. Mr. President, that transaction is as pronounced and unconscionable an act of imperialism as ever disgraced the records of any nation. It was a violation of the most primary precepts of international decency.

May I read a line further:

This situation raises a very serious question, not about the desirability of the treaty but about the way in which the treaty should be made. Can we afford to make a treaty so serious for Nicaragua, granting us perpetual rights in that country, with a president who we have reason to believe does not represent more than a quarter of the people of the country, and who is maintained in office by our military force, and to whom we would, as a result of the treaty, pay a large sum of money to be disposed of by him as president? I should be sorry to see the United States get into that position. We don't want to maintain a government in Nicaragua by military force perpetually, and it is highly probable that if we were to withdraw our force after making such a treaty there would be a revolution and the treaty would be repudiated.

Observe the significant prophecy, as it were, which he here delivers!

Mr. President, until we take the judgment of the Nicaraguan people, and get their judgment and their approval upon what has happened, we will never be able to come out of Nicaragua with our marine forces. We encamped upon the White House grounds of Nicaragua for 13 years. We will camp there for a hundred years unless we go back and secure the judgment of the Nicaragua people upon these transactions. A wrong calls for force, and so long as we force these things upon an unwilling people we will have to employ force.

There is a good deal of evidence that the other people of Central America look at the subject in this way. I should be very sorry to see the Central Americans convinced that we wish to rule them by force, for it would be the end of all our attempts to benefit them and help them along as we have been trying to do. I think we ought to keep before us always as an objective the building up of a stable and orderly Central American union, and a good deal of progress in that direction has already been made.

The loan convention to which I have referred came before the Senate, and was referred to the Foreign Relations Committee. I do not think it would be proper for me to submit the names of those voting pro and con upon the question. I

do think, in view of the situation, that I am permitted to say that I was one of those voting against it. It was fought earnestly and persistently and defeated. I am pleased to say I contributed what I could to that end.

The loan treaty itself was defeated. Then it was incorporated to some extent in the after transactions in a private agreement, which was indorsed and carried out through the auspices and under direction of the Government of the United States. Then came the canal treaty, and when the canal treaty first came before the committee it was defeated. It afterwards returned, and was finally ratified.

After this treaty was ratified, Costa Rica and Honduras, claiming that the treaty was in contravention of their rights, and in violation of a treaty which they had with Nicaragua, took the matter before the Central American Court. The Central American Court had been set up under the auspices of this Government. It was something in the nature of an international court. Those nations carried the matter to the International Court of Central America, and that court, 4 to 1, decided against the validity of our treaty. We ignored the decision, and the Central American court tumbled into oblivion. It is a sorry story from beginning to end.

So my views upon this matter are of long standing, not in opposition to this President or that President, or this administration or that. Mine is a humble but persistent effort to maintain a certain policy of respect and decency, of justice and conscience, toward those—as against the United States—helpless, powerless, Central American countries.

I do not hesitate to say here upon the floor of the Senate to-day that if a contract with the same provisions, and tested by the same principles made in the same way, were brought into a court to-day, it would be declared absolutely void by any court of conscience in the world, and for the very reason stated by the distinguished international lawyer, Mr. Root.

It seemed to me that this statement was necessary as a prelude to a discussion of the present situation. It has scarcely an element of justice or fair dealing in it. The idea of protecting life or property was almost wholly absent. We came out with spoils—smeared all over with selfishness and the most sordid brand of imperialism.

In October, 1925, a popular election was held in Nicaragua. It was held under a law which had been drawn by United States experts. My casual examination of it leads me to believe that it is a rather exceptionally well-drawn law for the purpose of securing free and full elections. At any rate, the election was held under that law and under the supervision of a Mr. Dodds, an American gentleman. After the election had been held he stated that in his opinion it had been a fair and full election.

The election resulted in electing Solorzano and Sacasa President and Vice President, respectively. They received 48,400 votes. Chamorro, again upon the scene, received 28,700 votes. A third party received some 7,800 votes.

The people of Nicaragua, as evidenced by their expressions and as evidenced by the press at that time, looked forward to a period of peace. They felt that there had been a full expression upon the part of the Nicaraguan people, that it had been overwhelmingly declared in favor of a certain program. The representatives of the people thus elected declared that they were going to adopt a new policy in Nicaragua, that they would get rid of past hatreds and controversies, that they would seek to live in tolerance and in amity with all the different factions of Nicaragua.

Everybody seemed to agree to that as leaders, except our acquaintances Chamorro and Diaz. Chamorro and Diaz in the latter part of October organized a revolution. I pause here to say that Diaz was just as much a part of that coup d'état as Chamorro. The people of Nicaragua understood perfectly his position. He was an adviser and counsellor of the movement. I shall later perhaps take the time to read some statements in regard to that situation.

The result of the election, however, I have stated; and we immediately recognized that Government. All the Central American countries recognized that Government. The leading countries of the world recognized that Government.

If we were going to interfere in Nicaragua, if we were going to have anything to say with reference to conditions or with reference to governments in Nicaragua, here we had a government elected, undoubtedly, by the free will of the people, and then was the time to give particular attention to Chamorro and Diaz, who were starting a revolution a few weeks after the election.

Chamorro and Diaz forces took possession of the fort just above Managua. To have control of that fort is to have control of the capital. They then entered into an understanding or agreement with the President, and Chamorro, as the head

of the army, which he was asking for all the time, became practically the military dictator of Nicaragua. It is conceded upon all hands—and I take it that is the view of the President as expressed in his message—that Chamorro was the real governor or ruler of Nicaragua from the time he captured this fort, shortly after the new Government was formed.

During all that time Diaz was a part of that movement. After they had finally taken charge of the Government and secured the resignation of the elected President, they immediately sent a posse to Leon to capture the Vice President, for the purpose of compelling his resignation also. Sacasa succeeded in evading those who were seeking to capture him, and after some time wandering about in different parts of Nicaragua escaped to Guatemala, came to the United States, remained here a considerable length of time, and went back to Guatemala, stopping on his way in Mexico City some two or three weeks.

There is no doubt, Mr. President, but that Sacasa was driven out of Nicaragua. Chamorro was in control of the military forces. Sacasa was without means of protecting himself, and he went into another country to escape the efforts of Chamorro and his friends to capture him.

Chamorro remained in control of the situation for some months seeking recognition upon the part of the United States, which he was not permitted to have. During the time that he was in power, however, he completely broke down the supreme court by driving the Liberal members of the court from the country, in some instances actually assaulting them, through his forces, and compelling them to flee for their lives. He also drove from membership in the assembly of the Congress certain members who were known as Liberal members and seated in their places those who were known to be of his faction. After the supreme court was thus dealt with and the Congress was thus reorganized Chamorro had himself elected President by that Congress.

Here it is well to remember that the same Congress which elected Chamorro also elected Uriza as designado, elected Diaz as designado, and purported to put through an impeachment proceeding against Sacasa. It is claimed that at a certain time Chamorro said to these members whom he had driven out, some of them out of the country, that "You may return." As a matter of fact, I am informed, many of them did not return. They did not feel that they would be safe in returning. But the Congress which finally elected Diaz was the same Congress which had been doing the service of Chamorro from the time he became military dictator of Nicaragua. He was still in command of the military forces when Diaz was elected. The Congress would have acted as by him directed.

Mr. EDGE. Mr. President—

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

Mr. BORAH. I yield.

Mr. EDGE. Was that the same Congress which was elected at the general election when Sacasa was elected vice president?

Mr. BORAH. Yes; I understand elected at the same time. The Liberal members who were elected at that time, as I have said, were forced out.

Mr. EDGE. Were they subsequently reinstated?

Mr. BORAH. No; they were not reinstated except as the nod of a dictator might be said to reinstate them. They were invited to come back, but as I am informed not all did so.

Mr. BINGHAM. Is it not a fact that the seats of the 18 who had taken their places were declared vacant?

Mr. BORAH. I presume it was, because those who took the seats over took the seats that were declared vacant according to the orders of Chamorro. They had no seats except under his will.

Article 106 of the constitution of Nicaragua provides:

In case of the absolute or temporary default of the President of the Republic, the executive power shall devolve upon the Vice President, and in default of the latter 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.

Article 84, subdivision 3, provides:

To elect each year two designates who, in the order of their election, shall exercise the Presidency of the Republic when there is an absolute or temporary default of the President and Vice President.

I do not find anywhere in the constitution anything about absence from the country.

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

Mr. BORAH. I yield.

Mr. BINGHAM. The Senator has just been reading from article 84 of the constitution, the third paragraph, which says:

Elegir cada año dos designados, que por su orden, deban ejercer la Presidencia de la Republica, cuando ocurra falta absoluta o temporal del Presidente y Vicepresidente.

Es indispensable que la eleccion de los designados recaiga en miembros de la Representacion Nacional que reunan las condiciones requeridas para ser Presidente de la Republica.

The Senator from Idaho has translated the word "falta" as "default." In no Spanish dictionary can I find it so translated. In fact, if the Senator will look in the best Spanish dictionary he will find the word "falta" translated "absent," which he has just criticized.

Mr. BORAH. I am not a Spanish student. I have the limitations of my own language; but I have had this translated by a distinguished Spanish student and reviewed by another Spanish student. I am only giving it as it has been given to me by gentlemen who, I think, are entirely reliable and entirely capable.

Mr. BINGHAM. Will the Senator permit me to read the definition of "default" from the dictionary?

Mr. BORAH. Yes.

Mr. BINGHAM. "Fault; defect; want; absence; lack."

There is no use of the word "default." The word "falta" there is "defect" rather than "default."

Mr. BORAH. I will take the Senator's dictionary and I will read it according to his dictionary, because I not only concede that the Senator from Connecticut is an authority on the Monroe doctrine but that he is also an eminent Spanish student.

In case of the absolute or temporary fault of the President of the Republic, the executive power shall devolve upon the Vice President, and in fault of the latter 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 representatives whom they may designate who may fulfill the requirements for President of the Republic.

Article 84, section 3. To elect each year two designates who in the order of their election shall exercise the presidency of the Republic when there is an absolute or temporary fault of the President and Vice President.

I will read it with another one of the Senator's synonyms. I do not know who is the author of this dictionary, but I trust the Senator is.

In case of the absolute or temporary absence of the President of the Republic the executive power shall devolve upon the Vice President and in default of the latter upon one of the designates in the order of their election.

Mr. BINGHAM. How does the Senator translate the word "falta," which he has just used now? What word does he translate to be "default"?

Mr. BORAH. I take one of the Senator's synonyms.

Mr. BINGHAM. That is a different word which the Senator has now used. It is not the word "falta." It is the word "defecto." How does the Senator translate the word "defecto"? I do not find the meaning of the word "defecto" to be "default."

Mr. BORAH. Let me go on in my humble and irregular way. [Laughter.] I do not care whether it is "absence," "falta," "default," or "defaulto." [Laughter.] What I mean to say is that it only covered temporary conditions, whatever those conditions were. If the President was temporarily in default or temporarily absent, the designado could act. If the Vice President was temporarily absent or temporarily in default, the designado could act. He could not act at any other time; that is, he could not act after temporary absence ended.

Mr. WADSWORTH. Mr. President, does not the Constitution use the word "absolute" absence as well as "temporary"?

Mr. BORAH. I do not find it.

Mr. BINGHAM. Oh, yes, Mr. President.

Mr. WADSWORTH. The Senator just read it.

Mr. BORAH. Absolute or temporary.

Mr. WADSWORTH. Would not the word "absolute" in that matter be construed as properly as "permanent"?

Mr. BORAH. Yes; if he was permanently away, of course.

Mr. WADSWORTH. Then the designate could serve in either case; in the case of either permanent or temporary absence.

Mr. BORAH. But if he was permanently absent or permanently in default, of course the designado would act; but if he was temporarily absent or temporarily in default, when the absence ended and when the default ended, the power of the designado ended.

Mr. BINGHAM. But the constitution does not so state.

Mr. BORAH. I suppose I will have to yield to my friend as a constitutional lawyer also. I can not consider it in any other light.

But think of the absurdity of our position this afternoon. We are sitting here, as others have sat elsewhere in this Government, construing a constitution about which there is a controversy. Are we, Mr. President, as a matter of policy, going to seat a man who helped to bring about this situation? I say there is no possible doubt that Sacasa was elected vice president by an overwhelming majority; that we recognized him when we recognized the Government of which he was a part. If he was out of the country, he was out of the country by force. If he was absent, he was forced out to his absence; and now we are undertaking to seat a man who was a part of the conspiracy which drove him out of the country.

Mr. President, just a word about Diaz as a part of the revolution. The Senator from Connecticut [Mr. BINGHAM] was perfectly certain the other day that I had confused the present Diaz with another Diaz. I had no confusion of mind upon that subject. The Diazes down there and the Chamorros are almost as plentiful as revolutions. There were 13 Chamorros in one cabinet at one time. The Chamorros and the Diazes are all a part of a certain aristocratic force represented by certain families. They seem to play the game together socially, politically, and every other way. This Diaz is the same Diaz who operated with Chamorro in 1909, 1910, 1911, and 1912. This Diaz of whom I speak is the Diaz who was with Chamorro when he conspired to capture the fort near Managua. He is the Diaz who was the President in 1911, 1912, and 1913, and who is now President by our recognition. If there is any confusion upon my part, it is by reason of the utter absence of knowledge, because I know of both the parties and know of which I am speaking.

I have a letter from an American business man who has been in Nicaragua since 1910, has a large business there, and was visiting in the United States until a day or two since when he returned to Nicaragua. He said:

In October, 1925, Gen. Emiliano Chamorro conspired with Adolfo Diaz and several others to capture the Fort Tiscapa. This fort overlooked the city of Managua, and consequently "who has Tiscapa has Managua." Diaz, who has practically represented the interests of the United States since 1912, part of the time President, helped to pull off this coup d'état.

Continuing, he said:

In November Chamorro turns over the Presidency to Uriza, who in turn, as already planned, turned it over to Adolfo Diaz on the 14th of November, 1926.

A few days later Washington recognized Chamorro's fellow conspirator as President of Nicaragua.

That letter is under date of December 30. Another American business man said:

The Congress was formed by men, some of whom, without popular representation, placed there by force, without credentials, at the pleasure of General Chamorro and Adolfo Diaz, and other prominent leaders of the Conservative Party. Diaz should not have been recognized, as he is known to have been one of the leaders of the coup d'état against the popular-elected Government, recognized not only by the United States but by all the nations of the world.

No one here is ignorant of the fact that Diaz (who is now President) was one of the leaders of the coup d'état. In the presence of Minister Eberhard, on the 25th of October, 1925, Diaz, representing Chamorro and other leaders, was at the presidential palace treating with ex-President Solorzano on conditions that should be regulated by the revolutionists and the Government. The Managua press official organs of the Conservative Party have always referred to the principals in the October movement as against the Government as "General Chamorro, the arm, and Adolfo Diaz, the head."

I read the following:

The Conservative Party, directed by Emiliano Chamorro and Adolfo Diaz, in place of assuming a pacific attitude of assisting and cooperating in the public administration with a government that was attempting to eject the old system of politics, dedicated themselves to conspire against the constituted order, taking recourse to procedure as repulsive as possible. This intrigue caused Solorzano to distrust the Liberal element that figured in the cabinet.

That is the statement of a Nicaraguan who is not connected with the Sacasa government.

The present President of Nicaragua, Adolfo Diaz, was formerly President of Nicaragua from 1912 for a time. He was one of the leaders with Chamorro who organized the revolt against the Solorzano government. He was as well known here in Nicaragua as one of the leaders as Chamorro himself. Diaz was really the brains of the conspiracy.

Now, Mr. President, my contention is that Diaz was a part of the movement against the constitutional authorities and the constitutional government of Nicaragua; that he was a part of the movement quite as much as Chamorro; that they cooperated from the beginning to the end; that they have been aiding and counseling each other from the beginning; that whatever may have been stated to the State Department at the time, whatever facts may have been presented, the fact must be accepted now, to my mind, that Chamorro and Diaz were one and the same so far as the opposition to the established government was concerned.

My second contention is that the vast majority of the people of Nicaragua are opposed to the present régime in Nicaragua. In 1911 and 1912, we are told by our representatives, by Admiral Long, by Mr. Northcutt, and by Mr. Moffatt, that the opposition to them was overwhelming, one of them rating it as high as 80 per cent. I have no doubt, Mr. President, that at the present time the people of Nicaragua are opposed to Chamorro and Diaz. The best evidence of it is that when Chamorro was a candidate against Solorzano he was defeated nearly 2 to 1. The opposition is equally strong apparently at the present time.

Now, if we are going to intervene in Nicaragua, it does seem to me that we ought to make an effort to prop up and sustain the expressed will and purposes and wishes of the people of Nicaragua. I am perfectly aware that mistakes and misjudgments might be made upon a statement of fact coming at a particular time, but when the facts are notorious, when they are ascertainable and probative in their effect, the Government of the United States ought not to hesitate as an advocate of constitutional government to insist upon the recognition of those who are in power under the constitutional authority. We can afford to change any program in order to conform our acts to the expressed wishes of the people and in support of constitutional government.

The fact that Sacasa was out of the country at that particular time, just across the line in Guatemala, driven out by force, ought not to change a great national policy.

Mr. BINGHAM. Mr. President, will the Senator from Idaho yield for a question there?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I will yield in just a moment. It has been said that it was not the duty of this Government to take up arms and carry Sacasa back to Nicaragua. If the policy which we are advancing be the true policy, I am not so sure about that; but if I be mistaken about it, there can be no doubt, it seems to me, that we ought not to have recognized and ought not now to recognize those who drove him out of Nicaragua. Now I yield to the Senator from Connecticut.

Mr. BINGHAM. Is it not true that Señor Sacasa was invited by the friendly powers to go back to Nicaragua at the time the armistice was held in Corinto Harbor, and that he declined to do so?

Mr. BORAH. Yes.

Mr. BINGHAM. And had he done so, had he gone back, he might have been there when General Chamorro resigned, and then have been in a position to take over the Presidency?

Mr. BORAH. Mr. President, I presume it is true that Sacasa was invited back, but when one understands the situation in Nicaragua, the conditions and circumstances which surrounded him when he went out, the fact that it was sought to impeach him; that he was then, under the decree of Chamorro, an outlaw; that he was then, under the decree of Chamorro, not entitled to any other protection than that he might surreptitiously or accidentally get from some friendly agency, one can well understand that Sacasa and his friends thought it unwise for their leader to put himself in the hands of those who had undertaken to take his life and who had driven him from Nicaragua. If we had said to him that he would be recognized as the constitutional head of Nicaragua, he would have doubtless returned.

Mr. WHEELER. Mr. President, will the Senator yield to me? The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. I will yield in just a moment.

Mr. President, let me call attention to one incident here that seems to me to be a construction of this constitution by the Chamorro and Diaz forces. Chamorro resigned the Presidency on the 16th day of January, 1926. Two days before he resigned the Presidency, by the Congress, over which no one doubts he exercised absolute control, he had entered a decree of banishment, of impeachment, and of outlawry against Sacasa. They did not believe, evidently, that Sacasa's absence at that particular time was sufficient to deprive him of his right to be President in case of his return; so the Congress proceeded with the impeachment proceeding.

The impeachment proceeding was this: Under the constitution of Nicaragua the Congress has no power to enter a decree of impeachment. What they do is to find what may be called "probable cause." After "probable cause" has been established by resolution of the Congress, then the case proceeds to the supreme court. The supreme court hears it and enters judgment according to the facts and the law. The Congress itself has no power to enter judgment. The matter was never referred to the supreme court. Notwithstanding the fact that Chamorro had driven out the Liberal members of the supreme court, they, for some reason, declined to follow the constitutional provision. It shows, however, that as late as the 14th day of January, 1926, they were proceeding to make it impossible, apparently, as they thought, for Sacasa to become President in case of his return. They evidently did not regard his temporary absence as disqualifying him in case of his return.

It has been said, and properly said, that we are "in." What should we do about it? I have already expressed myself in regard to the recognition of Sacasa. I would recognize him. I do not believe he is unfriendly to American interests. I have no doubt the people would support him, and we could come out. But if it be thought unwise to do that or if other personal reasons interpose which would make it difficult or embarrassing to do that, then it does seem to me that we are under the highest obligation to call upon Diaz and those who are there by virtue of our recognition to give the people of Nicaragua an opportunity by popular choice and a fair election to select their President. We ought to insure the people a fair election and recognize their choice; recognize the people's choice and withdraw our troops. It seems to me that it is not up to us as a Government to keep Mr. Diaz there until 1929, evidently in opposition to the wishes of the vast majority of the people and as against the two men whom they deliberately selected, but again to call for an election and to conduct it as we did practically in 1925, and give the people of Nicaragua an opportunity to pass upon the question of who shall be their ruler. Let us work if we are to help at all with the popular will. Let us cease thinking solely of our own interests and consult the wishes of the people of Nicaragua, in part at least.

Never in the world, Mr. President, can we have peace in Central America if we force upon the people of Nicaragua or the people of other Central American countries those who are not supported by the popular will. It would be well if rulers could understand that once the people of a nation are imbued with a national and independent spirit, if they could only understand that once a people have been imbued with a spirit of freedom and of free power you can not shoot it out of them; you can not crush it out of them; it is there; it may be submerged to-day by force, but in years to come it will return and assert itself. We of all people in the world ought not to undertake to impose upon the people of another nation a government which they do not want. We ought to insist on the execution of the popular will if we are to take part at all.

I would add to that, Mr. President, that, while it seems to be thought that the Mexican shadow envelops the situation, I would propose to the Mexican people that the controversy in reference to land there should be submitted to arbitration. Inaugurate a campaign of peace; abolish the idea of force; try friendly relations; seek to establish amity, seek to get in touch with the masses, with the people themselves, and we can establish a policy in Central America which will protect our interests and insure respect for our rights and which will bring us fourfold that which we are entitled to receive—the friendship and earnest cooperation of those people, all of which will protect that special interest and particular concern arising out of our close relationship.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I do.

Mr. BINGHAM. Does the Senator know of any fair election that has taken place in Nicaragua in over 25 years, except those which have taken place when our marines were preserving order?

Mr. BORAH. Mr. President, the election which took place in Nicaragua when our marines were there was orderly. It was also characterized by a striking absence of all those who were not friendly to Diaz or to the established power.

Mr. BINGHAM. But has not the Senator said that those who were opposed to Diaz were in a great majority, nearly two to one, when our marines were there preserving order?

Mr. LENROOT. That was at the time of the election of Sacasa?

Mr. BINGHAM. Certainly they elected Sacasa while our marines were preserving order.

Mr. BORAH. I was speaking of 1911 and 1912, when Diaz was elected the first time; but, of course, it is the last election which I appeal. I say that election was legal; it was conducted properly; it was under the supervision of Americans. It elected two men; we recognized them and we ought to maintain them if we are going to maintain anybody. If they were driven out, then I say that we ought to have an election. Our marines are there, and we can have the same order that we had before.

Mr. BINGHAM. Is it not true that Solorzano and Sacasa were elected under the regis of American arms?

Mr. BORAH. Yes; I think that it is true to some extent.

Mr. BINGHAM. Is it not also true that peace prevailed and elections were regular so long as our marines were maintained in Nicaragua?

Mr. BORAH. No. With the exception of the election of 1925 the previous elections could not be called elections at all.

Mr. BINGHAM. Then let us not go back to the election of 1925. Is it not true that the first trouble came after the marines were withdrawn? The incident to which the Senator has referred, when General Chamorro captured the Loma on the heights above Managua and thereby overthrew the government, occurred after the withdrawal of the marines. Is not that true?

Mr. BORAH. Yes; but the trouble was begun by our friends Chamorro and Diaz; they started the revolution.

Mr. BINGHAM. The point I am trying to get at is—

Mr. BORAH. I have stated the point that I was trying to get at.

Mr. BINGHAM. How does the Senator propose to have a fair election if he will not permit the marines to stay there to see that a fair election is held?

Mr. BORAH. I have not said anything about withdrawing the marines prior to that; they are there. I would with all reasonable dispatch prepare for their withdrawal.

Mr. BINGHAM. In the earlier part of his remarks the Senator implied it was very wrong for us to have any marines there.

Mr. BORAH. I do not know how the Senator construed what I have said, but I say that what we should do is this: Our marines are there; if we will not recognize Sacasa, we should have an election; we should give the people an opportunity to vote their sentiments; we should, if we are going to stay there with the marines, keep them there in defense of the government which the people themselves want. But while we are now there, I would not stay indefinitely. I would do justice to the people, and then we can safely come out.

Mr. President, I ask unanimous consent that there be printed at the end of my remarks an article entitled "American history in Nicaragua," which contains some of the telegrams to which I have referred and other information of interest in connection with the discussion of affairs in Nicaragua.

The PRESIDENT pro tempore. In the absence of objection, it is so ordered.

The article referred to is as follows:

AMERICAN HISTORY IN NICARAGUA THE BEGINNING OF OUR REVOLUTION

The following two dispatches from Thomas C. Moffat, United States consul at Bluefields, Nicaragua, to Philander C. Knox, United States Secretary of State, predict and confirm the proclamation of the Estrada revolution. The first was received at Washington October 7, 1909:

"Mr. Moffat reports that he has received secret information, which he has reason to believe, that a revolution will start in Bluefields on the 8th; that the State, with the present governor proclaimed provisional president, will constitute an independent republic, with Bluefields the capital; appeal will be made to Washington immediately for recognition. Mr. Moffat says the governor and leaders have control over the entire army, which numbers 2,000 on the coast, that they propose to protect property of foreigners, and that there will be no fighting in Bluefields; that the army would proceed south at once, augmented in numbers already arranged for, enter the capital, overthrow the President, and consolidate into another Republic the Pacific States of Nicaragua. Mr. Moffat adds that General Chamorro, who will lead the army, landed secretly from Costa Rica the night before."

The second was received at Washington October 12:

"Mr. Moffat reports that the provisional government was established on the 10th, with Juan Estrada, governor of this State, as provisional President, Republic of Nicaragua. He says that the change was effected through the entire territory of State of Zelaya and Cape Gracias without difficulty or the firing of a shot; that the entire population is jubilant at the overthrow of Zelaya control on the coast and is in anticipation of very great prosperity; and that the foreign business interests are enthusiastic. He says leaders will immediately strike down Managua Government; that troops will proceed to interior to-day; that overthrow of Zelaya appears absolutely assured, and that it is

intended later to separate Republic of Nicaragua, consolidating Pacific coast States into a separate Republic, both Republics to be under the control of the Conservative Party. Mr. Moffat adds that immediate reduction tariff is assured; also the annulment of all concessions not owned by foreigners. He says new Government here is friendly to American interests and is progressive; that the new President has granted him recognition, has formed new cabinet, and has sent him assurances in writing friendship American Government."

OVERTURNING ONE GOVERNMENT, THEN ANOTHER

On November 17 Lee Roy Cannon and Leonard Groce, two Americans, were executed by the regular (Zelaya) forces. On December 1, Philander C. Knox, United States Secretary of State, broke off relations with the Zelaya government in a note which read in part:

"Since the Washington convention of 1907, it is notorious that President Zelaya has almost continuously kept Central America in tension or turmoil; * * * in view of the interests of the United States and its relation to the Washington conventions, appeal against this situation has long since been made to this Government by a majority of the Central American Republics. There is now added the appeal, through the revolution, of a great body of Nicaraguan people. Two Americans who, this Government is now convinced, were officers connected with the revolutionary forces, and therefore entitled to be dealt with according to the enlightened practice of civilized nations, have been killed by direct order of President Zelaya. Their execution is said to have been preceded by barbarous cruelties. The consulate at Managua is now officially reported to have been menaced. * * * The Government of the United States is convinced that the revolution represents the ideals and the will of a majority of the Nicaraguan people more faithfully than does the government of President Zelaya, and that its peaceable control is well-nigh as extensive as that hitherto so sternly attempted by the Government of Managua."

This note led to the resignation of President Zelaya and the proclamation of José Madriz as his successor. The following dispatch from President Madriz to President Taft, dated June 13, 1910:

"I beg your excellency's leave to refer to certain facts connected with our civil war.

"On the 27th of May last the forces of this Government stormed the Bluff stronghold, which defends Bluefields.

"The commanding officer of that force was under orders to proceed immediately and capture the city, which was without a garrison; that would have insured the ending of the campaign. This was frustrated by the attitude of the commander of the American cruiser *Paducah*, who notified the commanding officer of our troops that he would oppose with his forces the capture of the city, and to that effect landed American seamen to occupy it, and thus the revolution, sure of its base of operations, was enabled to take all of its forces out of the city and bring them against one of our columns, and so was a carefully planned combination, the success of which was certain, defeated.

"This Government purchased in New Orleans a British vessel, *Venus*, now named *Maximo Jerez*, which sailed for San Juan del Norte by permission of the American authorities, after exhibiting in good faith all the ammunition of war she had on board as articles of free commerce. At San Juan del Norte she was made a Nicaraguan vessel, fitted out as a war ship, and destined to blockade the port of Bluefields. The blockade was intended to prevent the revolution from continuing to receive, as before, arms, supplies, and funds from New Orleans. Your excellency's Government denied our vessel the right to blockade as far as American vessels were concerned and the New Orleans source of supplies remained open to the revolution. The capture of the Bluff put this Government in possession of the Bluefields customs, whereby it hoped to deprive the revolution of its customs receipts. Your excellency's Government declared that customs duties must be paid to the revolution, and thus in a large measure frustrated the victory of our arms at the Bluff. Your excellency's Government has denied us the right to prevent the passage of the Bluff of the American vessels bound for a revolutionary customhouse that has just been established on Schooner Key, in Escondido River, in spite of this Government's decree which closes the port and prohibits that traffic as a necessary measure of defense and pacification. The commanding officer of the *Paducah* one day threatened the captain of the *Maximo Jerez* to fire at and sink her if our troops attempted to attack Bluefields. The chief of our forces at the Bluff, having noticed that boats in the service of the revolution were using the American flag in order to pass in front of the fort without being stopped, notified the commander of the *Paducah* that he has resolved to prevent the free passage of those boats in front of his positions; the commanding officers of the *Paducah* and *Dubuque* replied that they would enforce respect of American commerce with the firing of their guns, even though such commerce should consist of arms and ammunition for the revolution, and that one shot fired at the said boats would mean a declaration of war to the United States.

"Lastly, I know that there is being prepared at Bluefields, still guarded by American seamen, an attack on our position at the Bluff and Laguna de Perlas. The warning of the commander of the *Paducah* prevents us from forestalling that action of the enemy, as we, in self-defense, have the right to do. * * *

"I have no hesitation in applying to your excellency with the respectful request that the orders given to your naval authorities at Bluefields be rectified. That will enable this Government easily to bring to an end a bloody and destructive revolution, which has no life of its own and is working Nicaragua's ruin."

ENTER FINANCE AND THE CLAIMS COMMISSION

Mr. Dawson effected a series of agreements with the revolutionary leaders on board an American battleship on October 27; whereupon new elections were held for an assembly, which promptly and unanimously elected Estrada President and Diaz Vice President, as had been agreed upon with Mr. Dawson. President Estrada was recognized by the United States on January 1, an American financial expert arrived on January 20, hopes of a \$15,000,000 American loan were held out, and the business of establishing a mixed claims commission, with two American and one Nicaraguan member, to fix Nicaragua's debts, was taken up. Secretary Knox on February 27 instructed the American minister to Nicaragua, Mr. Northcott, regarding the form of this commission. Mr. Moffat, the consul who had predicted the Estrada revolution before it occurred, reappears in a message of March 2 from Mr. Northcott to Mr. Knox:

"I am informed that the commissioner will be allowed \$8,000 per year and \$2,000 additional expenses. Moffat wishes to resign consulship and serve as commissioner."

There was, however, opposition to the commission. On March 9 Northcott wired Knox:

"President intends to establish the commission at once by decree; but opinion is expressed here that under the Zelaya constitution he can not do so without ratification of the assembly, which it seems will be impossible to secure."

Knox replied March 14:

"You will exchange notes with the Nicaraguan Government, making final arrangements for the constitution and establishment of the proposed claims commission under the plan set forth in the department's February 27 and recommending Moffat as the second commissioner."

The decree establishing the commission was proclaimed by the President on March 29 and ratified by the assembly, or a part of it, April 4. This assembly was dissolved April 5, so the decree was reenacted by a new assembly May 17.

For a long time a storm had been brewing. On February 25 Mr. Northcott wired Mr. Knox that Estrada was in a bad way, and that—"The natural sentiment of an overwhelming majority of Nicaraguans is antagonistic to the United States; and even with some members of Estrada's cabinet I find a decided suspicion, if not distrust, of our motives."

Mr. Northcott explained on March 27 that—

"President Estrada is being sustained solely by the moral effect of our support, and the belief that he would unquestionably have that support in case of trouble."

The assembly meanwhile had prepared a new constitution which it was determined to adopt. This constitution had certain clauses guaranteeing the independence of Nicaragua and directed against humiliating loans, which were opposed by the American representative.

* * * Two days later Mr. Northcott wrote to Mr. Knox: "No anti-American sentiment apparent here. * * * A war vessel is necessary for the moral effect." On May 25 he reported:

"Rumors have been current that the Liberals [the party ousted by Estrada with American help] are organizing a concerted uprising all over the country, with the declared object of defeating the loan. It is difficult to estimate how serious a measure this might be if well organized and led, as the Liberals are in such a majority over the Conservatives. I therefore hasten to repeat my suggestion as to the advisability of stationing permanently—at least until the loan has been put through—a war vessel at Corinto."

On June 1 Mr. Knox instructed the minister to inform Diaz that "the United States renews assurances of its support." He added that Diaz should not be permitted to resign, and that the Yorktown had been ordered to Nicaragua. On June 5 the minister reported that Diaz had no personal following and was supported only by Menz. On June 6 Mr. Knox signed the Knox-Castrillo convention providing that a loan should be placed in the United States, secured upon the customs duties, which would be collected by a receiver general of customs, who would be named in agreement with the United States, would report to the United States, and would be protected by it in case of need. At the same time an agreement was negotiated with the American banking houses, Brown Bros. & Co., and J. & W. Seligman & Co., for a \$15,000,000 loan, of which the Knox-Castrillo convention was made an integral part. This agreement was to take effect when the convention was ratified. But three times the Senate of the United States refused to ratify it. Nevertheless, the Department of State acted as if the convention had been ratified. On September 30 the department instructed the charge to give first attention to the loan contract and the claims commission decree.

A temporary loan of \$1,500,000 had been passed on September 1 by the bankers, under an agreement to put the customs in American control in accordance with the terms of the unratified convention; and on November 2 an American was named collector general of customs.

THE CLAIMS COMMISSION

Mr. Ades's instructions of September 30 referred to the matter of the Claims Commission, which had been pending since February. President Estrada had, as was shown above, proclaimed and forced his assemblies to ratify a decree establishing the commission in accordance, as he and the American minister thought, with Mr. Knox's "suggestions" of February 27. This decree read in part:

"ARTICLE 1. The establishment in this capital of a tribunal or Mixed Commission which shall examine and finally adjudge all unliquidated pending claims against the Government of Nicaragua, including those originating in the abolition or discontinuance of monopolies, concessions, leases, or any other forms of contracts made by former governments of the Republic.

"ART. 2. The tribunal or Mixed Commission shall be composed of three persons, to wit, one of its members shall be a citizen of Nicaragua, appointed by the Government of Nicaragua; another member whom this Government shall also appoint, but upon the recommendation of the Government of the United States of America; and a third member who shall be appointed by the Department of State of the American Government.

"ART. 5. The individuals or companies referred to in article 1, or their assigns, who shall not have brought their claims before the tribunal or Mixed Commission within six months, or by such default be held to have lost said claims, together with all claims to indemnities. * * *

"ART. 6. The President shall cancel, by special decrees, such contracts or concessions as are referred to in article 1."

Mr. Knox, however, was not satisfied. On June 26 he wrote:

"The department, having very carefully considered the wording of the decree establishing the Claims Commission, is convinced that certain modification should be made therein. The department in this connection desires to inspect the Spanish text of proposed amendments, numbered to correspond with the articles which they are designed to amend. Following are the modifications proposed: * * *

"Article 1 should have this addition: * * * The claims referred to in this article are all those claims which from any cause whatsoever may arise or may have arisen against the Government of Nicaragua from the beginning of the administration of President Zelaya until the commission closes its work, including claims which may arise out of the belligerent operations of their faction during the recent civil war. * * * The commission shall in its consideration of claims give precedence to claims arising out of military loans, requisitions, or exactions by either faction during the present civil war."

"To article 2 there should be added: * * * The commissioner appointed by the Department of State shall act as president of the tribunal, and no meeting at which he or his duly appointed successor is not present shall be held. * * *

"To article 5 should be added:

* * * *Provided, however,* That the right to question the cancellation or annulment of concessions, and the right to indemnify, shall not be forfeited, and the forfeiture of rights and remedies with reference thereto shall in no case be declared by the tribunal, except when proof satisfactory to the tribunal that, six months prior to the motion for such judgment, the Government of Nicaragua gave in appropriate form express notice to the parties concerned of the intention of the Government to move for such judgment against them, and except it appears that said parties shall have failed to appear before the tribunal for such time, no valid excuses for such failure to appear being shown."

"To article 6 should be added:

* * * *Provided,* That no contract or concession contemplated in articles 1, 5, or 6 shall be cancelled or annulled, except upon the ground that such contract or concession is illegal or unconstitutional, and that no decree of cancellation or annulment shall take effect until affirmed by the commission * * *"

The Nicaraguan Government expressed the fear that these modifications would revive the lottery and other undesirable concessions. The American chargé reported this fear, which the department confirmed, continuing, however, to insist upon the modifications. On July 12, the chargé reported:

"There has been a leak in Government circles, and the substance of your telegram of June 26 has got out somehow and produced considerable agitation, and the opinion generally expressed is that the United States Government has repudiated its policy of protecting Nicaragua against foreigners holding rights in ruinous concessions or contracts. * * * I strongly urge that no further action be taken until the assembly approves the loan contract."

The chargé reported that the leading members of the Government believed "that several features of the revised decree would prove ob-

jectionable to the assembly and endanger the ultimate passage of the loan." On September 28, he added:

"The opposition to these loan contracts and concessions is becoming more determined, and they are now supported only by General Mena and Minister Canton. The president of the assembly and the minister of finance are conducting dangerous propaganda against the loan." * * *

On October 3 the presidential decree approving the loan contract with Brown Bros. was signed by the president and sent to the assembly. Then suddenly the chargé reported on October 31:

"On the 14th instant the national constituent assembly unanimously approved the decree of the executive, bearing date of the 9th instant, and embodying the amendments approved by the department in its telegram of June 26 to the mixed commission decree of May 17 last."

The German, English, and French ministers took exception to the commission, on the ground that it was not a Nicaraguan but an American commission, and advised their nationals not to submit their claims to it. Mr. Knox wrote the chargé on November 10:

"The department is not disposed to counsel the Nicaraguan Government to resist the demands of European countries through diplomatic channels for the direct settlement of its claims, but if the Nicaraguan Government of its own initiative should decide that European claimants must first exhaust the remedies afforded by the Nicaraguan courts or other local tribunals, including the claims commission, the department believes that international law and practice afford ample precedents therefor."

On November 17 and 28 the chargé wired Washington that Nicaragua was disposed "on its own initiative" to send a circular note of that tenor, but that it wished first to be assured of the support of the United States. Mr. Knox replied on December 2, "Department's note November 10 should be a sufficient response to yours November 28." On December 9 Nicaragua sent such a circular note.

While this matter was pending the chargé advised Mr. Knox that the assembly was about to adjourn. Mr. Knox replied November 20:

"The national assembly may wish, if possible, to continue in session until the arrival at Managua of currency experts, collector general of customs, and assistants, who will start before December 1. The assembly may wish to decide after their arrival whether they need further legislation to carry out projected financial reforms."

On December 2 the president directed the assembly to continue in session. The assembly was then considering a new constitution which still contained clauses objectionable to the American representative, including the following:

"ART. 2. The sovereignty is one, inalienable and imprescriptible, and resides essentially in the people from whom the officials provided for by the constitution and laws derive their powers. Consequently, no compacts or treaties shall be concluded which are contrary to the independence and integrity of the nation, or which in anywise affect its sovereignty, except such as may look toward union with one or more republics of Central America."

"ART. 55. Congress alone may authorize loans and levy contract by indirect taxes; all authorities are prohibited from negotiating the former or levying the latter without its permission, save the exceptions provided in the constitution."

On January 12 the chargé reported:

"In the assembly yesterday the minister for foreign affairs declined to comply with the assembly's demand that he sign the constitution. A stormy scene ensued, in which American intervention was attacked. The assembly does nothing without the assent of Mena, whose party is uniformly anti-American. To allay the excitement the Minister for Foreign Affairs, at the request of President Diaz, agreed to sign. The President and Mena have promised me, however, not to allow promulgation of the constitution until January 31."

Mr. Knox replied the next day:

"Not having seen the text of the proposed constitution, the department can not express views thereon, but would regard its promulgation before the arrival of Weitzel (about January 18) as a distinct departure from the cooperation that has been practiced by the two Governments heretofore during the efforts of Nicaragua to reorganize its Government. You will impress this upon the Government of Nicaragua, again assuring President Diaz of the warm sympathy and cordial support of the United States."

The assembly, however, had already promulgated the constitution and attacked American interference in the following decree:

"The national constituent assembly, considering that the chargé d'affaires of the United States has given evidence of exceptional interest, as was manifested to Doctor Suárez, the president of the assembly, in delaying the promulgation of the constitution until the arrival of Mr. Weitzel, the new minister, who in all probability bears instructions from his Government to make amendments thereto;

"Considering that this interposition of the chargé d'affaires of the United States carries with it, in effect, an insult to the national autonomy and the honor of the assembly;

"Considering that, above all, it is the duty of the assembly to preserve the dignity and decorum of the nation and the good name of this august body; * * * Decrees:

"ARTICLE 1. That the constitution elaborated by the present national constituent assembly be published by proclamation, or in the official gazette, or in any newspaper of the Republic.

"ART. 2. That the junta directiva of the assembly be commissioned to take the necessary steps to cause this decree to have effect from date by publishing said constitution in this city. Given, etc."

"R. LOPEZ CALLEJAS.

"FEDERICO LACAYO.

"JOSE F. SACASA.

"MARIANO ZAVALA."

COMMISSION CHAMBER,

Managua, January 12, 1912.

Mr. LENROOT. Mr. President, I shall not make any attempt to reply to the very able speech of the Senator from Idaho, in so far as he has discussed the general policies which, in his opinion, should be pursued by our Government. I desire merely briefly to refer to his comments upon the application of the Monroe doctrine and the facts as they exist in regard to Nicaragua.

The Senator from Idaho, and many others, say the Monroe doctrine has nothing to do with this case. Of course, it has not directly, and yet it seems to me that everyone must realize and appreciate that it has a very important indirect application. If we do not protect the lives and property rights of European countries in Nicaragua and other Central American States, we must permit those countries to do so for themselves. We deny to European countries the right to enforce protection of property and personal rights by force. The United States will not tolerate the landing of troops by European nations in Nicaragua or elsewhere in an attempt to enforce their rights. Taking that position, it necessarily follows that if we will not permit them to enforce their rights we must ourselves assume a duty in that regard.

So the Monroe doctrine does apply in that sense—that if we are to take the position that we have no interest in Central American affairs, that they are no concern of ours, that they may have revolution after revolution, that they may violate all their international obligations and fail to protect the rights of nationals of other countries—if we take that position, we must say that Great Britain and Italy and Belgium, three countries now directly concerned, have the right to land their forces in Nicaragua and protect their nationals for themselves.

It seems to me the Senator from Idaho must be driven to the position that we should sit silently by, allowing Great Britain and these other countries to land their forces in Central America in the enforcement of their rights, or else that we must assume the duty of that protection. And, Mr. President, if it be granted that we do owe that protection under the Monroe doctrine, is there any Senator who would say that we owe a greater protection to the nationals of Great Britain, of Italy, and of Belgium than we owe to the nationals of the United States? Shall we sacrifice American lives to protect Britons and Italians and Belgians, but not protect the lives and the property of citizens of the United States?

Mr. President, this, of course, is not new, as every Senator knows. It came up in the case of Santo Domingo. It has come up in a number of cases; and I want to read what President Roosevelt has said upon this subject as it relates to the Monroe doctrine. He said:

We do not intend to permit the Monroe doctrine to be used by any nation on this continent as a shield to protect it from the consequences of its own misdeeds against foreign nations. If a Republic to the south of us commits a tort against a foreign nation, such as an outrage against a citizen of that nation, then the Monroe doctrine does not force us to interfere to prevent punishment of the tort, save to see that the punishment does not assume the form of territorial occupation in any shape. The case is more difficult when it refers to a contractual obligation. * * * On the one hand, this country would certainly decline to go to war to prevent a foreign government from collecting a just debt; on the other hand, it is very inadvisable to permit any foreign power to take possession, even temporarily, of the customhouses of an American Republic in order to enforce the payment of its obligations; for such temporary occupation might turn into a permanent occupation. The only escape from these alternatives may at any time be that we must ourselves undertake to bring about some arrangement by which so much as possible of a just obligation shall be paid.

And on the same subject and in another connection he said, speaking of Santo Domingo:

There was imminent danger of foreign intervention. The previous rulers of Santo Domingo had recklessly incurred debts, and owing to her internal disorders she had ceased to be able to provide means of paying the debts. The patience of her foreign creditors had become exhausted, and at least two foreign nations were on the point of intervention, and were only prevented from intervening by the unofficial assurance of this Government that it would itself strive to help Santo Domingo in her hour of need. In the case of one of these nations, only the actual opening of negotiations to this end by our Government prevented the seizure of territory in Santo Domingo by a European power.

Mr. President, I do not for a moment contend that everything that has been done by us has been wise, or even necessary; but the point I do make is that under the Monroe doctrine we owe a duty to protect the lives and the property of the nationals of European countries, or we must permit them to do so for themselves.

Then, Mr. President, I very greatly regret that the able Senator from Idaho, if I understood him correctly, has charged that our first intervention in Nicaragua in 1910 was for the purpose of allowing American interests to exploit Nicaragua.

Mr. President, where there is conflict of statement I prefer to accept the reasons given by honorable American citizens as against those of Nicaragua or others who are opposed to what the United States has done.

Mr. BORAH. Mr. President—

Mr. LENROOT. I yield.

Mr. BORAH. If the Senator will take the dispatches of our consuls and minister in Nicaragua as to why we were there, I will agree with him.

Mr. LENROOT. I am just coming to that. I prefer to accept the reasons given by Secretary Knox, long an honored Member of this body; and I propose now to read the reasons given by Mr. Knox for the action which he then took.

In his note to the Nicaraguan chargé by which diplomatic relations were broken off between Nicaragua and the United States in 1909, giving the reasons for that action, Mr. Knox said:

DEPARTMENT OF STATE,
Washington, December 1, 1909.

Sir: Since the Washington conventions of 1907—

And I shall have a word to say about what those are—

It is notorious that President Zelaya has almost continuously kept Central America in tension or turmoil; that he has repeatedly and flagrantly violated the provisions of the conventions; and by a baleful influence upon Honduras, whose neutrality the conventions were to assure, has sought to discredit those sacred international obligations, to the great detriment of Costa Rica, El Salvador, and Guatemala, whose governments meanwhile appear to have been able patiently to strive for the loyal support of the engagements so solemnly undertaken at Washington under the auspices of the United States and of Mexico.

It is equally a matter of common knowledge that under the régime of President Zelaya republican institutions have ceased in Nicaragua to exist except in name, that public opinion and the press have been throttled, and that prison has been the reward of any tendency to real patriotism. My consideration for you personally impels me to abstain from unnecessary discussion of the painful details of a régime which, unfortunately, has been a blot upon the history of Nicaragua and a discouragement to a group of republics whose aspirations need only the opportunity of free and honest government.

What were some of these conventions and agreements that Zelaya, the dictator who had been for years refusing to call any popular election in Nicaragua, had violated, and to which he was a party? Let me read one of them.

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

Mr. LENROOT. Yes.

Mr. BINGHAM. Does the Senator remember how many years Zelaya was president?

Mr. LENROOT. I believe it was 16 years.

This is the first of these agreements; and, remember, it is charged here that the United States intervened in Nicaragua for the purpose of suppressing the popular will and popular government there. What is the violation with which Zelaya is charged by Secretary Knox? This is the first one:

According to article 33 of the said document, the signers solemnly obligated themselves, in the presence of the representatives of the United States, to convoke the Nicaraguan people for the election of the constitutional President for the period following that previously mentioned, this being the political basis agreed upon and accepted by the leaders of the Government for the reorganization of the Republic.

What Secretary Knox did, for one thing, was to demand for the people of Nicaragua the right to determine their own

affairs in a constitutional way. Zelaya had solemnly agreed to an election by the people of Nicaragua; and one of the reasons for handing his representative his passports was because he had denied that right to the people of Nicaragua and violated his agreement with us and with other Central American countries.

Mr. WATSON. Mr. President, in what year did Mr. Knox make that statement?

Mr. LENROOT. The letter of Secretary Knox that I read was dated December 1, 1909.

That is the way we started in Nicaragua, Mr. President—insisting upon popular government in Nicaragua and giving to the people the right to self-government.

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

Mr. LENROOT. I yield.

Mr. WHEELER. After we insisted, as the Senator says, that popular government should be carried on in that country, is it not a fact that no popular election was held, with the exception of that which was held at the points of the bayonets of American marines, and that the people of the country never took part in any such election until 1924?

Mr. LENROOT. No, Mr. President, there were no elections held at the points of the bayonets of American marines except to secure the free and untrammelled right of every qualified voter in Nicaragua to exercise his right of franchise.

Mr. WHEELER. Is it not a fact that the voters did not take part in any election at all because of their fear of what would take place if they did?

Mr. LENROOT. I do not know what was in the minds of the voters; but I want to say to the Senator from Montana—and I will come to that in a moment—that reference has been made to our opposition to the constitution of 1911, and I assume that the Senator from Montana and the Senator from Idaho must have known that there were two grounds for that opposition. One of them was as stated by the Senator from Idaho; the other was because it denied the right of an immediate election by the people of Nicaragua and insisted on those then filling the offices serving out their terms.

Mr. WHEELER. And the other one was because of the fact that they wanted in their constitution a provision that the legislature should have something to say as to who should make the loan.

Mr. LENROOT. There was that provision in it; but since the charge has been made, and is being made—and I think the Senator from Montana is one who makes such a charge—the record shows that the United States, in everything it has done, has done everything within its power to secure self-government, free from dictatorship either by the United States or by the self-constituted leaders of Nicaragua.

Mr. WHEELER. If the Senator will permit an interruption, I did not quite catch what he said I had charged.

Mr. LENROOT. I understood the Senator was one of those who made the charge that we were interfering with self-government in Nicaragua.

Mr. WHEELER. I most assuredly have made that charge, and I still make it.

Mr. LENROOT. And I say that from the very beginning in 1909 we have done everything within our power to secure for the people of Nicaragua the opportunity to express their will and secure a constitutional government.

Speaking of the constitution of 1911, to which the Senator from Idaho referred, I read a paragraph from the American minister, Mr. Weitzel. He says:

After a cursory examination I am inclined to think that paragraph 14 of article 85, relating to the public revenues and customs duties, and article 170, reciting the validity of the elections of General Mena and Señor Solorzano as President and Vice President, respectively, for the next ensuing term, are the two provisions most susceptible of adverse criticism.

Article 170 seems to be in conflict with article 103 of the Constitution which provides for the election of the President and Vice President by direct, popular, and public vote.

So, Mr. President, in reply to the assertion that we were going in and supporting a dictatorship for the purpose of exploiting Nicaragua, the record shows that we were using all of our influence to secure free elections in Nicaragua, and allowing the people to determine their own government.

Coming down now to the facts that we have here—

Mr. WALSH of Montana. Mr. President, before the Senator passes to that, will he tell us about that election that was thus held, how many people voted, and what the result of it was?

Mr. LENROOT. In 1924?

Mr. WALSH of Montana. No; 1912.

Mr. LENROOT. I do not know. We were very unsuccessful, I will say, in securing free and untrammelled elections, but we did everything we could to secure them.

Mr. WALSH of Montana. What did we do?

Mr. LENROOT. What happened in 1912 was that the Congress of Nicaragua refused to follow the suggestion of the United States that there be a popular election, and by congressional act they continued those then in office until the end of their terms.

With reference to the facts that we have here, there is no question, as the Senator from Idaho has said, as to the election of Sacasa as Vice President, and there can be no question, in my view, that if he had been in Nicaragua at the time of the resignation of Solorzano, he would have been entitled, under the constitution, to succeed him.

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

Mr. LENROOT. I yield.

Mr. NORRIS. I would like to ask the Senator if there is any controversy over this fact: That Sacasa was absent from Nicaragua because he was driven away by force? Does the Senator concede that?

Mr. LENROOT. No; I do not.

Mr. NORRIS. Does the Senator claim that the contrary is true?

Mr. LENROOT. It is my belief that that was a fact; but we have no evidence of it.

Mr. NORRIS. I think it is quite important to know whether he left voluntarily or whether he was driven out, either through the application of physical force or through fear.

Mr. LENROOT. May I say to the Senator that, so far as I know, there were no overt acts of any kind against Sacasa, but that he did go through fear I would not for a moment deny.

Mr. BORAH. Mr. President, may I say that it is certainly within the power of the State Department to get the open, notorious, physical fact as to what Chamorra and Diaz did in trying to catch Sacasa.

Mr. NORRIS. It would seem that way to me. I do not know what they have done, but it is positively asserted, and I have never heard it denied, that Sacasa was driven out of the country. To my mind, it does not make any difference whether he was driven out by force or through fear. If he went against his will, either directly or indirectly, then he was driven out, and never have I heard that disputed.

Mr. LENROOT. I say to the Senator that from my standpoint that would be an immaterial fact.

Mr. NORRIS. I am not criticizing the Senator's stand at all, but from my standpoint it would be important.

Mr. LENROOT. I can well understand how that might be. I do not mean that it is immaterial from the standpoint of justice to Nicaragua, not for a moment, but I mean with reference to our attitude.

Mr. NORRIS. The Senator, as I understand it, does not know, and expresses no opinion, as to whether he was driven out or not?

Mr. LENROOT. I do not know.

Mr. EDGE. Mr. President, it is an established and conceded fact, is it not, that he was invited to return?

Mr. LENROOT. He was invited to return about a year after he left.

Mr. EDGE. And refused to do so; at least did not return.

Mr. NORRIS. If I became scared and were driven out of my country because I thought some people were going to kill me, and the men I thought were going to kill me invited me to come back, I do not know that I would go.

Mr. EDGE. I will ask the Senator, then, how could the constitutional provision be carried out if the Vice President should be afraid to come back?

Mr. NORRIS. He would get back in time. If the Senator's theory is right, then by force and intimidation we could drive a man out of the country and disqualify him, and after we had driven him out, the men who had driven him out could set one of their number up in office as president, and we would have to sustain him, because, technically speaking, the other fellow was out of the country through fear at the time this other man was put into office.

Mr. EDGE. But the Senator is only assuming that this course has taken place. There has been much evidence to disprove that.

Mr. NORRIS. Does the Senator deny it?

Mr. EDGE. I do not claim any intimate knowledge of it, but I agree with the Senator from Wisconsin that it has not been proven that force was used.

Mr. NORRIS. It is not even denied.

Mr. LENROOT. I would like to say with reference to that matter, respecting my own view, that Sacasa could have re-

turned to the Corinto conference with full safety to his person at the time of the conference.

Mr. NORRIS. That may be.

Mr. LENROOT. But I appreciate this: In this attempted impeachment by the Congress of Nicaragua, which I agree with the Senator from Idaho was entirely unconstitutional and beyond the power of that Congress, there was an attempt to find him guilty of a conspiracy against Nicaragua, and he was exiled, and I can readily understand, even though he could have safely returned for this Corinto conference, if finally an agreement might have been reached that did not involve his personal safety, if that impeachment proceeding were left standing, it might not thereafter have been safe for Sacasa to return to Nicaragua under any conditions, so long as his enemies were in power.

Mr. NORRIS. To clear the subject of some possible errors, I would like to see if we can agree on one or two propositions. It is admitted, is it not, that Sacasa was legally elected Vice President?

Mr. LENROOT. Yes.

Mr. NORRIS. And that the man who was elected President with him has resigned?

Mr. LENROOT. Yes.

Mr. NORRIS. And that the term for which he was elected has not yet expired, and that if something had not intervened to change things he would be entitled, as a matter of fact, to the Presidency of Nicaragua now?

Mr. LENROOT. As a matter of fact, if he had been in the country at the time of the resignation, no question could have arisen.

Mr. NORRIS. It is admitted also that the man who is occupying the office of President now was not elected by the people of Nicaragua.

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

Mr. NORRIS. I yield.

Mr. WHEELER. With reference to Sacasa returning to Corinto, let me suggest this—and I think the State Department records will bear me out—that he did not return to Corinto, but he did send two representatives there, who were authorized and directed to act for him, and those representatives did appear there as his representatives.

Mr. LENROOT. That is my understanding.

Mr. WALSH of Montana. Mr. President, this is a very critical feature of the controversy, and it has struck me as remarkably surprising that we have not any more explicit, definite information about it. The President in his message tells us that at the time of the resignation of Solorzano, Vice President Sacasa was absent from the country. That is all he tells us about that. I read a statement from Sacasa appearing in the New York Times of last Sunday in which Sacasa tells us that he was in Guatemala, and that is all he tells us. He does not say in his statement that he was driven from the country, nor does he make any explanation whatever as to why he did not go to the conference at Corinto. He does not in his statement say that he was afraid to go there. My own judgment about the matter is that he was driven from the country, and my own judgment about the matter is that he did not go to the Corinto conference because he was afraid of his life if he went there. But, so far as I have been able to discover, we are absolutely without any evidence whatever upon either of these propositions, and what is surprising to me is that when the resignation of Solorzano was contemplated, and Sacasa was just across the border in Guatemala, the representatives of the Government of the United States did not say to the Nicaraguan people, "Why, of course, if Solorzano resigns Sacasa is the proper one for President. Why do you not send for him and get him here?"

Moreover, Mr. President, it would not have been at all improper for Sacasa to have asked the protection of the United States as a citizen of Nicaragua afraid of his life. I dare say that Admiral Latimer would have given him that protection. Why is it we can not have the facts about the matter? The State Department must know all about this. They must have daily information from their representatives in Nicaragua. I ask the Senator from Wisconsin, What is the secret of the whole business?

Mr. LENROOT. I am frank to say to the Senator from Montana that I have been just as anxious to secure the facts with reference to that matter as he has, and I have been unable to secure any.

Mr. NORRIS. If I may interrupt again, Mr. President, as I understand it, Secretary Kellogg declined the other day to submit telegrams passing back and forth. I do not know whether they were on this subject or not. I think the Senator has touched a point which is an important consideration not

only in this case but in nearly all diplomatic matters; that is, that it is polite in diplomatic society to hold everything in secret. I do not understand why the Senate—or for that matter the country—should not have access to all official telegrams and to all official communications that have gone from our country to Nicaragua or from our representatives there or anybody else to our Government. It would probably make the dark places light if we could have publicity instead of secrecy.

Mr. LENROOT. Mr. President, upon that point it is very clear that governments transacting business with each other necessarily, for the benefit of all concerned, must have confidential communication with each other; at least under certain conditions and at certain times. If we should adopt the policy that there would be no secrecy of diplomatic dispatches, what would happen in the relations of the United States and the rest of the world?

Mr. NORRIS. I did not rise to get into a controversy about this matter—

Mr. LENROOT. Of course, that is quite apart.

Mr. NORRIS. But I can not help saying just a word in reply to the last sentence of the Senator. If we had publicity, the Senator asks, what would happen to the diplomatic relations of the world?

Mr. LENROOT. The making public of diplomatic messages without the consent of the parties.

Mr. NORRIS. That is a different proposition. If you have a confidential communication, you ought to respect the confidence. That is another proposition. Nobody has claimed that here and there at times there should not be some things retained in confidence. But the Senator from Montana [Mr. WALSH] is asking what the facts are about this man. Was Sacasa driven away, or was he not? At the time the Presidency became vacant, and he was just over the line, why was it that he was not installed as President, instead of somebody else being installed? It may be that the State Department does not know anything about that, but the probabilities are that there are communications in the State Department which would make it all plain. What would be the danger to Nicaragua, or to the Government of the United States, or to civilization, if that were made public?

Mr. LENROOT. I will say to the Senator from Nebraska that it is my understanding that the State Department has no information upon that subject.

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

Mr. LENROOT. I yield.

Mr. EDGE. Referring to the suggestion of the Senator from Montana, is it not possible that if the United States had acted in some capacity through Admiral Latimer, or through other officials, to try to induce Sacasa to return from Guatemala to Nicaragua, especially in view of the fact that the regularly elected Congress of Nicaragua had in the meantime, as I understand, elected a dictator, under their constitution, would we not have definitely placed ourselves in the position of attempting to interfere with the regular carrying out of the Constitution of Nicaragua? I merely advance that suggestion.

Mr. WALSH of Montana. We laid down the doctrine that we would recognize no party brought into power by a coup d'état, no matter what form they went through with, and that is just exactly what we did not do. We delayed the matter, and we could have suggested to those people, "This is not a proper time. Here is this man just across the line who obviously is the man who ought to have the Presidency."

Mr. EDGE. I do not recall just where we laid down the doctrine of which the Senator speaks. While we sat in on the preparation and consideration of the Central American treaties we were not signatory to them.

Mr. LENROOT. But we have adopted the policy.

Mr. EDGE. Yes; we have adopted the policy. I do not mean for a moment to suggest that we were not friendly to the policy, but, on the other hand, we were not a signatory; we were not one of the five. After the regularly elected congress of Nicaragua had selected, under their constitution, a dictator to assume the position, in the meantime it is understood that Sacasa had returned from the United States and Mexico and finally gone to Guatemala. I repeat, with all that having happened and the regular President under the constitution having been regularly elected, if we did use our offices to bring Sacasa back to Nicaragua, we certainly would have confused what would seem to be a legal situation. That at least is my judgment on the subject.

Mr. LENROOT. Mr. President, I want to get down now to a specific discussion of what our attitude as a Government has been in the premises.

Mr. PEPPER. Mr. President, will the Senator yield before he passes to that point, merely for the purpose of a question?

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LENROOT. I yield.

Mr. PEPPER. As I understand it, at the time the former President resigned, Sacasa, whether or not he was entitled to make a claim, made no claim, either on the ground or elsewhere, of right of succession; that when Diaz was elected, Sacasa made no claim from any quarter of the world, wherever he happens to have been then, that he was the constitutional successor of the former President; that when we recognized Diaz there was no claim by Sacasa for recognition by us, and that there never was any claim by Sacasa of his constitutional right to succeed until months after we had recognized the Diaz government.

Mr. BORAH. No, Mr. President; that is a very great mistake. He did make a claim and made it right here in Washington.

Mr. LENROOT. He was here in Washington at the time.

Mr. BORAH. He made the claim here, and when the conference was on down there he had representatives on the boats where they were negotiating and who made the claim. They did propose at one time that if they would select a third man outside of the Conservative Party he would resign and permit that man to go in, but he always maintained and his representatives maintained there in the conference that he was entitled to it. He even offered to permit the United States to arbitrate the question.

Mr. PEPPER. My information is to the contrary. I think the Senator from Idaho is essentially mistaken. There was no claim by Sacasa, at the time Chamorro was expelled, that he was the rightful successor. There was no claim made upon the Government of the United States to recognize him. There was, months afterwards, a claim such as the Senator from Idaho has specified at the time of the Corinto conference, and the statement by the representatives of Sacasa made at that conference had relation to a succession which had been closed by the logic of events months before.

Mr. BORAH. The Senator is in error. He did make his claim and made it here in Washington at the time that Chamorro was dictator. He made it here at the time and long before Diaz was recognized, and he made it at the conference also.

Mr. LENROOT. May I ask the Senator from Idaho if he knows when Sacasa first made request from our Government officially for recognition?

Mr. BORAH. I do not know the date, but it was long before the conference took place at Corinto.

Mr. PEPPER. It may be recalled by the Senator from Idaho that I asked that question when the Secretary of State was in conference with the Foreign Relations Committee, and his answer was in accordance with the statement I have now made.

Mr. BORAH. I do not understand that to be true, either.

Mr. LENROOT. I confess I do not know. I think it is a matter that should be determined, because there ought not to be any serious question about it.

Mr. NORRIS. It is another thing that could be determined if it was not for secrecy.

Mr. WALSH of Montana. I thought all the statements made by the Secretary of State in the committee were confidential in character.

Mr. LENROOT. I think that is correct.

Mr. PEPPER. What did the Senator from Montana say?

Mr. LENROOT. He said that everything that passed yesterday between the members of the committee and the Secretary of State was confidential. I think technically there was a breach of confidence.

Mr. WATSON. Inasmuch as no two Senators seem to agree about what was said, I do not think anything has been divulged.

Mr. PEPPER. Mr. President—

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LENROOT. I yield.

Mr. PEPPER. The statement in question was not made for the first time by the Secretary of State before the Committee on Foreign Relations. I am not disclosing any matter which had not previously been made public.

Mr. LENROOT. Now, Mr. President, I want to go on because I am anxious to conclude. There is no difference of opinion, and all sides concur in what happened after the coup

d'état by Chamorro—the election of Chamorro by the Nicaraguan Congress, the refusal of our Government to recognize him as being in violation of the five-party treaty between the Central American countries, the then further selection of Estrada and our refusal again to recognize him for the same reasons. There is no disagreement upon the fact that under the domination of Chamorro 18 Liberal members of the Nicaraguan Congress, duly elected, were expelled and Conservatives put in their place, or, in other words, the defeated Conservatives were declared elected. That was one of the reasons, in addition to its being a violation of the treaty referred to and the provision that any leader of a revolution could not be recognized, why our Government declined to recognize the action of the Nicaraguan Congress.

Neither is there any disagreement upon the fact that on January 16, at the time of Solorzano's resignation, the 18 Conservative members were unseated and the Liberal members restored. I do not think there is any disagreement upon the proposition that the Congress which did designate Diaz as acting President was the duly elected Congress of the Republic of Nicaragua, elected in due form by the people of Nicaragua, and that there can be only one question raised concerning the validity of that election and two questions concerning the propriety of our recognizing President Diaz.

Mr. NORRIS. Mr. President, may I interrupt the Senator at that point?

Mr. LENROOT. I yield.

Mr. NORRIS. I hope the Senator will not forget that the recognition of President Diaz by our Government is an entirely different proposition from what we should do to maintain him in office even if we recognized him.

Mr. LENROOT. I appreciate that.

Mr. NORRIS. I want to concede very frankly that while, to my mind, there could be but one side to the question of recognition, yet I am not questioning those who disagree with me on charging them with lack of sincerity if they do not agree with me. But, admitting at all that the recognition of Diaz was right or that the recognition of Diaz at that time was a question on which there might be two sides, giving our Government full credit for it and accepting such recognition, there still remains what, to my mind, is really more important than anything else involved in the dispute, and that is whether we should go the length that our Government has gone to maintain Diaz or anybody else in power, whether we recognize him or not.

Mr. LENROOT. I appreciate that one may feel that our Government was entirely in the right in the recognition of Diaz and yet has gone too far in the actual things it has done. But on the matter of recognition the Senator from Idaho [Mr. BORAH] argued the question upon the wrongfulness of the recognition, and upon that fact I said, so far as the legality of the election is concerned, there can be only one question, and that is upon the construction of the constitution of the Republic of Nicaragua. The constitution says nothing about the length of time that the President designate shall act in case of a lack or default or absence, or whatever word we may choose to use, of the Vice President or the acting President.

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

Mr. LENROOT. I yield.

Mr. WHEELER. But does it not impliedly say that, because it does say in effect that the designate shall take office in the event that the President and Vice President are either permanently or temporarily absent from the government? I assume that language means under those circumstances that if a man is temporarily away from the government, upon his return the designate immediately steps out of office, just the same as the president of the State senate in most of the States does in the event of the lieutenant governor and the governor of the State returning from an absence?

Mr. BINGHAM. Where does the Senator find any such statement in the constitution?

Mr. WHEELER. I find it in section 84, if the interpretation which I have is correct. I have had it interpreted by two or three Spanish scholars. I think there is no doubt about it, notwithstanding the distinguished Senator from Connecticut.

Mr. LENROOT. Upon that point of construction—although to my mind it is immaterial—article 108 of the Nicaraguan constitution provides:

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.

If the President should leave the country—and assuming there was no Vice President, and article 84 of the constitution

should come into operation—I am not clear that the President leaving in violation of its own constitution and choosing to come back at the end of the year would be entitled to resume his office. I am not clear upon it. Possibly the Senator from Montana is. I do not know.

Mr. WHEELER. But, assuming the fact to be—as I think I can bring proof to the attention of the Senator to-morrow—that he did not leave voluntarily—

Mr. LENROOT. I am not speaking about this particular case. I am speaking of the construction of the constitution. I am taking the case of a duly elected President leaving the country, which would be a temporary absence.

Mr. NORRIS. I can see the Senator's viewpoint there, I think, quite clearly. I do not think it is very material, according to my viewpoint, but I would like to call the Senator's attention to the fact that when Sacasa left he was not the President.

Mr. LENROOT. I understand. I was simply making a general statement with reference to construction of the constitution as to what might happen in the case of a temporary absence.

Mr. NORRIS. I can see that the Senator might take that viewpoint.

Mr. LENROOT. I am perfectly willing to concede that there may be two views upon the question, and I am willing to concede that the stronger view, the view that we all might agree with if it was a matter for our construction, was that the acting President would serve, in case of temporary absence, until the return of the person lawfully entitled to fill the office. But whose duty is it to construe the constitution of a country? What would we say if some foreign country attempted to construe our Constitution and says to us that we have not construed it correctly and tell us what to do? The fact is, that the Nicaraguan Congress, duly elected, duly constituted under the constitution of Nicaragua, have construed their own constitution.

Mr. WHEELER. Mr. President, will the Senator yield a moment?

The PRESIDING OFFICER (Mr. JOHNSON in the chair). Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LENROOT. I yield.

Mr. WHEELER. Did not the State Department construe it when they recognized Diaz?

Mr. LENROOT. They accepted the construction of the only duly constituted authority functioning in Nicaragua that had any power to make a construction.

Mr. NORRIS. Did they not construe it also when they refused to recognize Chamorro?

Mr. WHEELER. Yes.

Mr. NORRIS. In other words, it seems to me, as I look at it, while the Senator has laid down a proposition with which I agree, we have been violating it, I think, ever since we have been dealing with Nicaragua. We have been construing their constitution.

Mr. LENROOT. As to our failure to recognize Chamorro, of course, we are not compelled to recognize a person solely because he is duly elected. There may be other reasons against doing so. One of them was the treaty to which I have referred, that Chamorro was the leader of the coup d'état; and, secondly, we took the position that Chamorro was not elected as one of the persons designated by the duly constituted Congress of the Republic of Nicaragua as entitled to the succession. That was not true of the Congress that designated Diaz. It was the duly elected Congress of the Republic of Nicaragua construing their own constitution. It is quite evident that they construed their constitution to the effect that the absence of Sacasa created a vacancy; in other words, that he was not qualified to take the office because he was not within the confines of Nicaragua.

Of course, if they were correct in that, everyone would concede that Diaz was duly selected as acting president of the Republic of Nicaragua. If they were wrong, he may not be; but that is not a matter for us to decide. The State Department was fully justified in taking the construction of the duly constituted and duly elected Congress of the Republic of Nicaragua upon that question, and it did so.

Mr. SHIPSTEAD. Mr. President, will the Senator from Wisconsin yield to me?

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

Mr. LENROOT. I yield.

Mr. SHIPSTEAD. I believe the Senator has stated that we should uphold the constitutionally elected officials, and, as I understand the President's message, it carried the enunciation of that policy. If it be true that we pledged ourselves to up-

hold the constitution and the elected officials, the question arises who shall construe for us the constitution in the light of that policy? Shall we send our marines and our Navy to support anyone who happens to be in control of the Government saying, "I am the duly elected official; I will construe the constitution for you; all you have to do is to send your Army and your Navy?"

Mr. LENROOT. Mr. President, I am really not able to discuss that with the Senator from Minnesota because I personally am not in accord with the policy as he states it. I do not believe that we have any duty to uphold by force of arms even the duly constituted authority of any South or Central American State.

Mr. SHIPSTEAD. I agree with the Senator from Wisconsin in that.

Mr. LENROOT. Mr. President, as I said, it seems to me that the duly constituted authorities in Nicaragua have construed their own constitution in a certain way. Our State Department has accepted that construction. Possibly, it is wrong, but it seems to me that it is our duty to accept the construction of the constitution of another country by the duly constituted authorities of that country, especially where no rights of our own are involved but merely the question of the legality of their own Government is concerned.

So, Mr. President, it seems to me there can be no proper criticism leveled against the State Department for the recognition of Diaz under the circumstances, and for us at any time or now to adopt a suggestion that has been made that it would be our duty by force of arms to put Sacasa in power as the President of the Republic would be an intervention upon the part of the United States that could not be defended from any standpoint. If it be granted that we have any such duty as that, then it must also be asserted that we can take control of any of these other countries and do the very thing that the administration is now being denounced for doing, it resting upon the question. Which is the duly constituted government?

With regard to the suggestion of the Senator from Nebraska [Mr. Norris] that we have gone further than is necessary, so far as I know, we have not. We have gone no further, so far as I am informed, than is necessary for the protection of American rights, American property, and the property of the nationals of other countries to whom we owe a duty under the Monroe doctrine. I do not know that we have gone any further than that. Certainly, so far as the Bluefields zone was concerned, that neutral zone was established upon the application of both parties, the revolutionists and the government party; and so far as the other zones are concerned, so far as I know, they have not extended beyond that which is necessary for the protection of the lives and the property of our and other nationals.

Now, Mr. President, in conclusion, I wish to say this: The assertion is constantly made that we have gone into Central America for the purpose of exploiting these weak countries in the interest of private citizens of the United States. It is baldly stated that that is the purpose of our policy with regard to Nicaragua. What are the facts? Before this policy of the United States was inaugurated New York bankers owned the railroad of Nicaragua; before this policy was inaugurated the National Bank of Nicaragua was owned by American capital; before this policy was inaugurated Nicaragua had an external indebtedness of \$30,000,000. What happened under this "exploitation" policy that is being criticized? Since the United States has exercised this control, if you choose to call it so, although we only had a hundred marines in Nicaragua at the time we withdrew in 1925, instead of the Government of Nicaragua becoming impoverished, it has regained its railroad from American capitalists; it is now owned wholly in Nicaragua. It has regained the bank in Nicaragua; it is now owned wholly in Nicaragua. The indebtedness has been reduced from \$30,000,000 to \$6,000,000. Does that look like a policy of "exploitation" on the part of our Government for the benefit of certain financial interests of the United States that are controlling the policies of this Government?

Mr. BORAH. Mr. President—

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

Mr. LENROOT. Yes.

Mr. BORAH. I do not agree with the Senator's figures as to the amount of the national indebtedness at the time nor as to the amount to which it has been reduced. I am perfectly familiar with the figures which the Senator uses and where they come from; but I am willing to take the figures, and I am willing to admit that the bankers and others who had bad investments in Nicaragua have got their money. I want the Senator to state, however, what is the condition of the ordinary

man in Nicaragua as compared to his condition at the time when we took possession.

Mr. LENROOT. Mr. President, I do not know, because I have never been in Nicaragua, anything about the condition of the ordinary man.

Mr. WHEELER. Mr. President—

Mr. LENROOT. Just a moment. I do know, however, that, generally speaking, the condition of the ordinary man in every Central American country has been improved through the helpful attitude of the United States of America; that they have more freedom, more liberty of action, and greater self-government because of the policy of the United States than they previously had. Of course, if we speak of self-government as the right of a few leaders to treat the average man as a pawn, to be shot down so that the leaders may receive financial reward, then I admit that the policy of the Government has not been helpful to that kind of gentlemen; but when we speak of the average man I undertake to say that nothing the United States has done has made the condition of the average man less favorable than it was before.

Mr. BORAH. Outside of a few families in Nicaragua and outside of those who have investments there, if the Senator will study the condition of the average Nicaraguan during the last 10 or 15 years, he will modify his views as to his condition being better.

Mr. BINGHAM. Does the Senator think that it is any worse than it was under Zelaya, who ruled for 16 years?

Mr. BORAH. As bad as the Zelaya rule was, those who live in Nicaragua at this time refer to it as a "good" time and they wish they had it back again.

Mr. BINGHAM. Is not that the usual reference to the "good old times" made by everybody everywhere?

Mr. BORAH. I suppose the Senator may escape by a poetical conception, but I am stating the facts.

Mr. LENROOT. Mr. President, I have discussed this matter from the standpoint of the facts.

Mr. GEORGE. Mr. President, may I make an inquiry?

Mr. LENROOT. I yield.

Mr. GEORGE. If the average man in our neighboring Latin American countries is so much better off, it is to be presumed at least that in that quarter of the world we are thought more of than we were formerly?

Mr. LENROOT. No; I am very frank to say to the Senator from Georgia that in my opinion the policy of the United States has not been helpful to the professional revolutionist, the man who desires to enrich himself at the expense of the mass of the people of his country.

Take Panama, for instance. Does anyone doubt that the people of Panama are not better off to-day than they were when they were under the Government of Colombia?

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

Mr. LENROOT. I yield.

Mr. WHEELER. Where did Diaz get the \$600,000 with which he started the revolution in 1912? Was he not a hundred-dollar clerk, and has he not enriched himself, and has not this Government kept him there and helped him to enrich himself?

Mr. LENROOT. Mr. President, I do not know what the view of the Senator from Montana may be; but the Senator from Idaho has admitted that in 1924, at least, there was an honest election, and the United States helped bring about that honest election.

Mr. GEORGE. Mr. President, what I meant to indicate by my question was that I was gratified to learn that the attitude of South and Central America was growing more and more friendly toward us because of the benefits which have accrued to them since 1909.

Mr. LENROOT. I am frank to say, irrespective of and regardless of that, that I doubt very much whether the leaders of those countries are especially friendly.

Mr. GEORGE. I am not speaking about the leaders; I am speaking about the masses.

Mr. LENROOT. The masses of those countries entertain about the same opinion that their leaders do, which is perfectly natural; and I will say this: I think the attitude of the United States has been very much misrepresented, the purposes and the aims of the United States have been very much misrepresented in most of those countries; and it is not surprising if that is so when we hear, right here on the floor of the Senate, the charge made that the United States Government is actuated only by motives of exploiting those people.

Mr. GEORGE. I should think, Mr. President, that those people themselves would be in much better position to judge accurately of the real effect of our policies on them than any mere verbal declarations that might be here made, and that

their real feeling and sentiment would be controlled in the long run not by what is here said but by the actual policies which we have instituted with reference to those people.

Mr. LENROOT. Mr. President, of course the Senator is well aware that there are many very pronounced and eminent Latin Americans who do take, throughout all Latin America, the position I have just stated. There are many others who take the contrary view.

Mr. GEORGE. Now, I want to ask the Senator this question. I was much interested in what he was saying and I did not intend to ask him questions until he had concluded.

The Senator, in speaking about the Monroe doctrine, said that there might be one aspect of the question in which the Monroe doctrine was applicable. I concede that; I see that; but I wanted to ask, if it is a matter that might be divulged, whether any European nation had called upon us to assume or discharge the obligation that arises by virtue of our assertion of the Monroe doctrine in the present emergency?

Mr. LENROOT. I could not say that it was in just that form; but we have been called upon to protect the rights, the lives, and the property of other nationals. They have been Great Britain, Italy, and Belgium.

Mr. GEORGE. In this particular emergency?

Mr. LENROOT. In this particular crisis.

Mr. NORRIS. Mr. President, I should like to ask the Senator a question right on that point. I have understood that that has been done. It would be a very easy thing to have that occur, of course. Why is it that we are not able to get the names and addresses of the people who have asked for protection and get the reasons why they are asking for protection?

Mr. EDGE. Mr. President, may I answer that?

Mr. LENROOT. No; I think I can answer it. The very good reason is that if that were done, neither their lives nor their property would be safe in Nicaragua. I am speaking of individuals, now.

Mr. NORRIS. But they are under the protection of the marines.

Mr. LENROOT. No; they are not. Lots of them are not.

Mr. NORRIS. Perhaps so; but the marines are landed in a certain locality because in that locality the people have asked for protection.

Mr. LENROOT. Certainly.

Mr. NORRIS. They are not in danger, are they, of their lives?

Mr. LENROOT. No; but there are many Americans not within these zones at all.

Mr. NORRIS. If any outrages ever have been committed by the Sacasa revolutionists—I do not say that they have not occurred; I simply want information of the subject—what is the reason why we can not get information in regard to them?

Mr. LENROOT. Suppose an American has asked for protection and there are no marines protecting him; does the Senator think he would be safe, if his name were made public?

Mr. NORRIS. But suppose there is a case—and that will apply to every case where we have landed marines—where he has asked for protection and there are marines there; what danger does he run if the Government says, "Why, here is the man, Mr. John Smith, who asked us to land here; we put out a hundred men on his account"?

Mr. EDGE. Mr. President, will the Senator yield at that point to permit me to help clarify that matter?

Mr. LENROOT. I yield.

Mr. EDGE. My understanding of the locations in Nicaragua of business interests where Americans are mainly engaged is that they are in lumbering sections to a great extent, and they are in fruit sections as well, up these various rivers. If the force of marines is located at the mouth of the river, which is usually the case, near the harbor, it is absolutely impossible for even the number of marines there to attempt to act as a bodyguard at all these various places scattered around the interior of Nicaragua.

Further answering the question—

Mr. NORRIS. That is not any answer. I hope the Senator will make one before he gets through.

Mr. EDGE. Further answering the question as to who are these people, the Senator from Wisconsin stated very positively and properly, in my judgment, that it would be unfortunate to give their names; but the State Department have stated in public documents that they had many requests from various sections of this country for the protection of lives and property. Is not that sufficient?

Mr. NORRIS. No.

Mr. EDGE. Are we not willing to accept that?

Mr. NORRIS. No; that is not sufficient, because—

Mr. EDGE. It is sufficient for me.

Mr. NORRIS. It is so easy to land an army with the ostensible purpose, the claimed purpose, of protecting somebody's rights on the simple request of somebody who has been urged to make the request. It is not difficult, if we are only seeking the truth, to say, "In this case here is the man who asked for protection. Here was his property. These fellows destroyed his mill. These fellows destroyed his fruit. These fellows killed his servants and some of his family"; but we hear nothing of that kind, and the opposition have said openly, many times, "You can not name them." Now, I do not know but that you can. I am seeking only the truth. Why do you not tell who they are?

Mr. LENROOT. Mr. President, I must ask—

Mr. EDGE. My information is exactly the same thing—that so far there have not been outrages of this kind, and it ought to please the Senator from Nebraska that the policy adopted by the Government has prevented them.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Senator from Wisconsin has the floor.

Mr. LENROOT. Mr. President, I must decline to yield further. I have occupied a much longer time than I had any idea of occupying, and I only want to say this in conclusion—

Mr. WALSH of Montana. Mr. President, I desire to get some information from the Senator.

Mr. LENROOT. I will yield for a question.

Mr. WALSH of Montana. I desire to know from the Senator what he can tell us concerning the charge made by the Senator from Idaho [Mr. BORAH] to the effect that Diaz is politically allied with Chamorro, and that really he furnished the brains for the Chamorro revolution.

Mr. LENROOT. I know nothing about it. I only know that the treaty provides that none of the leaders of the coup d'état shall be recognized. It must be apparent that inasmuch as the State Department had refused to recognize Chamorro and had refused to recognize Estrada, after such investigation as they thought was necessary, they concluded that Diaz was not one of the leaders, and was therefore not within the prohibitions of the treaties, and that he was selected by the duly constituted Congress of the Republic of Nicaragua.

Mr. WALSH of Montana. Let me ask the Senator if he can tell us whether they belonged to the same political organization? That is to say, were both of them Conservatives, or both Liberals, or was one a Conservative and the other a Liberal?

Mr. LENROOT. I do not know. Chamorro, I suppose, now would be regarded as a Conservative, but in 1912, I believe, he was regarded as a Liberal; but I am frank to say that these political designations are matters with which I am not very familiar.

Mr. WALSH of Montana. I am speaking now of the election of 1925.

Mr. LENROOT. I think he was a Conservative, and I think Diaz was, too—yes.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

Mr. LENROOT. I will yield for a question.

Mr. BINGHAM. Does not the Senator think, in reply to what the Senator from Nebraska [Mr. NORRIS] stated a few moments ago about our acting on insufficient information, that a letter of this kind shows a desperate state of affairs? If I may have the attention of the Senator from Nebraska for a moment—

Mr. LENROOT. I think I must decline to go into a further discussion of that subject.

Mr. BINGHAM. This letter is from A. L. Nelson, the foreman of the Chicago Bridge & Iron Works at Puerto Cabezas, Nicaragua. May I ask the attention of the Senator from Nebraska to this?

Mr. LENROOT. I yield, provided it does not lead to further discussion.

Mr. NORRIS. I do not want to deceive the Senator from Wisconsin. I will say that it will lead to further discussion.

Mr. BINGHAM. This is a letter from an American foreman at work at Puerto Cabezas, working for the Chicago Bridge & Iron Works. In a letter dated August 29, 1926, he says:

I wired you on August 26 that I was not working. Revolution on here. The morning of the 26th there was a boat came in and the troops on shore met them at the end of the dock—that is where we are building the tanks—and they had a battle, machine-gun bullets flying all around us. The battle lasted for 10 hours. They shot the American flag down on the hotel where I stay.

The Senator seems to think that this story is made up.

Mr. NORRIS. No.

Mr. BINGHAM. The letter proceeds:

The Mrs. was in there when a shell hit it and tore one room all to pieces. The screens and roof are like a sieve. The assistant general manager got shot in the base of the brain. He is not expected to live, and they are taking him to the States to-day.

There is no protection here for an American. You have to take care of yourself, and nothing to do it with. As far as fighting, a man could lick an army. They have the guns, and all we can do is to be the African dodger. Some place for a white man, I must say!

Mr. NORRIS. That does not justify our taking up arms on the side of one faction, does it?

Mr. BINGHAM. That is only one of a large number of communications.

Mr. NORRIS. That is all right, but that is not even a charge that the Sacasa forces ever have injured any property or killed human beings. Every one of those shots, for all that says, might have come from the Diaz people.

Mr. LENROOT. Mr. President—

Mr. NORRIS. Does the Senator think that where there is a revolution on it is a pleasure resort? Does he not know that if we say there shall be no fighting it means taking possession of the country? Does not the Senator know that if there is a revolution in any country there will be guns and swords and all kinds of instruments of warfare, and that people may get injured or may get shot? Are we going to say to one side: "You are disarmed; you can not fight in this revolution, because you will injure American citizens," and in the same voice say to the other side: "Here are arms; here is ammunition; here are all the instruments of warfare; take them and go out"? That is what we are doing.

Mr. LENROOT. Mr. President—

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor.

Mr. BROUSSARD. Mr. President, I should like to ask a question for information. I understand that there was a convention or treaty between five of the powers in Central America, and that it provided that they would not recognize anyone who acquired the presidency through a coup d'état. What was the action of the four other nations to this compact? Have they recognized Diaz?

Mr. LENROOT. None of them have recognized Sacasa. Two of them have recognized Diaz.

Mr. BROUSSARD. And two have taken no action?

Mr. LENROOT. They declined to recognize Sacasa and have taken no action with reference to Diaz.

Now, Mr. President, I want to give notice that I am going to conclude without interruption from any source.

In the first place, Mr. President, wholly regardless of differences of opinion as to the proper construction of the Nicaraguan situation and the legality of the election of Diaz, it seems to me the State Department has taken the only course that it should take in the premises, and it has followed the action of the only functioning, constituted government of Nicaragua, namely the Nicaraguan congress.

In the second place, with reference to the attitude of the United States thereafter, Senators will remember that the United States put an embargo upon arms not only to Sacasa but to Diaz as well; it refused to furnish arms to either party. We asked all of the other four Central American countries to join in that action. They agreed. Then we asked Mexico to join, and Mexico refused. That is what happened. So we were in this position: Sacasa was being furnished arms and munitions from Mexico when the United States and the other Central American countries were refusing to permit the shipment of arms to Diaz. Was that fair? Can anyone justify that conduct—to refuse to permit the shipment of arms to a Government which we had recognized? So that embargo was thereafter raised by the United States.

Then we come to the proposition that we have done more than is necessary for the protection of American lives and American property and the protection of the lives and property of other nationals to whom we owe a duty under the Monroe doctrine. If I believed we had done that, I should not defend it for one moment. So far as I know, that has not been done. So far as I know, there has been no occupation or landing of marines any further than was necessary for that purpose.

The Senator from Idaho suggests that what we should now do is to compel Nicaragua to hold another election.

Mr. BORAH. Not compel but permit.

Mr. LENROOT. Well, permit. I am very certain that we will be glad to permit Nicaragua to hold another election if they can find any way of doing so under their constitution,

and I do not think the Senator from Idaho has any evidence to the contrary. As a matter of fact, I do not know what is now happening. Presumably there was an election last year. There should have been under their constitution. Under their constitution it is provided that the members of the House of Representatives shall have four-year terms and their senators shall have six-year terms. One-third of the senators go out every two years, and one-third of the congressmen go out every two years. Presumably there was an election. Presumably this year there will be a new duly elected Congress under the constitution of the Republic of Nicaragua. If that Congress chooses to change that designation of Diaz to some other party, and finds that they can do so under their constitution, I have no doubt that our State Department will recognize that action, and I think they ought to do so.

I would not for one moment advocate any policy upon the part of the United States that would seek to control any other country for the purpose of exploiting them in the interest of private investment.

I believe it is incumbent on us, for the protection of our own citizens, to discharge the duties we owe under the Monroe doctrine to protect lives and property of our and other nationals; but we should not go any further than that, and I do not believe the United States should beyond that exercise any political power over any Central American or any other country except in the direction of using our influence to secure the fullest degree of self-government upon the part of the peoples of those countries. I believe the United States has done that in the case of Nicaragua, and if we have, we have served the people of Nicaragua, though we may not have served some of the leaders.

I have discussed this matter upon the facts as they appear to me. If other facts should develop, I might change my conclusions, but upon the facts as they now appear I believe the United States was fully justified in the action that it has taken.

FREDERICK I. COX

Mr. EDGE. Mr. President, I had intended discussing the Nicaraguan question to-day, but the hour is so late I will defer it. But in view of the fact that I have been recognized and have the floor, I want to take this opportunity to return to a subject to which I referred at the opening of the session and deferred speaking on because of the absence of the junior Senator from Pennsylvania [Mr. REED], who is now in the Chamber.

Mr. SHEPPARD. Mr. President, I wish to raise a point of order.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Senator will state his point of order.

Mr. SHEPPARD. Is not the matter now in order a vote on the motion to table?

The PRESIDING OFFICER. The pending question before the Senate is the motion of the Senator from Texas to lay on the table the motion of the Senator from New York [Mr. WADSWORTH] to reconsider the vote whereby the Senate committee amendment was defeated; and that motion is not debatable.

Mr. EDGE. Mr. President, may I say to the Senator from Texas that I have no intention of holding the floor longer than five minutes.

Mr. SHEPPARD. I shall not insist on a vote on the motion at this time.

Mr. EDGE. This is more or less in the nature of personal privilege, not personal from my own standpoint, but to discuss a matter rather akin to personal privilege.

Mr. SHEPPARD. I merely wanted to clear up the parliamentary situation, and I shall not insist on a vote upon the motion at this time.

Mr. REED of Pennsylvania. Mr. President, may I ask whether the Senator from Texas will indulge me in the same way for about two minutes to reply to the Senator from New Jersey?

Mr. SHEPPARD. Certainly.

Mr. EDGE. I thank the Senator from Texas. In this morning's Washington Post, in reporting the action of the Senate Committee on Interstate Commerce in the matter of the nomination of Mr. Cyrus E. Woods to be interstate commerce commissioner to succeed Mr. Frederick I. Cox, a former commissioner, who resides in the State of New Jersey, is an article which reads as follows:

Senator REED, in making his final plea for Mr. Woods, contrasted his qualifications for a place on the Interstate Commerce Commission with those of Commissioner Frederick I. Cox, whose term has expired, and for whose vacancy Mr. Woods was nominated.

"Before Mr. Cox was appointed to the Interstate Commerce Commission," said Senator REED, "he was a commercial traveler and sold ribbons. Ambassador Woods has been nominated to replace a ribbon salesman."

The article goes on with some further discussion of Mr. Cox's qualifications. I feel that, representing in part the State of New Jersey, and knowing Mr. Cox quite intimately, it is my duty briefly to refer to that statement.

In the first place, it does not seem to me to be at all in order or necessary to discuss Mr. Cox's qualifications when the sole question should be the qualifications of Mr. Woods. I am quite sure my good friend from Pennsylvania did not mean, when he referred to Mr. Cox, any disparagement in the slightest degree. To have been a salesman was a perfectly honorable business activity, and it is all the more to Mr. Cox's credit if he has advanced from the position of ribbon salesman to become, as he did, the manager of a large department of one of the largest wholesale silk manufacturing concerns in the country, Pelton Bros. & Co., of New York, with branches all over the United States, and to later well serve his Government in the capacity of an Interstate Commerce Commissioner.

Further, as to qualifications, as that question has been raised, in recommending Mr. Cox for reappointment, I went to considerable pains to ascertain the type of service he had given the country. I found nothing but praise. During his service of five years it developed in the many cases in which he sat—hundreds of them, both as an individual commissioner and with other commissioners—not once in all that time did his associates on the commission ask for a reversal or suggest a reversal of any decision he had made. Personally, I think that is a wonderful and an unusual record, and I am glad in this public way to have an opportunity to refer to it.

Again, it might be of interest, in view of the fact that Mr. Cox's business has been made a subject of public comment, to know that Mr. Cox was selected as the chosen representative of one of the well-known national associations, the American Commercial Travelers' Association.

Following the election of President Harding some effort had been made on the part of representatives of that association to have a representative of the association on the commission. That seems to me to have been a perfectly proper ambition. The association represents, I believe, over 900,000 members. They are traveling continuously on the railroads of the country, in every corner of the country. Their relationship and interest in freight matters and transportation matters and railroad safety matters are necessarily very close to the great population of the country, and the propriety of having a representative of that association on the Interstate Commerce Commission apparently appealed to President Harding, and Mr. Cox was duly selected.

Just a word as to his selection. My information is that he was never a candidate for the position; that at a convention of the delegates of the association, numbering several hundred, meeting in the city of New York, representing all sections of the country, he happened to be on the program to make a speech on some subject of interest to the delegates in no way connected with any ambition or thought of this position. Following his address the chairman of the committee which had had this matter under consideration, and which committee had been considering the qualifications of members, took the floor and suggested Mr. Cox's name as the choice of the committee, which was later indorsed by the association. My information is that that came at the time as an absolute surprise to Mr. Cox, although naturally appreciated by him. Following that action he was appointed, and served as Interstate Commerce Commissioner, as I have said, in a manner which to my mind merits every possible approval.

In the consideration of another man's name, the unfortunate use of Mr. Cox's name in connection with his business life has led me to state these facts, so that they might appear in the Record.

Mr. REED of Pennsylvania. Mr. President, the argument to which the Senator refers was necessitated, in my judgment, by the arguments that had been made against the nominee, Mr. Woods. If, as the newspaper report indicates, there seemed to be a sneer in the reference to Mr. Cox as a "ribbon salesman," I can only assure the Senator that that sneer was unintentional. I believed the statement was true, and I did not mean to disparage that occupation as being unworthy.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to

the bill (H. R. 11616) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Ashurst	Frazier	McKellar	Sheppard
Bingham	George	McMaster	Shipstead
Blease	Goff	McNary	Shortridge
Borah	Gooding	Mayfield	Smith
Bratton	Hale	Metcalf	Stoot
Broussard	Harris	Moses	Stewart
Bruce	Harrison	Neely	Swanson
Cameron	Hawes	Norris	Trammell
Capper	Heflin	Nye	Tyson
Caraway	Howell	Oddie	Walsh, Mass.
Couzens	Johnson	Overman	Walsh, Mont.
Curtis	Jones, N. Mex.	Phipps	Watson
Dale	Jones, Wash.	Pittman	Wheeler
Deneen	Kendrick	Ransdell	Willis
Dill	Keyes	Reed, Pa.	
Edge	King	Robinson, Ark.	
Ernst	La Follette	Sackett	
Ferris	Leahoot	Schall	

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, there is a quorum present. The question is on the motion of the Senator from Texas [Mr. SHEPPARD] to lay on the table the motion of the Senator from New York [Mr. WADSWORTH] to reconsider the vote rejecting the committee amendment.

Mr. BINGHAM. On the motion to table I ask for the yeas and nays.

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

Mr. CURTIS (when his name was called). On this question I am paired with the Senator from Missouri [Mr. REED]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

The roll call was concluded.

Mr. REED of Pennsylvania (after having voted in the negative). Has the senior Senator from Delaware [Mr. BAYARD] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. REED of Pennsylvania. I have a pair with that Senator. I am advised, however, that if he were present he would vote as I have voted, so I allow my vote to stand.

Mr. JONES of Washington. I desire to announce that the Senator from Oklahoma [Mr. HARRELD] is necessarily absent, and that, if present, he would vote "yea."

I also desire to announce the following general pairs:

The Senator from Connecticut [Mr. McLEAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Colorado [Mr. MEANS] with the Senator from Mississippi [Mr. STEPHENS];

The Senator from Delaware [Mr. DU PONT] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Massachusetts [Mr. GILLET] with the Senator from Alabama [Mr. UNDERWOOD].

I also wish to announce that the junior Senator from Indiana [Mr. ROBINSON] is paired with the junior Senator from New Jersey [Mr. EDWARDS] on this vote. If present, the junior Senator from Indiana would vote "yea" and the junior Senator from New Jersey would vote "nay."

Mr. ROBINSON of Arkansas. I desire to announce that the junior Senator from New York [Mr. COPELAND] is paired on this question with the senior Senator from Rhode Island [Mr. GERRY]. If present, the junior Senator from New York would vote "yea" and the senior Senator from Rhode Island would vote "nay."

I also wish to announce that on this question the senior Senator from North Carolina [Mr. SIMMONS] is paired with the senior Senator from Delaware [Mr. BAYARD]. If present, the senior Senator from North Carolina would vote "yea" and the senior Senator from Delaware would vote "nay."

The result was announced—yeas 53, nays 11, as follows:

YEAS—53

Ashurst	Dale	Frazier	Harrison
Bratton	Deneen	Goff	Hawes
Cameron	Dill	Gooding	Heflin
Capper	Ernst	Hale	Howell
Couzens	Ferris	Harris	Johnson

Jones, N. Mex.
Jones, Wash.
Kendrick
Keyes
La Follette
Lenroot
McKellar
McMaster
McNary

Mayfield
Neely
Norris
Nye
Oddie
Pittman
Ransdell
Robinson, Ark.
Sackett

Schall
Sheppard
Shipstead
Shorridge
Nye
Smith
Smoot
Steck
Stewart
Swanson

Trammell
Tyson
Walsh, Mont.
Watson
Wheeler
Willis

Bingham
Blease
Broussard

Bruce
Edge
George

King
Moses
Phipps

Reed, Pa.
Walsh, Mass.

NOT VOTING—31

Bayard
Borah
Caraway
Copeland
Curtis
du Pont
Edwards
Fess

Fletcher
Gerry
Gillett
Glass
Gould
Greene
Harrell
McLean

Means
Metcalf
Norbeck
Overman
Pepper
Pine
Reed, Mo.
Robinson, Ind.

Simmons
Stanfield
Stephens
Underwood
Wadsworth
Warren
Weller

So the Senate laid on the table Mr. WADSWORTH'S motion to reconsider the vote by which the committee amendment was rejected.

Mr. KING. Mr. President, two or three days ago—and I think I am not betraying the confidences of the executive session—I gave notice that at 2 o'clock to-day I intended to address the Senate in opposition to the Lausanne treaty. I was prepared to proceed with the discussion of that question at that hour. I was told, however, about 11 o'clock this morning, that the chairman of the Committee on Foreign Relations, the senior Senator from Idaho [Mr. BORAH], had given notice or had indicated, at least, his purpose to address the Senate at 2 o'clock on the Nicaraguan situation. I felt constrained, of course, not to interpose any objection in view of the fact that the chairman of this important committee had indicated his desire to take up the Nicaraguan question. At the same time I stated to my informant that I might ask, in view of that fact, that an additional day be given for the consideration of the Lausanne treaty.

The Senator from Idaho, chairman of the Committee on Foreign Relations, pursuant to the information to which I have referred, did address the Senate, beginning at 2 o'clock to-day. His discussion provoked, which was quite proper, a reply from the Senator from Wisconsin [Mr. LENROOT], and more or less debate has taken place until a few moments ago, and it is now 14 minutes past 5 o'clock.

There are objections to moving that the Senate do now proceed to the consideration of executive business to take up the Lausanne treaty, although, under the unanimous-consent agreement with reference to that treaty, I am sure it was understood by all Senators that it should have precedence over every other matter pending or that might come before the Senate until it was disposed of. I am not complaining, Mr. President, because it was displaced to-day and the so-called "baby bill" forced upon the Senate for consideration.

THE TURKISH TREATY

Before proceeding to a discussion of the maternity bill, I desire to call attention to a telegram which the Senator from Connecticut [Mr. BINGHAM] caused to be read at the desk on the 11th instant, signed by James L. Barton, and a number of other persons, claiming to represent a few religious organizations. I stated at the time that the telegram was misleading, if not untruthful; that I should feel constrained to make a brief statement in open session in relation to some of the questions referred to in the telegram, notwithstanding that the Lausanne treaty was being discussed in executive session.

The same telegram presented by the Senator from Connecticut was sent to me, and as I understand, to many other Senators. It was a propaganda telegram, sent by the group which Doctor Barton and associates represent, for the purpose of influencing the vote upon the Lausanne treaty. As is well known, Doctor Barton who has shifted his position many times, who repeatedly denounced the Turks, and who condemned the Lausanne treaty, is now its chief advocate and its most vigorous propagandist. He has haunted the Capitol for weeks, buttonholing and importuning Senators to vote for the ratification of the treaty.

I shall now read the telegram which I received from Doctor Barton and associates, it being the same telegram inserted in the RECORD by the Senator from Connecticut:

NEW YORK, January 10, 1927.

Senator WILLIAM H. KING,

United States Senate, Washington, D. C.:

Recent statement of Manning, Cadman, and Cannon has been brought to our attention. Not one of the churches referred to has any work

in Turkey. Congregational Church, Young Men's Christian Association, Young Women's Christian Association, and Near East Colleges are the only organizations in this field. Professional courtesy should certainly permit American institutions responsible for large interests to speak for themselves. That we have consistently urged ratification is a matter of public record, and it is not fair to imply that only special commercial interests are concerned. All assertions in body of statement are so misleading and misconstrued that we can not let them go unchallenged in view of prominence of men involved. Legitimate American interests are protected by treaty, and moral obligations can be discharged more effectively by America after diplomatic relations are resumed. We realize from long experience problem is exceedingly complicated, but we have confidence in your good judgment. We believe treaty will be ratified if full consideration is given to all the facts.

CLEVELAND E. DODGE,
MRS. FRANK A. VANDERLIP,
JOHN R. MOTT,
MRS. HENRY GODDARD LEACH,
JAMES L. BARTON,
MRS. JOHN H. FINLEY,

Representatives Above-named Organizations.

In reply to this telegram I wrote to Doctor Barton and associates, as follows:

Mr. CURTIS. Mr. President, is the Senator from Utah about to read something that should be read in executive session? I hope not.

Mr. KING. No. The letter refers to a telegram that was read in open session, a telegram which was sent to me and to other Senators.

Mr. CURTIS. A telegram which was read here in the Senate in open session?

Mr. KING. Yes.

Mr. WILLIS. Mr. President—

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

Mr. KING. I yield.

Mr. WILLIS. I suggest to the Senator from Utah that it is my recollection that the telegram to which he is now replying was published in the RECORD in answer to another telegram, taking the contrary view. Does not the Senator think it would be wise to let the controversy rest there as between the two telegrams? It seems to me that this is an indelicate subject to discuss in open legislative session.

Mr. KING. I know nothing about a former telegram; but the telegram from Doctor Barton was read, and I stated at the time that I should feel constrained to reply, and what I now desire to do is to read the reply which I made to Doctor Barton, the sender of the telegram. I shall not discuss the Lausanne treaty, as that is to be considered in executive session. I feel, however, entirely justified in reading into the RECORD my reply to the letter which was given so much publicity after being placed in the RECORD.

JANUARY 12, 1927.

Rev. JAMES L. BARTON, D. D.,

14 Beacon Street, Boston, Mass.

SIR: I have before me a telegram dated January 10, 1927, signed by yourself and associates.

You say that only your organizations are engaged in work in Turkey, and you further imply that those American churches and organizations which are not now represented in Turkey are incompetent to have any opinion as to the terms of a treaty with Turkey. You also assert that Bishop Manning, Doctor Cadman, and Bishop Cannon, in their joint telegram to the Senators, have made misleading statements, which, however, you fail to specify.

For a number of years I have given attention to conditions in the Near East and to the situation in Turkey. I have conferred with thousands who have lived in Turkey, many of whom fled to escape massacre. I have recently conferred with persons who have been in Turkey and who are familiar with the political and economic conditions there existing. In July, 1925, I was in Turkey and made as thorough an investigation as possible of conditions in that country.

Among those who have recently returned from a visit to Turkey is Bishop Cannon.

I submit many of the statements made by Doctor Barton and others who are lobbying for the treaty are misleading, inaccurate, and wholly unwarranted. It is true that for a number of years missionary work was carried on in Turkey and schools were established, but the activities of the missionaries were among the Christians, those of Hellenic descent, and the Armenians. The Turks were hostile to Christianity and the work of the missionaries, so far as the Turks were concerned, was wholly impotent and valueless.

I have before me a report, dated 1923, by Doctor Barton to his board, in which he states that there were in pre-war Turkey 1,048 schools, partly or wholly maintained or supervised by American missionaries. As many as 50,000 Christian pupils attended these schools. Under the rules then existing, established since 1821, the missionaries had the right to teach religion in their schools to any student, and the management of the schools was practically free from interference; surely from any manner of direction by the Government. That is to say, these schools were actually American missionary institutions.

I have also before me a memorandum, dated 1926, by Doctors Barton and Peet, and addressed to the State Department, in which it is claimed that there are now no more than 11 American schools, attended by about 2,000 pupils.

Under the rules now in force the curriculum of the said schools is prescribed by the Turkish Government, as are those of all Turkish schools; many unfit instructors are appointed by it to teach in them—I understand there are eight such unfit Turkish instructors at Robert College—and the teaching of religion is formally forbidden in all of them, to Christians and to Moslems alike; that is to say, these schools, which are supported by American Christians, are no longer American but Turkish schools. Likewise, they are no longer missionary schools but are entirely secular—and Turkish.

I also understand that the Young Men's Christian Association and the Young Women's Christian Association are allowed to keep branches in Constantinople and Smyrna, but only under altered and Turkish titles, designed not to have any suggestion of Christianity in them, and that they are used by the Turks as social, secular clubs. Surely, these two or three branches are in no manner entitled to Christian or American support—at least not for any benefit they may extend by directly or indirectly advancing the cause of Christianity.

Let me remind you that under the pending treaty the Turks would be permitted to establish, without hindrance, schools in the United States to convert Christians or Jews to Islam.

I have already indicated the nature and extent of the interests which you represent—interests certainly not very impressive.

You no doubt know that many Congregationalists, among them the eminent Doctor Cadman, and the presidents of many of the leading Congregationalist colleges, are against the treaty; also, I have the testimony of returned missionaries that the majority of Americans in the interior and many in Constantinople have not subscribed to the petition for the ratification of the treaty which was promulgated by Kemal and our State Department, and that not a few of those who did were most reluctant. The New York headquarters of the Near East Relief Society have repudiated the signature of their Constantinople agent to that petition.

You must admit that the Episcopal Church, the Methodist Episcopal Church (South), the Northern Baptist Church, and the Reform Church, which oppose this treaty have a clear right and title to speak as Americans and Christians in defense of the honor of their country and their faith. Some of these churches have peculiarly close relations with the Orthodox and Apostolic Churches, and know much more intimately than the organizations, which you presume to speak for, the real desires and interests of those ancient communions whose rights and liberties and very lives are at stake.

Possibly also these denominations may in the future wish to establish missions themselves in that field which has not been preempted by your little group.

You advance the plea of ecclesiastical comity, but you certainly do not exhibit its features in your arrogant demand that your views and pronouncements be not questioned nor examined. In fact, you reduce all other religious bodies to the same small estate as you seek to prescribe for the Senate, which is ordered by you to sign on the dotted line.

Obviously those who advocate the Turkish case can not properly appear in court for the Christians, the dead or living, victims of Turkish barbarity.

You have persistently misrepresented the facts of the case by suppressing or by denying the atrocities by the Kemalist Government. You, the alleged or pretended representatives of Christian bodies, have stood as apologists for the revolting crimes of this present Government against your former friends and constituents.

It is a matter of record that the Kemalists since 1919, when they attained power in Anatolia, perpetrated wholesale massacres at Marivan, along the Pontus, in Cilicia, at Alexandropol, and in Smyrna and Mosul. They expelled, with every calculated brutality and bestiality, more than 2,000,000 Christians from their ancestral homes and robbed them of all their possessions. I have in my possession a recent letter from an American missionary in Constantinople who says that there is no doubt that the remaining Christians are oppressed and discriminated against, and that there are Christian girls in slavery in Turkish harems. It seems to suit your purpose to lead the American people to believe that the Turks who have done and are doing these things are "enlightened" Turks, worthy of the sympathy and friendship of America.

Doctor Barton's recent opinion concerning the Kemalists and upon the treaty has been a strange one. I find that, in a report to the State Department, late in 1919, following a visit to Turkey, he has characterized the Kemalists as "unrepentant" wrongdoers, and could see "no possibility that the Turks can give the Armenians a government that can be acceptable." Later, in July, 1923, before the American Academy of Political and Social Sciences, in Philadelphia, he said: "You will remember that the Turks, after looting and burning Smyrna, turned toward Constantinople with the manifest purpose of repeating there what they had done in Smyrna." At Lausanne he was quoted as saying that he was "humiliated" at the rôle which the American delegation played. Late in August, following the negotiation of the treaty, by letter, he said that "I can not believe the Senate will ratify it." He now extols those same Turks, and urges the Senate to ratify a treaty which he himself has rightly assumed would not commend itself to the moral sense and wisdom of the Senate.

I desire to state emphatically that you, by your betrayal of the Christians and by your espousal of the cause of unrepentant murderers, have destroyed any possible effect of your professions; surely, you have put expediency above the fundamental principles of the religion which you profess. History will render its verdict upon your conduct, and let me remind you that mankind holds its greatest condemnation and contempt for those who, like the actual or legendary Vicar of Bray, shift and turn to catch the veering winds of expediency.

Bishop Manning, Doctor Cadman, and Bishop Cannon refer to three decrees against the Christians: One, forbidding the reentry into their homes of the refugees, whose property the Government has seized as "abandoned property"; two, segregating them within pales; and three, debarring them from certain occupations.

You claim that these conditions, and many others equally outrageous and contrary to the provisions of the treaty which Turkey but recently signed with other powers, may be righted after the treaty has been ratified. You must either say that such conditions do not exist, or you must, if you are sincere, indicate the basis upon which you propose to intervene to right these wrongs, and you must attempt to establish such legal basis for future action. The treaty recognizes Turkish law and accepts the existing conditions.

The treaty does not, as you say, protect American rights; on the contrary, it surrenders existing American rights and offers in return but empty Turkish promises. It grants Americans the rights enjoyed by the natives, and as former Ambassador Straus has observed—

"The natives have no rights."

But it is not true that this treaty was negotiated in the interest of American national rights. There is much to indicate that it was negotiated in the interest of a group of oil speculators and promoters. It barter away both American rights and honor and abandons Armenia.

Secretary Hughes himself laid down the conditions for a new treaty with Turkey, and among these conditions was protection for the remaining Christians in Turkey. President Harding likewise promised to protect the rights of Armenia. While the Allies inserted in their treaties provisions in favor of the Christians, we did not, and we completely betrayed Armenia.

At Lausanne, her political and territorial rights were sacrificed, apparently, to secure for the special interests a share in Mosul oil, if not other concessions; and finally ratification of the Lausanne treaty is urgently sought in order to enable that group to consummate a partnership with the Turks for the purloining of Armenian oil and other mineral resources.

The Turks have destroyed and robbed everything above the ground, and now a group or groups of Americans would enter into partnership with them to steal what is under the ground; and you, so-called Christian missionaries, defend and extol the conspiracy.

All considerations aside, however, I must tell you very frankly that neither the few Americans in Turkey nor their representatives here can dictate American policy with regard to Turkey. The Senate of the United States must consider and determine the terms of treaties. This Government, and not your or any other organization, is charged with the duty of maintaining the honor and prestige of the Nation and of protecting the rights and interests of its citizens.

Your interests are not the sole or most important American interests in Turkey, nor is your knowledge of conditions there superior to that of your opponents. The treaty will be considered, you may be assured, on the basis of "all the facts" and not on the basis of worthless Turkish promises, fantastic hopes, or gratuitous assumptions.

In my opinion, you would better serve the Turks and possibly command their confidence, as you might also regain the respect of the Christians whom you now abandon, if you impressed upon Kemal Pasha that he could not seek American moral and material assistance until, at least, he recognized the rights of nearly a million Armenians, now refugees and exiles, whose homeland—Wilson Armenia—now lies desolate, a "No man's land."

Very truly yours,

WILLIAM H. KING.

MATERNITY BILL

Mr. President, I turn to a consideration of the pending bill (H. R. 7555), which is an act 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.

This bill extends for an additional period of two years an act which by its very terms was to expire the last of June of the current year. The bill, when it came to the Senate committee, was amended, and instead of extending the act for a period of two years, or in the aggregate seven years, it was extended for an aggregate period of six years, or one year beyond the life of the measure which will expire by limitation in June, 1927.

Mr. President, Senators who were in the Senate when the act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes, approved November 23, 1921, was under discussion, will recall that it provoked a very lively and earnest controversy. Many Senators who were opposed to the measure expressed their views and argued against the wisdom, the propriety, and, indeed, the constitutionality of the proposed legislation.

The Senator from Maryland [Mr. Bruce] this afternoon has discussed this bill, in an earnest and eloquent address which should challenge the attention of Senators, some of whom, I fear, are indifferent to the sovereign rights of the States and to the unwisdom and indeed danger of legislation of this character. If the Senator from Maryland—erudite, eloquent, and patriotic as he is—shall remain in the Senate a few years longer, he will have such cause, if he is vigilant—and he will be vigilant—to oppose measures of which this is a type, which are foisted upon the people by propagandists, hysterical men, and too often neurotic women—measures which trench upon the rights of the States and undermine the foundations of this Republic. I fear that the speech of the Senator fell upon deaf ears, as have other speeches delivered here and elsewhere which pleaded for the maintenance of the rights of individuals and the rights of local self-government against the aggressions of this new federalism which seeks to reduce individuals, communities, and States to a protoplasmic mass and places upon all persons the stamp of uniformity, physically, mentally, and intellectually.

I pause here to remark that many of our public teachers, publicists, and writers are afflicted with the malady of uniformity. They think that heterogeneity in conduct, in thought, in political philosophy, in governmental development, is improper; that homogeneity is the indisputable evidence of progress and development.

Mr. President, one of the great contributions to philosophy and to sociology was made by that profound writer, Herbert Spencer, one of the greatest philosophers of modern times, who demonstrated, if anything can be demonstrated, that progress is measured by departures from homogeneity. In the biological world we find the small cell throwing off other cells, and by evolutionary processes and departures from the lowest cellular form, higher organisms are produced. We are told that evolution in any form is forbidden to be taught in some States which I shall not now mention; but to the devout and true scientist, like Sir Oliver Lodge, and the profound theologian and the sincere and devoted believer in the Christian religion, God is recognized in the great evolutionary processes, the evidences of which are unfolded to the view of all. Man is the supreme creation, and his progress results from variations, differentiations, and departures from stereotyped forms which ignorant people regard as humanity's highest possible attainment.

The age needs men and women of courage, who reject the view that we must all be placed on a Procrustean bed and assume a stereotyped form. Many of our educators follow a rut and compress the immature mind into narrow forms. Uniformity and monotony are the Nirvana to be attained. In the classrooms the students' mental movements must proceed with the regularity of the goose-step march. Provision is lacking for differences in the intellectual capacity of students. They must study the same books, at the same hours, in the same manner, under the same teacher, and keep step, instead of being permitted to spontaneously assert themselves and to grow with proper regard for their inclinations and peculiar mental characteristics.

Many persons come to Washington and insist that every State shall be stamped with the same brand. There must be uniform laws for everything and everywhere. We must have uniformity, and the Federal Government must exert a power

which it does not possess under the Constitution to compel uniformity.

In my opinion, this attitude is destructive of progress, and hostile to liberty, political and intellectual. It savors too much of despotism. That was the theory of Mr. Lenin in Russia, that all must think alike, that every man, woman, and child must be allocated to some particular place in the political and economic life of the people. There was no chance for diversity, no chance for individualism, no chance for the assertion of the qualities of mind which result in mental and intellectual dissimilarities.

The protests of liberals in all ages have been against the absolutism of kings and political tyrants. The struggle has been to emancipate not only the body, but the mind, from the tyranny of monarchs and despots. Physical slavery existed for centuries, and in some modified forms exists to-day, unfortunately, in some parts of the world, but there is something worse than political slavery, and that is mental slavery, political and industrial servitude.

There are those in the United States who would deprive individuals of freedom and subject them to bureaucratic and Federal control—depriving them of inalienable rights. They would wipe out States and consolidate them under the authority of the Federal Government. They would bring us into the same colloidal mass, and the individuals and the States would move only as they are pricked by some political power or some bureaucratic force functioning here in Washington.

This bill before us is a manifestation of this dangerous spirit to which I am referring. Of course, we are all interested in hygiene, in health, in the preservation of life not alone of children but of men and women. Millions of dollars, if not hundreds of millions, are being expended in the States, wrung by the taxgatherer from the people, for the promotion of the health of the people.

Mr. President, I venture the assertion that never in the history of the world has there been such general progress during a like period as has been made in the past 50 years by the people of the United States, acting under their State governments and exercising the rights which belong to them as individuals and which they committed to their municipal authorities and to their States.

We have a number of men and women, however, who infest the Capitol, who prowl through the corridors, and sit in the galleries. They are here for no good purpose. Not satisfied with the progress which the States are making, they think if the people can be touched with the powerful hand of the bureaucrats of Washington a new era will dawn. They want to compress all into the same measure; they want to put the States and the individuals upon a Procrustean bed—the States that are too short to be drawn out, and those that are too long to be cut off. We must think alike and act alike, and the States must be moved by the same causes and inspired by the same spirit, and must march together in the goose-step style to which I alluded a moment ago.

So far as I am concerned, I hope each State will differ from every other State; that there will be diversity among the States. I should dislike to see the State of Massachusetts act and think and proceed along the same lines identically as the State of New York, or Illinois. It is important to have happy but earnest rivalry between the States, and if one State surpasses its fellows in education immediately there will be developed a spirit in the other States that will stimulate each State, as well as its people, to surpass other States.

If one State has better sanitary regulations or health regulations than another State, immediately the people within the States that are behind will examine the situation, and they will enact such legislation as may be necessary in order to put their States upon an ascending plane to the end that no State may surpass them.

Ah, Mr. President, this Austinian theory of uniformity, I believe, is destructive of progress. The view of Professor Freund, as I recall, as well as the view of Professor Ashley, is that the tendency in governments is toward centralization and uniformity and that the tide is irresistible. There are facts to support that view, but I believe that in the end democracy will triumph as against consolidation and paternalism and oppressive federalism. In Great Britain, which at one time was an empire—and it was written with a large E—and in the time of George III tyranny was exercised by the executive authority which controlled the empire. But witness the miraculous development of the British Empire. Australia not only has an autonomous government, but it is almost an independent State. Our neighbor, Canada, enjoys political freedom and is in fact an independent republic.

In South Africa the Boers and their descendants, and a multitude of people, indeed, a polyglot population, who, though they are within the British dominions, enjoy an independent status. The same applies to New Zealand, and in India an autonomous state will soon exist.

Ireland, which for years was deluged in blood, which suffered from oppression and persecution, has been emancipated, and is now a free State, bound to the British Government by most tenuous and diaphanous cords, but in a manner that is regarded by many as mutually advantageous to the Irish people and to those who live in Great Britain.

I insist that a proper interpretation of the political movements in the world leads to the conclusion that the future will be for democracy, and not for autocracy. More and more the cause of justice and liberty and self-government will triumph, and less and less will be the power of autocratic governments.

Returning, this bill, as I have said, finds its origin in that spirit of uniformity and bureaucracy which I have been condemning, and which I think ought to be condemned. It is based upon the supposition that the people of the States do not know how to take care of themselves, that they are incompetent to govern themselves and to determine what is for their best good.

We have a number of hysterical men and charming ladies who think they know better how the States should be governed than the people within the States. Some of them, however, are paid lobbyists, or belong to organizations which keep them here in Washington, where they are constantly on guard not to extend liberty but to restrict the rights of the people, and to augment the powers of the Federal Government and its bureaucratic agencies.

Mr. President, I venture the assertion that a very large number of the bills introduced in the House and in the Senate have their inspiration from lobbyists and paid representatives of organizations which plant themselves here in Washington.

An active minority can secure the passage of almost any legislation. Senators know that if they indicate opposition to some of the bills which the lobbyists are seeking to have enacted into laws, within a few hours these lobbyists will wire to organizations with which they are identified and a flood of telegrams will be released upon the unoffending heads of Senators, insisting that they shall vote for the bills or measures which the lobbyists in Washington desire to have passed.

I recall only a few years ago some unimportant item in an agricultural appropriation bill was under consideration, and I indicated some opposition to it. Within a few hours I had many telegrams from my State insisting that I should not oppose that particular item. Who inspired those telegrams? A lobbyist or an employee in one of the bureaus of the Department of Agriculture. That item affected his jurisdiction. If that appropriation were made, it would give him perhaps a little higher salary or give him a little more authority. So when any Senator indicates a desire further to inquire into an item or to oppose it a representative of an executive department gets into communication with lobbyists here or persons in the States which might be the beneficiaries of the appropriation, and immediately the wires are used to coerce Senators into supporting the appropriation or the item in question.

Mr. President, I have had many telegrams during the past week in regard to this bill. I have had telegrams from ladies, as charming and able and fine women as can be found in the world, urging that I vote for this measure. I venture the assertion that 80 per cent of the telegrams and the letters were inspired by the Woman's Bureau, or the Child Bureau, or some of these representatives of organizations which exist here in Washington for the purpose of securing or controlling legislation.

That is their business. They are paid to lobby, paid to get legislation, and of course, they feel perfectly justified in sending telegrams and exerting every influence to secure the legislation in question.

Mr. President, I said that the act which was passed in 1921 presupposed the incapacity of the people in the States to determine for themselves what they wanted. I have had men in some of the departments come to me and ask for letters to members of the legislature of my State and letters of introduction to members of the legislature of the State of Wyoming as they wanted to go there and try to get legislation from those States matching proposed appropriations to be obtained from the General Government. Many of them would lose their jobs if they did not get these 50-50 appropriations, if they did not project the Federal Government into the affairs of the State, and if we proceeded upon the theory that the people of the States know their own business better than do a lot of bureaucrats and lobbyists and organizations in Washington.

I believe that the people of the States can govern themselves better than they can be governed from Washington. I would rather trust the people than I would trust the bureaucrats of Washington. I would rather live under a benevolent despotism than under the bureaucracy which we are building up in the United States. We have now between 600,000 and 800,000 Federal officials. They will be increased in number. Instead of diminishing the bureaus we are multiplying them. The number of Federal employees next year will be greater than the number this year. Mr. Coolidge, in a speech which he recently made in New York, stated that we had reached the low-water mark in appropriations, and that the appropriations for running the Federal Government in the future would be greater than they are now. What does that mean? More bureaus, more Federal agencies, more employees, heavier taxes, more persons to eat out of the Government crib, more lobbyists in Washington to secure legislation, more organizations infesting the Capitol to influence legislation and to secure the passage of measures which they desire.

Why not trust the people? If States lag behind they will soon go forward. It is not so important that we all move forward together. It is important that the people within the States learn the art of self-government, and it is the most difficult thing in the world to learn. It is better to have the right of self-government than to have government imposed upon us.

I did not hear all of the speech of the Senator from Idaho [Mr. BORAH] this afternoon, as I was called to a committee meeting, but I assume from the few remarks which I did hear that he was championing the cause of local self-government, the right of self-determination, the right of the people of Nicaragua and of the Central American Republics to determine for themselves the kind of government under which they wish to live. We have Americans who are naturally imperialists, or socialists, who get their inspiration for the government of our country, not from the Constitution, not from our institutional life, not from the teachings of Jefferson, Washington, Adams, Lincoln, and Wilson, but from the imperialistic governments of the Old World or the teachings of Karl Marx.

Mr. President, our Government is founded upon the theory of the competency of the people to govern themselves, founded upon the right of the States and the people within the States to determine their own destinies or at least to determine their own internal and domestic policies. But apparently Congress is not satisfied with this view and declares to the people, "You do not know how to govern yourselves. You can not control your schools. We must, therefore, have a department of education. You do not know enough about hygiene and sanitation, therefore we must have Federal doctors and inspectors and maternity homes and maternity bills and all of these measures which find their most eloquent expositors in Bolshevik Russia to-day."

In Russia, may I say in passing, the view prevails that the state should take care of everything and everybody. The theory of the communist government is that the state must care for the children. They are wards of the state. The state is responsible for the children, for their education, their homes, their thoughts. The parents are to be relieved of the duty and responsibility of teaching and feeding and caring for their offspring. The state takes the place of parents, home, religious teachers. I was told when in Russia that when Bolshevism reaches its final and beautiful fruition there will be state hospitals and homes in every part of Russia for all children; and soon after a child is born the state will take it from the mother and care for it, the mother being thus permitted to go back and become a factor in the economic life of the state.

I shall show before I get through that Miss Grace Abbott and some of those who are connected with the Children's Bureau have promulgated some of the views of the Bolsheviks and have given currency to some of the books which were written by Madame Kollantai, who is now the Bolshevik minister of Russia in Mexico and who at one time was connected with the office of the commissar of education in Russia. I proceed now to a discussion of the bill and some of the activities of the organization created by the act which was passed five years ago.

The Children's Bureau in the Department of Labor was authorized by the act of Congress approved April 9, 1912. The bureau is now in its fifteenth year of operation and existence. The pending bill, with the Senate committee amendment, provides for the extension until June 30, 1928 of the so-called maternity act which will expire by limitation June 30, 1927. Senators will recall that a short time ago the amendment of the Senate committee was rejected and the House language,

therefore, adopted. There were not a dozen Senators present, and I doubt whether there were more than one or two of those present who knew that the motion was put. However, if no other Senator does so, I shall ask for a reconsideration of that matter when the bill reaches the Senate.

As provided by the action which was taken a little while ago in rejecting the committee amendment, provision was made for the extension of the maternity act for two years longer than was contemplated when the act was originally passed. Inasmuch as the maternity act itself was distinctively and entirely a creation of the Children's Bureau, at least in its inception, and the propaganda which secured its enactment, and accordingly represents an important phase, if not the most important phase, of the policy which motivates the Children's Bureau, it is in order to consider the record and functions of the Children's Bureau as bearing materially upon the judgment to which we shall come upon the pending question of the further extension of the operation of the maternity act and the continuation of the appropriations which support the bureau's activities in the so-called maternity field.

The maternity act, unless Congress intervenes, will expire by limitation June 30, 1927. The so-called child labor act, which was also a parcel of this same indefensible policy which motivates the Children's Bureau, was passed by Congress and became a law on September 1, 1916. This act was declared unconstitutional by decision of the Supreme Court of the United States on June 3, 1918. In further exploitation of the policy which moves the Children's Bureau, Congress passed the child labor tax act, which became a law February 24, 1919. This latter act was declared unconstitutional by the Supreme Court of the United States on May 15, 1922.

On September 1, 1916, Congress, in response to propaganda carried on by professional lobbyists and publicists, submitted to the States for ratification the so-called child labor amendment to the Constitution. On February 9, 1920, the legislatures of half the States had certified to the Secretary of State their definite rejection of that amendment. I am told that some of these same lobbyists are still at work and are to continue their indefensible course in trying to rob the people of the control of their own children and the States of their undoubted and undisputed authority.

The Federal child labor policy in all its aspects and phases, as far as affected by Federal legislation, has been rejected by the Supreme Court of the United States, by three-fourths of the States, and by the country at large. Congress itself limited the operation of the maternity act to five years. In the face of this record, and of the indubitable position of the country, and the Commonwealths and communities of the country upon this question, we may well pause to give congressional countenance to the continuation of this unconstitutional policy.

The orthodox view upon this question was stated by Mr. Justice Day for the Supreme Court of the United States in *Hammer v. Dagenhart* (247 U. S. 251), in passing upon the first child labor act, in which, speaking for the court, he said that to sustain the statute—

Would sanction an invasion by the Federal power of the control of a matter purely local in its character and over which no authority has been delegated to Congress. * * *

Mr. President, do you think that this sound statement by one of the great judges of our Supreme Court affected these lobbyists and those who believe that the people are incompetent to govern themselves and that Federal bureaus have greater virtue for safeguarding the welfare of the people than have the people themselves? Not at all. As soon as the unconstitutionality of that act had been declared, there was a great agitation among the professional lobbyists and the men and women who want to destroy our form of Government, to transfer the power of the people to a paternalistic and bureaucratic government, and they again began their insidious attacks upon the States and upon the rights of the fathers and mothers and the people themselves with respect to their local and domestic affairs. I continue to quote from Mr. Justice Day:

This court has no more important function than that which devolves upon it the obligation to preserve inviolate the constitutional limitations upon the exercise of authority, Federal and State, to the end that each may continue to discharge harmoniously with the other the duties intrusted to it by the Constitution. * * * Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend.

I digress here, Mr. President, to call attention to a little episode that indicates the manner in which these measures that infringe upon the rights of the people and steal away their

power are promoted and their passage secured. When the maternity act was under consideration, nearly five years ago, I remember a number of charming and intelligent ladies did me the honor to call upon me and ask my support of the bill. I asked them what their reasons were for the measure. They said that there were some women in their States who did not have the means and their husbands did not have the means to care for them in the hour of maternity, and they felt that the Federal Government therefore ought to do that.

I asked, "Have you a State law in regard to this matter?" "Well, we do not know." "Do not your county commissioners or your municipal authorities make provision by taxation and otherwise to care for the indigent and those who are in need of assistance?" They said, "We do not know." They said, "We got the understanding that Congress alone could legislate upon these matters; we did not know that the States had any authority to deal with this question; so we are down here lobbying to get Congress to pass this bill." I called their attention to our dual form of government and to the duties and powers of the States in respect to local and domestic affairs. I stated that the States from which they came possessed the power to enact laws with respect to establishing hospitals, furnishing nurses in case of maternity, as well as medical assistance. When they perceived the dual form of government and understood that their States had the power to deal with this question in a broad and comprehensive way, they said, "We are opposed to this bill, and will no longer lobby for it."

Many patriotic men and women are led to support unwise, improvident, and too often unconstitutional bills upon false representations and because of their failure to understand our form of government, and the belief that only Congress can deal with questions which belong exclusively to the State. They are imposed upon. Then, there are some men and women who want jobs in Federal bureaus and Federal agencies under these half-and-half measures who are too often, Mr. President, willing to conceal the facts and mislead the people as to the powers of the States and the duties which devolve upon the States to deal with their domestic problems.

To circumvent the decision of the Supreme Court of the United States to which I have referred, Congress passed the child labor tax law, approved February 24, 1919.

Mr. President, I do not want to criticize, but undoubtedly there were men in both branches of Congress who felt that that measure was unconstitutional; that it was a perversion of the taxing power of the Government, but the bill was passed. The lobbyists were here, the organizations of which I have been speaking were here, and every Senator who exhibited any opposition to it was branded as a "reactionary" and as an opponent of liberal and progressive legislation. According to the ideas of some people, Mr. President, one is a progressive if he believes in centralizing all authority in the hands of bureaus in Washington. I believe that a progressive, a liberal, is a man who believes in local self-government, in the rights of the individual. Liberals and progressives in many countries are believed to be those who believe in decentralized authority, and who are contending for local self-government and for greater personal and individual liberty. But in the United States some who profess to be liberal and progressive, are the most earnest in their efforts to shackle the individual, devitalize the States, destroy local self-government, and vest in the Federal Government unlimited power. They believe in bureaucracy with all of its evils and in paternalism with all of its deadly consequences. I can not conceive of any government more tyrannous and oppressive than a paternalistic or bureaucratic government. It is getting so now, Mr. President, that we must have a representative of the Government visiting every home. In every State of the Union we find not a few but in many States thousands of Federal officials, and their number is being multiplied until they are becoming veritable pests, spying and prying into the private affairs and the business activities of the people, and trying to assert over the people authority that is absolutely at variance with all conceptions of liberty and our theory of government.

Mr. NEELY. Mr. President, may I take advantage of the opportunity to inquire when the Senate is going to adjourn to-night, if the Chair happens to know?

Mr. KING. Mr. President, I do not wish to lose the floor.

Mr. NEELY. I understand the Senator will not lose the floor.

Mr. BROUSSARD. Mr. President, a parliamentary inquiry. The PRESIDING OFFICER (Mr. Oddie in the chair). The Senator will state his parliamentary inquiry.

Mr. BROUSSARD. How could the Senator from Utah lose the floor if we adjourn while he has the floor?

Mr. KING. A parliamentary inquiry, Mr. President. If a motion to adjourn is made, do I lose the floor?

The PRESIDING OFFICER. The Senator would have to yield the floor for that purpose.

Mr. KING. I understand—and this is purely a parliamentary inquiry—that a motion to adjourn may be made without the Senator on the floor yielding the floor.

Mr. LENROOT. May I suggest, Mr. President, that, except by unanimous consent, a Senator can not yield the floor for the purpose of making any motion without losing the floor.

Mr. KING. Mr. President, I will ask another parliamentary inquiry. If I, myself, should move to adjourn, would I lose the floor?

The PRESIDING OFFICER. The Senator would lose the floor if he himself should make that motion.

Mr. KING. Then, in self-protection, Mr. President, I shall proceed.

In declaring this act to be repugnant to the Constitution and outside of the lawful legislative authority of Congress, Mr. Chief Justice Taft, speaking for the Supreme Court of the United States in the Child Labor Tax case (259 U. S. 20), amplified the views of the court as to the lack of authority in Congress to control the labor of children as such. The Chief Justice said:

The law is attacked on the ground that it is a regulation of the employment of child labor in the States, an exclusively State function under the Federal Constitution and within the reservations of the tenth amendment. * * * It is the high duty and function of this court in cases regularly brought to its bar to decline to recognize or enforce seeming laws of Congress dealing with subjects not intrusted to Congress—

They are seeming laws, Mr. President—not laws; just clouds, dark and ominous clouds, not real laws—

but left or committed by the supreme law of the land to the control of the States. * * * The so-called tax is a penalty to coerce people of the State to act as Congress wishes them to act in respect to the matter completely the business of the State governments under the Federal Constitution.

Ah, Mr. President, when Chief Justice Taft and the court announced that sound proposition of law, there was weeping and wailing and gnashing of teeth on the part of some of these lobbyists, and no little criticism was leveled against the man who had held the high office of President of the United States and other high and responsible positions, and criticism was also directed against the court. Anything that is declared to preserve the liberty of the people and the rights of the States, to those who have no conception of our form and theory of government, is wrong, and the men who seek to preserve the Constitution and to guide the footsteps of Congress by declaring what the law is are the objects of attack and of virulent and unfounded criticism. The Congress of the United States, the Senate of the United States, every Senator on the floor, is under the same duty to observe and protect the Constitution of the United States and to respect the limitations upon the legislative power of the Congress as is the Supreme Court of the United States under such a duty.

I have sometimes heard the pernicious doctrine asserted that we can pass any law, and, if it is unconstitutional, the Supreme Court will so adjudge it. I do not think that is a proper attitude for Members of this body, and I hope I shall be pardoned for making that observation. I think that the responsibility rests upon Senators and Congressmen to consider measures which are brought before them seriously and earnestly; and if they are not constitutional, or if there is dubiety as to their constitutionality, I think they should not be enacted.

My recollection is that Jefferson said that if there is doubt as to the constitutionality of a bill the doubt should be resolved against the proposed measure.

Our duty to respect constitutional limitations upon the power of Congress is as great—aye, I somewhat think it is even greater—under our oath of office than the duty of the Supreme Court of the United States to protect the people of the country from our illegal exercise of unconstitutional power. We are not without knowledge of the limitations imposed upon us with respect to the setting up of a congressional régime of power over the children of the country, over their labor, over their play, over their nutrition, and over their education, health, wakefulness, and sleep; over their comings and goings; over their religious tuition; and over their duties to their mothers and fathers within the authority of the family relationship.

These matters are none of our business. They are even less of the business of the Children's Bureau and of the propagandists and publicists who invoke and provoke us to pass legislation of this character. What is to become of the fundamental principle of the liberty and responsibility of the people, personally and collectively, in a free government

if Congress is to persist in the project to set up State domination of children in this country? If the Government is to take care of the people, who, I ask, is to take care of the Government? Are the inherent and sovereign powers of the people, after the people shall have become wards of the Government, to be abdicated in favor of a parcel of self-appointed propagandists who come to us and demand that under the forms of law we shall invest them with power and authority over the mothers and the children of the country, with power to make themselves receivers of the family status or the family corporation and administer the family affairs according to their own standards, rules, regulations, card indexes, and stereotyped notions developed by professors of penology, criminology, sociology, psychology, and pseudology printed in books and taught in some colleges as setting up commandments and rules to govern the lives of a free people without the authority of legislatures or the consent and act of the sovereign people concerned?

These professors and these social workers whom they have indoctrinated with their spurious notions have no authority to enact laws, or to impose their whims and notions upon the people, men, women, or children, as and for the law of the land. The motive behind much of this movement, I assert, is the overweening desire of some persons to have and exercise unlawful and unjust dominion over the persons, acts, lives, and liberties of others. Some of these prurient persons who have no affairs of their own seem to obtain a pathological satisfaction in interfering with the affairs of other people. They desire the authority of law in order to terrorize and frighten the poor, the distressed, and the helpless into a submission to their curious and offensive interference, and they call this welfare legislation, legislation for the welfare of the people, legislation for the benefit of those who are poor and distressed and delinquent and dependent!

Instead of listening to these social workers and professional patronizers of the poor we should rather call before us the beneficiaries, or rather the victims of the charitable interference of these prurient, curious welfare workers, and find out from the lips of some women and children whose lives they have touched and harmed their opinion of some so-called welfare work, and as to their attitude toward legislation such as we are invited to enact and continue, despite the interdictions of the Constitution and the supreme law of the land.

There is no law which we can enact upon this question which will be upheld against a contrary State law upon this subject. We have no power to enact such legislation. We, moreover, are mistaken as to either the need or the demand for such legislation. Oh, I mean the demand of thinking people, thoughtful people, patriotic people; not the professional uplifter, not the professional so-called social worker, not the lobbyist, not the representative of some of these organizations that have no conception whatever of our Government, any more than they have of the Einstein theory; but the genuine Americans who believe in local self-government, and in the liberty of the individual, and the right of the family to exist as a family—the true unit of the State—and the father and the mother to care for and direct their own children.

The people whom this species of legislation is professedly designed to assist are not before us asking alms or legislative patronage. This whole theory of State control of children is a thing that is repugnant to the principles of this Republic. I dare say there is hardly a boy who has been card indexed by the juvenile court, and there is hardly a girl who has been card indexed by the woman's bureau, who is not humiliated at the thought. I do not believe there is a robust boy in the land who, overtaken in some misdemeanor, would not rather go before a judge authorized to apply the law of the land to his case, to be tried by a jury of his peers and take his punishment, than to be card indexed and coddled by some of the juvenile courts or their probation officers or perambulating inspectors.

The social activity which may come up from the families and communities of the country within the relation of neighbors, which manifests itself in the activities of churches, lodges, and associations, or of municipal councils for the support of health and morality and happiness and sanitation within the community is one thing, a thing which is consistent with liberty and responsibility, but much of this social activity which is imposed upon Commonwealths and communities and families and individuals by the children's bureau, under the sanction of an act of Congress, is an entirely different thing, and savors of tyranny which has no place in a free country, and which will submerge the spirit of liberty and of responsibility in any people which will supinely submit to it.

We should not deceive ourselves. The purpose of this maternity act which we are asked to continue is not for the benefit of the babes and of the mothers of the country. It is for

the conscious purpose of setting up State control of maternity and childhood. There are some—there are many, I grant—who favor this legislation in the view that it is a public beneficence or charity, and justify it upon the same ground that congressional appropriations are expended for the protection of pigs and poultry; but these persons are the dupes of the professional propagandists who are fomenting this policy. There is no mistake about that. The record of the Children's Bureau affords ample evidence of this fact. We should open our eyes to this fact and to the prospect before us if we continue in the course which these professional propagandists and lobbyists and their dupes and the dupes who have been won over by their doles have laid out for us to pursue.

The health of women and of children is a part of the general health of the people; and whatever Congress may do which may be performed within its power—and I express no opinion in regard to that matter at this time—for the dissemination of information and for the gathering of facts and statistics may be performed by such nonpropagandists as the Public Health Service and the Bureau of the Census. As affecting the education of children, whatever Congress may do in the way of disseminating information and the diffusion lawfully of knowledge may be done through the Bureau of Education in the Department of the Interior. In other words, the health of children, if of Federal concern, is a part of the concern of the Public Health Service; and the education of children, if of Federal concern, is a part of the concern of the Bureau of Education; and statistics and facts concerning children as a part of the population of the country, to the extent that they are of Federal concern, are the concern of the Bureau of the Census.

Social investigations are no more the province of Congress than are investigations into religion or partisan politics, and it is because the primary objectives of the work of the Children's Bureau is sociological and not therapeutic as affecting health, or education as affecting child training, or statistical as affecting general information, that the pending bill ought not to be passed, and the functions of the Children's Bureau ought as a whole to be discontinued. Whatever there is of these functions which relates to the health of mothers and children should be remitted to the Public Health Service. Whatever there is of these functions which relate to the peculiar problems of the working girl should be remitted to the Women's Bureau, which is concerned with the problems of working women. Whatever there is of these functions which will relate to education should be remitted to the Bureau of Education. Whatever there is of these functions which relate to statistics should be remitted to the Bureau of the Census. Whatever there is of these functions which relate to sociology should be discontinued. The Children's Bureau should be liquidated and distributed. I am sure that if we take this action our act will be hailed by the country as convincing proof that we are conscious of our powers and duties, and our action, I am sure, will meet with the approval of all except the party of professional propagandists and professional welfare workers who make a noise out of all proportion to their relative numbers and importance.

The act creating the Children's Bureau provided that—

The bureau shall investigate and report to said department upon all matters pertaining to the welfare of children and child life among all classes of our people, and shall especially investigate the questions of infant mortality, the birth rate, orphanage, juvenile court, desertion, dangerous occupations, accidents and diseases of children, employment, legislation affecting children in the several States and Territories.

What right has Congress to authorize a few bureaucrats to investigate legislation passed by the several States and Territories within their constitutional rights?

What business is it of Congress what legislation the State of Texas passes with respect to matters exclusively within the jurisdiction of that State? It seems to me it is an insult to the States to set up organizations here to control or to seek to control the powers which belong exclusively to the States.

What right has any Federal bureaucrat to have an official opinion on the merits or demerits of such legislation or the lack of it? Since when may a Federal officeholder set up her opinion as to the sound policy or the lack of it of any State law with which Congress has no proper concern? We made a blunder when the Children's Bureau was created. We ought to retrieve that blunder by repealing the act which created the Children's Bureau.

The Department of Labor has an established Women's Bureau whose function it is to investigate the condition of women who are employed in industry. The Department of Labor ought to deal only with the working of employed women. It ought to have nothing to do with housework, or farmwork, or work of

any kind within the family circle. The appropriations for the Women's Bureau, the first year, were \$75,000. The appropriations for the Women's Bureau in the fiscal year 1927 were \$100,000. The appropriations for the Children's Bureau in the fiscal year 1913, the first year of its establishment, were \$21,936.45. The appropriations for the Children's Bureau for the fiscal year 1927 were \$1,294,003.60. These facts illustrate the distinction between the two bureaus. The Women's Bureau apparently attends to its own business, and does not incessantly seek to aggrandize its powers and to augment its expenditures. The Children's Bureau, on the other hand, is primarily a propagandist bureau, which, since its establishment, has increased its expenditures more than sixfold, and is proselyting, to popularize, ambitious schemes to absorb ultimately unmeasured volumes of congressional appropriations.

The money presently expended by the Children's Bureau on ostensibly "baby" work, amounts annually to 43 cents per capita for the babes born in the United States. If the scheme entertained by the proponents of the Children's Bureau to have a uniform Children's Bureau nurse to attend accouchment cases in the United States is effectuated, this 40 cents per capita will become \$40 per capita, which will mean 100-fold increase in the appropriations for the support of this service.

CHRONOLOGY OF THE CHILDREN'S BUREAU, 1913

The First Annual Report of the Chief of the Children's Bureau for the fiscal year 1913 made the statement:

This bureau is the result of the belief, on the part of many individuals and associations interested in the protection and betterment of children, that the Federal Government should aid in that service, just as the various bureaus of the Department of Agriculture have for years assisted in the betterment of farm plants and animals.

To be consistent, the Children's Bureau ought to ask Congress for authorization to engage in the business of baby breeding, baby farming, and baby culture in analogy to the work of the Department of Agriculture in the work of animal husbandry.

Nothing is too private to stimulate and occupy the prying curiosity and concern of these professional uplifters of the race.

This report also stated:

A review of child labor legislation in the 52 political divisions in the United States has been prepared and is now ready for the press. The publication of this review was requested by several organizations interested in the problems of the child in industry, and was further suggested by a large number of inquiries upon the subject which have come into the office, many of them calling for somewhat detailed yet concise statements of the latest legal regulations governing child labor.

Why should the Congress of the United States concern itself with the publication of State laws for the satisfaction of students or others who may have a curious interest in the State law upon any subject. Every citizen of the country has ready access to the laws of his own State to the jurisdiction of which he and his children, if he has any, are subject. If he desires to concern himself about the laws of another State, let him consult a lawyer or a law library, or let him purchase the laws of the other State and examine them until his curiosity is satisfied. The Chief of the Children's Bureau expresses the hope that this publication of comparative legislation will provide for the needs of "club members" who wish a general picture of the status of child labor legislation in the United States.

The chief of the bureau in this first report also observes:

One of the most important details in the legal regulation of labor of children is the method provided for securing employment certificates. One step in protecting children is taken when the law says that the child shall not work under a certain age. The certificate serves in part as a method of enforcement of this minimum-age prohibition.

Every child, in the view of the Chief of the Children's Bureau must have an age certificate before it may work, and as this certificate is a certificate of age it implies that the child shall have a birth certificate before he may obtain a work certificate. It will be quite as much trouble, therefore, for a child to get a work certificate as it is to get a passport when he desires to journey to a foreign country.

Mr. President, I diverge for a moment to call attention to a clipping from the Evening Star of last night, which reads as follows:

SOLVING PROBLEMS OF MATERNITY LAW—CONFERENCE REPRESENTING VARIOUS STATES HOLDS SECOND-DAY SESSION AT CHILDREN'S BUREAU

Policies and methods of administration of the infancy and maternity act are being worked out in the annual conference of State directors of maternity and infancy, which held its second session to-day at the Children's Bureau. The conference is open only to State representatives and members of the bureau staff, and is a "policy and method"

conference. Children's Bureau officials said to-day it has nothing to do with the pending extension of the maternity and infancy act, legislation for which is now before Congress, but is the annual conference of State directors held every year.

Addresses were made to the conference delegates to-day by Dr. John A. Ferrell, of the Rockefeller Foundation; Dr. Mary E. Brydon, of Virginia; Dr. Cora Allen, of Wisconsin; Dr. John E. Monger, of Ohio; Mrs. Jean T. Dillon, of West Virginia; Miss Elena M. Crough and Dr. Elizabeth A. Ingraham, of Connecticut.

The conference will continue through to-morrow, and Friday the delegates will go to Baltimore to visit Johns Hopkins University and several clinics.

Is it not astonishing that this conference synchronizes with the consideration of this bill in Congress? Who brought these people here to confer with the bureau? Who pays their expenses? How many of them are there? Out of whose pockets come the taxes to meet these charges? Who summoned them here? These bureau chiefs, of course, are interested in getting them here and getting support for their propaganda. They want to push through this legislation.

I am told that representatives of the bureau declare that if we refuse the appropriation asked for in this bill, the act is here upon the statute books, and the Budget would be compelled to recommend at the next session of Congress an appropriation, and automatically the Committee on Appropriations would be called upon to insert an appropriation in the law. They say it is continuing legislation. They do not confess that they will be bound by the expressed will of Congress, as declared in the act which was passed, limiting the appropriation to five years. It is to go on indefinitely, according to their contention. There is no inclination upon the part of the bureau to have the functions of the bureau cease. They are unwilling to abide by the law. They are going to continue their propaganda and their efforts until they rivet upon the Government as a fixed and settled policy the control to a greater or less degree by the Federal Government of the children of the States.

This is in keeping with their propaganda for an amendment to the Constitution, putting into the control of these bureaucrats the lives of all persons under 18 years of age. Mrs. Kelly, the communist who appeared before some of the committees of Congress in behalf of that proposed amendment to the Constitution, regretted, as I recall her testimony, that it was limited to persons 18 years of age and under. Some of these uplifters and women propagandists want to have charge of all persons under 21 years of age, to determine what work they shall do, to put them upon a card index, determine their education, and control their lives and their activities, and, of course, their property. They would be appointed guardians over the children, and fathers and mothers, and the States themselves, would have no control over persons under 21 years of age.

"Policies and methods of administration of the infancy and maternity act are being worked out."

They know that this maternity act will expire by limitation, and in the face of that they are here; and the bureau chiefs are here with them, in secret session, working out plans for the administration of the maternity act. Have the plans been worked out? Do they not know what plans have been pursued? We know. We find them in their books, in their literature, in their regulations, in their rules, in the public pronouncements of the members of the bureau.

"Working out plans." The plans are to carry on their propaganda, to organize methods by which coercion can be brought upon Congress to compel legislation. That is what they are here for, and the bureau is back of it.

There ought to be a law passed, making it a misdemeanor for any official or employee of an executive bureau or agency to lobby for appropriations and to call people here for the purpose of organizing propaganda to secure legislation.

[At this point Mr. King yielded the floor temporarily.]

Mr. KING. Mr. President, I was interrupted a few moments ago, quite reluctantly, but I shall resume at the point where I discontinued.

The Children's Bureau took steps to require a Federal certificate in order that a child might work, and actually accomplished this condition when the Federal child labor law was passed some years later.

1914*

The second annual report for the fiscal year 1914 announces that a library had been created to serve as a reservoir for current information on the rapidly developing science of child welfare. This was the beginning. The publications of the Children's Bureau now amount to a library in themselves, 90 per cent of which has no practical application to the problems of the care and training of children. It is a library upon the

sociology of illegitimacy, poverty, divorce, dependency, and other matters, which information itself will not assist in the amelioration of these things which call for more practical measures. This report states:

The law creating the bureau provided no medical officers upon the staff, and the inquiry was necessarily restricted to a consideration of social, industrial, and civic factors.

The bureau was not concerned with the prevention or cure of disease, but only with the sociology of disease. The chief of the bureau regrets that it is necessary—

to omit questions bearing upon matters of personal character or behavior, and therefore to omit all consideration of two recognized factors in infant mortality—alcoholism and venereal disease.

The bureau is graciously willing to remit to community action practical measures for the remedying of "conditions dangerous to the lives of infants. The purity of the water, the milk, and the food supply, the cleanliness of streets and alleys, the disposal of waste—all these are within the control of the community."

The report states:

The field agents of the bureau are constantly asked by the mothers whom they visit for literature dealing with the upbringing of children; and the bureau's pamphlets on the care of children, for which the correspondence has shown a country-wide demand, are supplied in answer to these requests. * * * A series of pamphlets addressed to the individual mother was begun last year with the issuance of one on prenatal care. The second in this series is entitled "Infant Care," and discusses the care of the child through the second year.

But a negligibly small part of the appropriations for the Children's Bureau, or even for the printing expenditure of the bureau, is allocated to the publication of these pamphlets on prenatal and infant care. The printing and distribution of these pamphlets could be handled by a few clerks, or could, rather, be remitted to the Public Health Service, where it properly belongs.

At this point I direct attention to the catalogue of publications upon child hygiene issued and distributed by the Public Health Service. These are professional publications of high standing and scientific authority. They are concerned with the prevention and cure of ill health, and not with its sociological aspects or effects.

The chief of the bureau, in this report, informs the country and Congress that the bureau has been in correspondence with 1,500 individual club women in 17 States, who have sent in the records of more than 3,400 babies.

Mr. President, departing from the thread of my remarks for a moment, I call attention to this publication which I hold in my hand, issued by the United States Public Health Service of the Treasury Department, Hugh S. Cumming, Surgeon General. It is entitled, "Child Hygiene and Related Publications Issued by the Public Health Service; Reprint No. 960 from the Public Health Reports, September 26, 1924 (pp. 2469-2472)."

There are a number of pages of publications issued by the Public Health Service. Some of them are written by doctors and men of scientific knowledge. They cover the field which this Children's Bureau seeks to enter with incompetent officials. I pause here to remark that it is one of the evils of our bureaucratic system of government that there is a paralleling and a duplication of work by many of the departments and many of the bureaus and Federal agencies. I have been told by men who have made an examination that a number of years ago papers were published upon the same subject by 12, 15, and even 21 different bureaus.

Now, we have a Public Health Service created and maintained by law which deals with many of these questions with which the bureau deals, and yet we are to authorize this bureau to continue this duplication of effort.

The opening words of the pamphlet are as follows:

The following is a list of publications of the United States Public Health Service dealing with various subjects relating to child health. All of these publications, except those marked with an asterisk (*), are available for free distribution, and as long as the supply lasts may be obtained by addressing the Surgeon General, United States Public Health Service, Washington, D. C. Those marked with an asterisk are not available for free distribution, but may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D. C., at the prices noted.

Some of the publications issued by the Public Health Service are as follows:

KEEP WELL SERIES

*8. Motherhood: Helpful advice to expectant mothers. 1919. 8 pages. 5 cents.

SUPPLEMENTS

16. The summer care of infants. By W. C. Rucker and C. C. Pierce. 1914. 15 pages.
18. Malaria: Lessons on its cause and prevention. (For use in schools.) By H. R. Carter. 1914. (Revised.) 20 pages; 4 plates.
21. Scarlet fever: Prevention and control. By J. W. Schereschewsky. 1914. 18 pages.
30. Common colds. By W. C. Rucker. 1917. 4 pages.
31. Safe milk: An important food problem. By Earnest A. Sweet. 1917. 24 pages.

PUBLIC HEALTH BULLETINS

49. Ophthalmia neonatorum. An analysis of the laws and regulations relating thereto in force in the United States. By J. W. Kerr and Taliaferro Clark. (Revised April, 1923.) 57 pages.
58. Open-air schools for the cure and prevention of tuberculosis among children. By B. S. Warren. 1912. 20 pages.
70. Good water for farm homes. By A. W. Freeman. 1915. 16 pages.
77. Rural school sanitation, including the physical and mental status of school children of Porter County, Indiana. By Taliaferro Clark, G. L. Collins, and W. L. Treadway. 1916. 16 pages.
- *78. Influence of occupation on health during adolescence. Report of a physical examination of 679 male minors under 18 in the cotton industries of Massachusetts. By M. V. Safford. 1916. 52 pages. 10 cents.
95. Infectious diseases of children. A study of 6,078 cases among immigrants, with special reference to cross infection and hospital management. By J. G. Wilson. 1918. 101 pages.
- *102. A home-made milk refrigerator. Simple method of constructing a satisfactory refrigerator with materials usually on hand. By C. Bolduan. 1919. 1 page; 2 plates. 5 cents.
110. Synopsis of child hygiene laws of the several States, including school medical-inspection laws. By Taliaferro Clark and Selwyn D. Collins. 1921. 58 pages.
112. Report on Oregon State survey of mental defects, delinquency, and dependency. By C. L. Carlisle. 1921. 79 pages.
- *134. The campaign against malnutrition. 1923. 37 pages. 5 cents.

REPRINTS FROM PUBLIC HEALTH REPORTS

100. Whooping cough: Its nature and prevention. By W. C. Rucker. 1912. 7 pages. (Revised 1922.)
- *299. Essentials of swimming-pool sanitation. By W. A. Manheimer. 1915. 16 pages. 5 cents.
358. Mental examinations of school children. By Taliaferro Clark. 1916. 8 pages.
377. Mental status of rural school children: Sanitary survey in New Castle County, Delaware, with a description of the tests. By E. H. Mullan.
- The mental status of rural school children of Porter County, Indiana. By Taliaferro Clark and W. L. Treadway. 1916. 30 pages.
- *456. The application of ozone to the purification of swimming pools. By W. A. Manheimer. 1918. 8 pages. 5 cents.
467. Some observations on the personality of feeble-minded children in the general population. By Walter L. Treadway. 1918. 11 pages.
- *514. Some observations on the mental defectiveness and mental retardation among children. By Walter L. Treadway. 1919. 5 pages. 5 cents.
- *518. Mental hygiene leaflet for teachers. 1919. 5 pages. 5 cents.
554. School medical inspection. By Taliaferro Clark. 1919. 6 pages.
556. Correctional methods and reformation of juvenile delinquents. By W. L. Treadway. 1919. 3 pages.
- *588. Dried milk powder in infant feeding. By W. H. Price. 1920. 20 pages. 5 cents.
622. Children's teeth, a community responsibility. By Taliaferro Clark and H. B. Butler. 18 pages; 1 plate.
625. Sanitary disposal of sewage through a septic tank: Simple construction and inexpensive operation for isolated dwellings. By H. B. Crohurst. 1920. 8 pages.
645. The fate of the first molar. By H. B. Butler. 1921. 6 pages. (Revised 1924.)
654. Nutrition in childhood. By Taliaferro Clark. 1921. 10 pages. (Revised 1924.)
- *674. Sickness among school children: Loss of time from school among 6,130 school children in 13 localities in Missouri. By S. D. Collins. 1921. 11 pages. 5 cents.
683. School health supervision in Minneapolis, Minnesota. By Taliaferro Clark. 1921. 35 pages.
686. Essentials of smallpox vaccination. By J. P. Leake and J. N. Force. 1921. 5 pages.
698. Diphtheria immunization. 1921. (Revised 1924.) 6 pages.
707. Good teeth: The importance of good teeth and the prevention of decay. 1921. 10 pages.
727. The care of your baby. 1922. 40 pages. (Revised 1924.)

- *742. Correcting physical defects in school children. 1922. 16 pages. 5 cents.
- *750. Heights and weights of school children. By Taliaferro Clark, Edgar Sydenstricker, and S. D. Collins. 1922. 22 pages. 5 cents.
753. Adenoids: What they are and how to treat them. 1922. 2 pages; 1 plate.
- *754. The delinquent. By Frank E. Leslie. 1922. 10 pages. 5 cents.
778. Diphtheria: Its prevention and control. By J. W. Schereschewsky. (Revised edition of Supplement No. 14.) 1922.
779. The posture of school children in relation to nutrition, physical defects, school grade, and physical training. By E. Blanche Sterling. 1922. 6 pages.
780. Measles: An important disease from the public health standpoint. By W. C. Rucker. (Revised edition of Supplement No. 1.) 1922.
783. The school nurse: Her duties and responsibilities. By Taliaferro Clark. 1922.
789. Dried milk powder in infant feeding. By Taliaferro Clark and S. D. Collins. 1922.
793. School absence of boys and girls. By Selwyn D. Collins. 1922. 5 pages. 5 cents.
798. Nutrition and education. By E. Blanche Sterling. 1922. 10 pages.
809. Weight and height as an index of nutrition. By Taliaferro Clark, Edgar Sydenstricker, and Selwyn D. Collins. 1923. 22 pages.
816. Health scoring of school children. By Taliaferro Clark and Edith B. Lowry. 1923. 12 pages.
825. Schick tests and immunization against diphtheria in the eighth sanitary district of Vermont. By C. W. Kidder. 1923. 4 pages.
829. Tuberculosis: Its predisposing causes. By F. C. Smith. 1923. 8 pages.
832. The prevention of simple goiter. By O. P. Kimball, M. D. 1923. 11 pages.
840. The physical care of rural school children. By Taliaferro Clark. 1923. 12 pages.
842. Indices of nutrition: Application of certain standards of nutrition to 506 native white children without physical defects and with "good" or "excellent" nutrition as judged by clinical evidence. By Taliaferro Clark, Edgar Sydenstricker, and Selwyn D. Collins. 1923. 35 pages.
852. Spleen and blood examinations for malaria: A study of the relative merits of the spleen and blood parasite indices for determining malaria prevalence as found in Dunklin County, Missouri. By M. V. Veldee. 1923. 8 pages.
864. Automobile cost in rural health work. Report on operation of automobiles in cooperative rural health work in Virginia. By H. McG. Robertson. 1923. 5 pages. 5 cents.
869. Vaccination technique and certification: An experiment in making vaccination an insurance against delay as well as a protection against disease. By S. B. Grubbs. 1923. 6 pages.
874. Pellagra prevention by diet among institutional inmates. By Joseph Goldberger, C. H. Waring, and W. F. Tanner. 1923. 10 pages.
878. The spleen rate of school boys in the Mississippi Delta. By K. F. Maxey and C. P. Coogle. 1923. 8 pages.
882. Fundamentals of rural health work. By W. F. Draper. 1923. 8 pages.
890. The program for oral hygiene in the public schools of Minneapolis, Minnesota. By F. Denton White. 1923. 6 pages. 5 cents.
893. Methods of administering iodine for prophylaxis of endemic goiter. By Robert Olesen. 1924. 11 pages.
896. The importance of our knowledge of thyroid physiology in the control of thyroid diseases. By Taliaferro Clark. 1924. 4 pages.
901. Is the prophylactic use of diphtheria antitoxin justified? By James A. Doull and Roy P. Sandidge. 1924. 12 pages.
905. Factors in the mental health of girls of foreign parents. A study of 210 girls of foreign parentage who received advice and assistance from a social agency, 1919-1922. By Mary C. Jarrett. 1924. 26 pages.
907. The new Baldwin-Wood weight-height-age tables as an index of nutrition. By Taliaferro Clark, Edgar Sydenstricker, and Selwyn D. Collins. 1924. 8 pages.
908. Absenteeism among white and negro school children in Cleveland, 1922-23. By G. E. Harmon and G. E. Whitman. 1924. 9 pages.
917. Factors in the mental health of boys of foreign parentage. A study of 240 boys of foreign parentage known to a child welfare agency, 1916-1923. By Mary C. Jarrett. 1924. 21 pages.
928. Absenteeism because of sickness in certain Cleveland schools, 1922-23. By G. E. Harmon and G. E. Whitman. 1924. 8 pages.
931. The prevention and treatment of hay fever. By William Scheppegrell. 1924. 12 pages.
933. Past incidence of certain communicable diseases common among children. By Selwyn D. Collins. 1924. 15 pages.
941. Thyroid survey of 47,493 elementary school children in Cincinnati. By Robert Olesen. 1924. 25 pages.

POSTERS

1. The house fly.
3. The sanitary privy.
4. Influenza.

VENEREAL DISEASE BULLETINS

7. The problem of sex education in schools. (For educators.)
43. The public health nurse and venereal-disease control.
55. Keeping fit. (For older boys. Tells how to keep in prime physical condition and includes essential information regarding sex hygiene.)
59. The wonderful story of life. (A pamphlet for parents to read to little children.)
60. Healthy, happy womanhood. (A pamphlet which sets forth in simple language facts regarding sex and venereal disease essential to the welfare of girls and young women.)
61. Sex education in the home. (For parents.)
64. A square deal for the boy in industry. (For those engaged in work with boys. Outlines a method of reaching employed boys with the "Keeping fit" exhibit.)
69. The status of sex education in schools.
71. You and your boy. (For parents.)
72. The need for sex education. (Contains a list of useful books.)
- *74. The need for sex education. (Includes lists of carefully selected books.) 5 cents.
- *75. High schools and sex education. (A manual for teachers, setting forth the nature of sex education and describing the courses into which a limited amount of sex information may be introduced when well-qualified teachers are available.) 98 pages. (Buckram.) 50 cents.
- *76. Venereal-disease handbook for community leaders. 65 pages. (Buckram.) 50 cents.

Mr. President, in referring to this extensive list of publications and the work of the Public Health Service I do not mean to express approval of its entire course. Indeed, I have thought that this Federal agency was becoming too bureaucratic and was attempting to perform duties which rest upon the States and their political subdivisions.

This list shows the broad ground which has been covered by the publications of the United States Public Health Service. The bureau which we are considering, not satisfied with those publications, wants to invade the same field; and it has published a number of books and pamphlets, most of which are of no value whatever, attempting to invade the same field covered by the publications of the Public Health Service.

This is merely an illustration of the covetousness, bureaucratic stupidity, and greediness of the bureaus. Not satisfied with the functions which the law devolves upon them, they seek to extend them; and if they find that some other bureau is performing, perhaps, a useful function, these bureaus want to extend and expand their activities and enter into that field. So we find duplication and overlapping in many of the executive organizations of the Government. That means, of course, increased expenditures, increased taxes, and an increased number of employees. If the bureaus of our Government were properly coordinated and the work were simplified and properly performed, we could discharge from the public service more than 200,000 employees of the Government, and we would get more efficient service than we are getting to-day.

A few years ago, Senators will remember, one of the great leaders upon the other side of the Chamber, the late Senator Aldrich, said that if the business of the Government were conducted properly we could save \$300,000,000 per annum. Now, with the business multiplied and the number of Federal employees greatly increased, it is obvious that if there were efficiency in the Government service not merely \$300,000,000 but a much larger sum could be annually saved; but bureaus increase, and as they increase they seek to expand their functions and increase their power.

Mr. President, I return to the correspondence referred to over the reports made concerning the number of babies reported.

I daresay that this correspondence was initiated by the Children's Bureau and not by club women, and I will further say that these good club women ought to take up the information they have upon this subject with their own State and municipal boards of health, and, if necessary, with their own State legislatures and city councils, and invoke measures for the correction of conditions which they think may be remedied by legislative or administrative action. They have no business to bring these affairs to Washington, and Congress has no business to appropriate Federal money to be used by bureaucrats to stimulate club women or anyone else to run to Congress or to the Children's Bureau with information on this or any other subject with which Congress has no proper constitutional concern.

The chief of the bureau states:

But almost greater than the need to standardize the provision for recreation made by the community itself, is the need to determine upon an effective way to standardize the commercial recreations offered to children.

The bureau is in favor of standardized, federalized recreation for children, and standardized, federalized amusement resorts. Take the liberty out of play and you take away its value as an outlet for the free spirit and vitality of any boy or girl. There is as much sense in sovietizing recreation as there would be in sovietizing the color and style of neckties or of women's headgear, or of powder puffs, or of the tastes for food, or for color, or for music, or for any other activity which caters to the pleasures, the taste, or the happiness of individuals, and which are patronized only because they please the person concerned.

I called attention, at the outset of my remarks, to this mania, this obsession, fanatical, unreasoning, that we must standardize everything. We must standardize recreation, standardize the play of the boys and girls, standardize every form of education. Nature itself revolts at the idea of standardization. We grow as we differ, as differentiations manifest themselves. The men who guide the world are those who have broken away from the trammels of the stereotyped and the obvious, men who have scaled the heights and led the masses away from stagnation and from the miasmatic swamps of monotony and uniformity.

Democracy means differentiation and not standardization. Caesar wanted to standardize. Napoleon wanted to standardize. Every tyrant who ever lived wanted to standardize. The people must think alike and act alike, be governed by the same law, controlled by the same functionaries, and be governed by laws, unchanging as the stars. I think these women, and many of these foolish men, who are doing all they can to bring about uniformity and standardization, would serve their country better if they would pursue a course that would lead to independent thinking. We have too many cowards in the world to-day, in our public and private life. Courage is needed now more than ever; moral courage, spiritual courage, intellectual courage.

These reformers and uniformists have us by the throats. The country lacks sufficient virility and strength to stand for differentiation and growth and progress. They want to sovietize everything. Over in Russia, when I was there, I went into the schools, and found that everything was standardized. The children had the same kind of a piece of paper, the same sized lead pencil, the same book, the same thought. That is what the Children's Bureau and some of these fanatics and uplifters would have in the United States.

We had a committee meeting to-day in the Capitol. It was urged before the committee that it was important to have the same system of women police in every city in the United States, that if we could get Washington to set the example, it would be a club to compel other cities throughout the United States to have the same system. This view is based upon the pernicious doctrine that the Federal Government must put us all into the same straightjacket, and have all communities employ the same sort of policemen and policewomen and police regulations; the same for San Francisco as for New York.

In the third annual report for the calendar year 1915, the chief of the bureau reports that an investigation has been made of the methods of enforcing street-trades regulations. Just think of the absurdity of this thing, of the usurpation, of the effrontery of this organization. Who committed the authority to them to look after the subject to which I have just referred? The report stated that this investigation also covered the newsboys court and republic in Boston, Birmingham, and in Milwaukee, and various systems of regulation in New York, Ohio, and Texas.

The State of Texas, it assumes, does not have enough sense to manage its own affairs, and its newsboys, and so there must be a number of old maids, and perhaps some who are not old maids, charming ladies here in Washington, telling the people of Texas how they must deal with the newsboys and "street trades," as they call them.

This term "street trades" constantly recurs in the chatter of these social workers. One of the principal objects of this welfare movement is to regulate the boys, poor and otherwise, who sell newspapers on the streets. One reason for this is doubtless that the boys who sell papers may be easily found and brought under subjection to these patrons of youth, and under their regulation for "street trades."

This term doubtless occurs in the literature used in the textbooks which are studied by these social workers, but there

is no young business man on the street selling newspapers who knows what is meant by the term "street trades." These boys are the first object of the itch of some social workers to control somebody who is under age and therefore not in a position to assert his full individual liberty as against social workers or the Government itself, if it becomes a trespasser against civil rights. Children who may be languishing with hunger or trouble are not always the objects of so much solicitude upon the part of the groups to which I refer. These are left to the more humble administrations of those who do charity for its own sake, and not for the publicity which it may furnish, or the patronizing air which it may gratify, which are sweet morsels in the experience of some persons in the class I am discussing.

In this report, the chief of the bureau states—

This bureau is represented at the Panama-Pacific Exposition—

Who told them to go there? Who authorized it? Where is their authority—

The bureau is represented at the Panama-Pacific Exposition by a child-welfare exhibit for which this has been awarded the grand prize. The exhibit was prepared and installed by Dr. Anna Louise Strong, exhibit expert of the bureau.

I met Dr. Anna Louise Strong in Moscow when I was there three years ago. If not a communist, she is apparently cooperating more or less with the Bolshevik government. I have in my hand a publication, "Haldeman-Julius Monthly" for December, 1926, published, as I understand it, in Girard, Kans. I will not characterize the publication. Senators know it, but I find here on page 52, and continuing over to page 61, a very interesting article by Miss Strong. It is called "Getting Born" in the Soviet Union." I find the following:

This is the second article on Russia by the Monthly's special representative. Last month Anna Louise Strong discussed "Marriage and morals in the Soviet Union."

There is much of this article that I would not feel like inserting in the RECORD. She speaks, apparently approvingly, of the Soviet form of breeding children. She has this to say:

This is only one of the many striking facts brought out at the recent All Union Congress for Protection of Motherhood in Infancy, composed of delegates from boards of health all over the land. Other equally striking reports, which would send a shudder through most assemblies outside the Soviet Union, related to five years' experience of "legalized abortions," which the speakers declared no health workers now would give up.

Anna Louise Strong was the expert for the Women's Bureau. I wish some of these women who are supporting this proposed legislation would read her incubations upon legalized abortions, and the conduct of the Soviet government, and its relations to children and women. Let me read this sentence:

In Russia a woman who does not want to bear the baby already conceived within her, goes, if she is a factory worker, to the woman representative on the committee for protecting labor in her factory. "Look here," she says, "I have three children already"—

But Mr. President, I shall read no further, I have trespassed too far upon the Senate in presenting the views of this "expert" of the Women's Bureau.

Yet Miss Strong is taken into this bureau to help civilize the American people and teach American women how to rear children.

I remember calling the attention of the Senate, when the original bill was under discussion, to Madame Kollantai, whom I mentioned a little while ago. Her book on many of the social problems was published by this bureau and circulated throughout the United States. Money was taken from the taxpayers of the United States to publish a book by this Bolshevik, who was one of the most cruel and heartless women that infested Russia under Lenin and Trotsky. She was denied admittance into the United States when she recently was appointed ambassador to Mexico; yet her book is published by the Women's Bureau and circulated in the United States—a book which advocates policies at variance with our form of government and with our conceptions of the duty of the state and the duty of parents. But what do some of these women in the Children's Bureau know about our form of government? They are wholly unconcerned in regard to the limitations upon government. They have only the concept that the powerful hand of the Federal Government can take away children from their parents, and that we can blot out the States and the individuals, and transfer all power to Washington.

That is Lenin's idea—all power in the leaders of the communist faith. The family does not exist except as an agency

of the state; the state has the right to separate children from the parents, and it is the duty of the state to take over the children and care for them regardless of the parents. Anna Strong evidently has the same belief, and some of the women in the bureau have selected Anna Strong and Madame Kollantai as their exemplars. That is the kind of bureau we are asked to perpetuate.

It is in order at this point to say that Dr. Anna Louise Strong is now in Soviet Russia; that in November, 1926, a long article under the title "Marriage and morals in the Soviet Union" was published in a socialist monthly magazine printed in Girard, Kans., and that a second article under the same title was announced to appear in the December number of the magazine. Doctor Strong believes in the doctrine that every child is to be regarded as the child of the state; that the institution of the family must be destroyed, and that in its place must be installed a system of public baby incubation, nutrition, and training by bureaucrats under bureaucratic control. I mention this fact in order that Senators may know the character of the credentials which are required to obtain any position of authority or influence in the Children's Bureau of the Department of Labor. In this report the chief of the bureau describes the method of examining children in one of Doctor Strong's exhibits. She says:

The children examined are by no means all infants, and some of the most hopeful cases are those in which older children can be interested in looking after themselves. No medical prescriptions are given. If medical attention is required, the parents are referred to the family physician. The conference examinations are held daily in a glass-walled room inside the bureau space, and, except in the case of older children, who are protected by a screen, the entire process can be watched by visitors seated outside the room.

No competent family physician would depend upon a diagnosis by one of these itinerant inspectors of the Children's Bureau as to whether or not an infant in his care required professional attention, and no mother of a child who is sick or defective in any way desires to submit it to examination in a glass-walled room as a special object for the observation of the public who may be gazing through the glass walls. This is the character of work being done by this bureau. This is one of the things that Congress is paying for in the appropriations made to support the Women's Bureau of the Department of Labor.

The chief of the bureau in this report also announced that the bureau was engaged in—

the study of certain phases of the problem of illegitimacy, particularly of the meaning of this handicap to the individual child and the relation of illegitimacy and dependency.

Who gave them this authority? Who gave this bureau authority to go into these questions? Call them sociological or any other name, it is an assumption of power unwarranted. It is an abuse of the authority conferred by Congress and it is a shameful waste of the appropriations made by the Government for use by the bureau. Who told them to study the question of illegitimacy and the handicap which might result from it? That is not the object of the bureau. But that and a multitude of other questions far removed, as comprised under the ambitious scheme of this bureau and its activities are to be broadened until the entire field of sociology shall be within its purview.

Mr. President, it is time we should call a halt and put in charge of Federal institutions people of sanity, and get rid of some of these uplifters who have no conception of the duties of fathers and mothers, the responsibility of the State and the limitations placed upon the Federal Government. If some of the women who are so concerned in this work were mothers and were doing good service as mothers and in family life, they would be contributing more to the advancement of civilization and the welfare of children than they are in some of the mischievous activities of this bureau.

The interest which some communists, or near communists, who are in the Children's Bureau evince in the study of illegitimacy at home and abroad is one of the significant things which recurs with frequency in the literature emitted by the bureau. We are not advised nor informed as to whether it is the intention of the bureau to abolish illegitimacy or to abolish dependency; the bureau does not inform its public as to whether in its view illegitimacy depends upon dependency or dependency depends upon illegitimacy. Illegitimacy, or, rather, birth out of wedlock, is a matter of fact and not of law. It is a condition which can not be changed by law. The law, indeed, prescribes no disabilities as affecting so-called illegitimates. The law knows no difference between legitimates and illegiti-

mates, as far as personal rights, privileges, and status are concerned.

There is a widespread misunderstanding upon this point.

This question is a delicate one, and I have referred to it briefly because it is resorted to in the books and publications of the Children's Bureau. They seem to love such subjects, and the misinformation which they give shows their incompetency to deal with the question. Of course, they have no right to deal with it. It is a usurpation. It is prurient prying into matters beyond their right to inquire into. I wish we had at the head of this bureau some mother who understands the proper relations of the family to the state, the proper relationship between the father and the mother and the child. We would have a better bureau. We would get better results. If we are to have a Children's Bureau, let us have women there who have sympathy for the family, who know something of the family life, who are mothers, who know of the responsibilities of motherhood, who know the joys of honorable wedlock, and who know that the basis of progress and the basis of civilization is the solidarity of the family.

Bolsheviks do not care for the family and its perpetuity. The Bolsheviks told me when I was in Russia that the first thing to do is to destroy belief in God. If they can extirpate the conception of the Supreme Being from the hearts of the people, they will not care for marriage, they will not care for homes. If they believe in God, they will believe in marriage and in the perpetuity of the species. If they believe in marriage, they will believe in the home. If they believe in the home, they will believe in property, and if they believe in property a capitalistic state will exist. Therefore, in order to destroy capitalism in all the world, a belief in God must first be destroyed. With its extirpation the family unit will disintegrate.

Mr. President, I have paused in my remarks to listen to the whispered suggestions of two Senators who advise me that an amendment to the pending bill has been prepared which may permit the passage of the bill with but little further discussion. I shall therefore yield the floor, although I have much more to say upon the subject under consideration.

During the delivery of Mr. KING's speech,

Mr. BRUCE. Mr. President, I move that the Senate adjourn.

Mr. KING. Mr. President, do I lose my possession of the floor if the motion to adjourn shall be agreed to?

Mr. SHEPPARD. Yes; the Senator will lose the floor, so far as his present speech is concerned.

Mr. BRUCE. Mr. President, I do not wish to interfere with the Senator's plans; but if the Senator from Utah will allow me for a moment, I think it is hardly fair, when no notice has been given by anybody at all that there was going to be a protracted session that may run into the night, to attempt to have such a session.

Mr. SHEPPARD. Mr. President, I gave notice yesterday of the intention to hold such a session to-night.

Mr. BRUCE. Many of us here have engagements of one kind or another, and since I have been a Member of this body always reasonable notice has been given of night sessions or any session that stretched closely onto the night.

Mr. SHEPPARD. Let me say to my friend, the Senator from Maryland, that I gave notice yesterday in the Record that I would ask for a continuous session to-day.

Mr. BRUCE. I did not hear the Senator give that notice; this is the first knowledge I have had of it. The Senator who sits next to me says he did not know of it, and he was making exactly the same complaint. It seems to me that reasonable notice ought to be given if there is going to be an attempt to protract the deliberations of the Senate in this manner. I myself happen to have an engagement, and I am in a position which, of course, is very embarrassing. I feel that in all decency I ought to go to the telephone and say to the friend who invited me to his house to-night that I would not be able to be there. Of course, if I had had a little time I could have arranged otherwise and could have met a situation of that kind. There are other Senators here who have said that they are in the same position. I should like to ask a question. As I have said before, when I have had a bill pending here for three years which I have been unable to get up for consideration, why should this bill be given this extraordinary measure of consideration? I have no disposition to filibuster on the bill, as the Senator from Texas knows.

Mr. KING. Mr. President, this colloquy was without my approval and I do not want to lose the floor by it.

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I will feel constrained, as much as I dislike to be discourteous, to decline to yield.

After the conclusion of Mr. KING's speech,

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

The VICE PRESIDENT. The Clerk will call the roll.

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

Ashurst	Gooding	La Follette	Ransdell
Bingham	Hale	Lenroot	Robinson, Ark.
Bratton	Harrison	McKellar	Sheppard
Broussard	Heflin	McMaster	Smith
Capper	Howell	McNary	Steck
Curtis	Johnson	Norbeck	Stewart
Dale	Jones, N. Mex.	Norris	Trammell
Deneen	Jones, Wash.	Nye	Willis
Ferris	Kendrick	Oddie	
Fess	Keyes	Pine	
Frazier	King	Pittman	

Mr. CURTIS. I wish to announce that the Senator from Minnesota [Mr. SHIPSTEAD] is unavoidably detained.

Mr. ROBINSON of Arkansas. I desire to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Alabama [Mr. UNDERWOOD] are detained from the Senate by illness.

The VICE PRESIDENT. Forty-one Senators having answered to their names, a quorum is not present.

Mr. WILLIS. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. JONES of Washington. That can not be done until the names of absent Senators have been called.

The VICE PRESIDENT. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators and Mr. REED of Pennsylvania answered to his name when called.

The VICE PRESIDENT. Forty-two Senators having answered to their names, a quorum is not present.

Mr. WILLIS. I renew my motion that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

Mr. SCHALL entered the Chamber and answered to his name.

Mr. BROUSSARD. I move that the Senate adjourn.

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

Mr. BINGHAM. Mr. President, a motion to adjourn does not require a quorum.

Mr. WILLIS. I ask for the yeas and nays on the motion.

The VICE PRESIDENT. The question is on the motion of the Senator from Louisiana that the Senate adjourn on which the yeas and nays are demanded.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. SMITH (when his name was called.) On this vote I am paired with the Senator from Georgia [Mr. GEORGE]. I transfer that pair to the Senator from New York [Mr. CORELAND] and vote "nay."

The roll call was concluded.

Mr. BROUSSARD (after having voted in the affirmative). I failed to state that I have a pair with the junior Senator from Tennessee [Mr. TYSON]. I transfer that pair to the junior Senator from South Carolina [Mr. BLEASE], and permit my vote to stand.

Mr. JONES of Washington. I desire to announce the following pairs:

The Senator from Kentucky [Mr. SACKETT] with the Senator from Rhode Island [Mr. GERRY];

The Senator from California [Mr. SHORTRIDGE] with the Senator from Virginia [Mr. SWANSON];

The Senator from Kentucky [Mr. ERNST] with the Senator from New Hampshire [Mr. MOSES];

The Senator from Colorado [Mr. MEANS] with the Senator from Mississippi [Mr. STEPHENS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Maryland [Mr. BRUCE];

The Senator from Indiana [Mr. ROBINSON] with the Senator from New Jersey [Mr. EDWARDS];

The Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Illinois [Mr. DENEEN] with the Senator from Missouri [Mr. REED];

The Senator from Delaware [Mr. DU PONT] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Oklahoma [Mr. HARRELD] with the Senator from New York [Mr. WADSWORTH].

Mr. ROBINSON of Arkansas. I desire to announce the following pairs:

The Senator from Alabama [Mr. UNDERWOOD] with the Senator from Montana [Mr. WHEELER];

The Senator from Delaware [Mr. BAYARD] with the Senator from Texas [Mr. MAYFIELD]; and

The Senator from North Carolina [Mr. SIMMONS] with the Senator from Massachusetts [Mr. GILLET].

The result was announced—yeas 5, nays 36, as follows:

YEAS—5

Bingham	King	Reed, Pa.	Walsh, Mass.
Broussard			

NAYS—36

Ashurst	Hale	McMaster	Robinson, Ark.
Bratton	Johnson	McNary	Schall
Capper	Jones, N. Mex.	Norbeck	Sheppard
Curtis	Jones, Wash.	Norris	Shipstead
Dale	Kendrick	Nye	Smith
Ferris	Keyes	Oddie	Steck
Fess	La Follette	Pine	Stewart
Frazier	Lenroot	Pittman	Trammell
Gooding	McKellar	Ransdell	Willis

NOT VOTING—54

Bayard	Fletcher	McLean	Smoot
Blease	George	Mayfield	Stanfield
Borah	Gerry	Means	Stephens
Bruce	Gillett	Metcalf	Swanson
Cameron	Glass	Moses	Tyson
Caraway	Goff	Neely	Underwood
Copeland	Gould	Overman	Wadsworth
Couzens	Greene	Pepper	Walsh, Mont.
Deneen	Harrel	Philpotts	Warren
Dill	Harris	Reed, Mo.	Watson
du Pont	Harrison	Robinson, Ind.	Weller
Edge	Hawes	Sackett	Wheeler
Edwards	Heflin	Shortridge	
Ernst	Howell	Simmons	

So the Senate refused to adjourn.

Mr. SHIPSTEAD and Mr. WALSH of Massachusetts having voted on the motion to adjourn, after a little delay Mr. CAMERON, Mr. HARRIS, and Mr. NEELY entered the Chamber and answered to their names.

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

Mr. KING. Mr. President—

Mr. JONES of Washington. Will the Senator permit me to ask that the order directing the Sergeant at Arms to request the attendance of absent Senators be now vacated?

Mr. KING. If I do not lose the floor.

Mr. JONES of Washington. Yes; I ask that the Senator shall not lose the floor.

Mr. KING. If the Chair so rules, I will yield for that purpose.

Mr. JONES of Washington. I do not desire to take the Senator from the floor, but I wish to ask that the order directing the Sergeant at Arms to request the attendance of absent Senators be vacated.

The VICE PRESIDENT. Without objection, the order will be vacated.

Mr. SHEPPARD. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The clerk will read the amendment.

The LEGISLATIVE CLERK. It is proposed to amend the bill by inserting, after line 2, on page 2, a new section, to read as follows:

SEC. 2. That said act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, shall, after June 30, 1929, be of no force and effect.

Mr. BINGHAM. Mr. President, I should like to ask the Senator from Wisconsin for an explanation of the amendment.

Mr. KING. I should like to have an explanation made in order that it may appear in the Record.

Mr. LENROOT. Mr. President, this amendment is a compromise reached between the two opposing sides upon this question. It was stated that a compromise might be reached if an agreement could be made for the entire repeal of the maternity act on June 30, 1929. I was then requested to draft language that would accomplish that purpose, and I think the amendment does so.

Mr. BROUSSARD. Mr. President, how can the amendment accomplish the purpose when the bill itself fixes the time for 1929?

Mr. LENROOT. That has only to do with the appropriations.

Mr. BROUSSARD. I understand that; but that is all it could do. I do not think there is any compromise at all. The amendment merely states a conclusion which the bill itself sets forth.

Mr. LENROOT. Mr. President, may I say to the Senator from Louisiana that the act of November 23, 1921, as it stands is permanent legislation? The only thing that is limited is the

authorization of appropriations to carry it out, and, of course, the act stands. In the absence of the amendment it would be in order hereafter to enact legislation such as is now proposed merely authorizing additional appropriations under the act. If this amendment be adopted and the bill becomes a law in that form, the entire act will be gone; there will be no legislation upon the subject to which appropriations could attach after June 30, 1929, unless new legislation is enacted authorizing such appropriation.

Mr. BROUSSARD. Mr. President, may I ask that the amendment be again read?

The VICE PRESIDENT. The clerk will read the amendment. The amendment was again read.

Mr. KING. Mr. President, as I understand the Senator from Wisconsin, and as I understand the position of the Senator from Texas, the purpose of the amendment is absolutely to repeal the existing law so that at the end of two years—

Mr. LENROOT. On June 30, 1929?

Mr. KING. Exactly; so that at the end of that time there will be no legislation whatever upon this subject.

Mr. LENROOT. We can not bind a subsequent Congress, of course.

Mr. KING. I understand, of course, if the Senator will pardon the suggestion, that the amendment is offered in good faith, and it is understood by the proponents of this legislation, outside of Congress as well as in, that the adoption of the amendment will end the legislation. When Congress passed the original bill it limited its operation to five years, and everybody then understood that it would not have gone through except for the provision that at the end of five years the legislation would terminate.

Mr. LENROOT. I will say to the Senator that I can not speak for any understanding, but I am entirely clear that if this amendment shall be adopted it will end the legislation, and that there can be no further appropriation for this purpose under any existing law after June 30, 1929.

Mr. MCKELLAR. Mr. President, I desire that it shall be understood that I am not bound by any understandings or agreements. I do not believe that as a legislator I ought to make such agreements, and I shall not do so.

Mr. BROUSSARD. Mr. President, I do not know that this amendment, if adopted, would improve the situation which existed before the expiration of the five-year period. We are merely extending the act for two years more. Naturally, when we passed this legislation, against which I entered my protest, it was understood that it was to be effective for five years. It was then proposed to extend it without any new legislation for two more years. The Senate committee reported a measure restricting the operation of the original act to one additional year; and should this amendment be adopted, we should be no better off than we were under the original act, which limited the legislation to five years. I shall not give my consent to this amendment unless it is proposed to insert in the bill that no further appropriations will be asked for, nor will Congress be bound to appropriate anything at all.

Mr. LENROOT. That is the effect of the amendment, I will assure the Senator.

Mr. BROUSSARD. But we are now acting upon a law which just as effectively limited its operation to five years, and we are now going to extend it for two years more.

Mr. LENROOT. May I again say to the Senator that there is no termination of this law that is now proposed to be repealed? It stands on the statute books as an existing law until repealed. The only thing which we propose to extend for two years is the appropriation to carry out the act.

Mr. BROUSSARD. If we are going to have a compromise here, I should want to insist that the law shall be repealed in 1929.

Mr. LENROOT. That is exactly what this amendment proposes to do.

Mr. BROUSSARD. It will not do that, as I understand.

Mr. LENROOT. That is exactly what it will do.

Mr. BINGHAM. The friends of the measure believe that it will do that.

Mr. BROUSSARD. It merely puts an inhibition under the present statute of appropriating further money.

Mr. LENROOT. Oh, no; it provides that the entire act shall be of no force and effect after June 30, 1929.

Mr. BROUSSARD. If that is the effect of the amendment I am willing to subscribe to it, although I shall vote against it.

Mr. KING. I think the statement which has been made by the Senator from Wisconsin is correct. As I understand, the amendment is a complete repeal of the act.

Mr. BROUSSARD. That is the statement that I wanted to have put into the Record.

Mr. KING. I think the Senator from Wisconsin stated it exactly.

Mr. BROUSSARD. My only purpose was to put into the Record the admission that the amendment provided such a repeal.

Mr. KING. I agree with the Senator from Louisiana. I am opposed to the act; I shall vote against the amendment anyway; but I shall not object to taking a vote on it.

Mr. SHEPPARD. Mr. President, of course, the work of the Children's Bureau relating to child welfare, maternity, and so forth, here in Washington will continue. That is authorized under another act, not under the act of November 23, 1921.

Mr. LENROOT. It is authorized under another act.

Mr. SHEPPARD. The act of November 23, 1921, will be repealed on and after June 30, 1929, and the cooperative work authorized by that act will then cease.

Mr. TRAMMELL. Mr. President, I do not know that we are going to have a ye-and-nay vote on the amendment, and for that reason I desire to state for the Record that I am opposed to any amendment which will work a repeal of the existing law.

Mr. MCKELLAR. Mr. President, I wish to say that I also am opposed to the amendment.

Mr. SHIPSTEAD. Mr. President, I simply wish to state that I agreed to the amendment at the solicitation of the distinguished Senator from Texas [Mr. SHEPPARD]. My understanding was that it was acceptable to both sides to the controversy. That is the reason I agreed to it. I take it that the amendment is proposed in good faith and that the spirit of the agreement will be carried out.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

The title was amended so as to read: "An act 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," and for other purposes.

The bill as passed reads as follows:

Be it enacted, etc., That section 2 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, is amended by striking out the words "for the period of five years" wherever such words appear in such section and inserting in lieu thereof the words "for the period of seven years."

Sec. 2. That said act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes" approved November 23, 1921, shall, after June 30, 1929, be of no force and effect.

ADJOURNMENT

Mr. LENROOT. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 11768) to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health. I do not ask for action on the bill to-night.

Mr. ROBINSON of Arkansas. Mr. President, I do not believe that the Senate ought at this time to take up another bill for consideration; and I suggest to the Senator from Kansas [Mr. CURTIS] that he make a motion that the Senate adjourn.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 8 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 14, 1927, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, January 13, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, the blessings of the daydawn and of the nightfall never fail us; we thank Thee. We praise Thee for the divinely ordered processes of the world, and may our grati-

tude for them never be clouded. Always help us to feel the stress of effort in the exercise of our sacred trusts. When it is difficult to do right and easy to do wrong, O, do Thou be with us. Enable us to be magnanimous, generous, and just toward friend and foe. Give encouragement to the cultivation of those finer emotions which make for the pure and wholesome joys and comforts of life. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

STATEMENT OF HON. JAMES B. ASWELL, OF LOUISIANA, BEFORE THE COMMITTEE ON AGRICULTURE

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a statement made by the gentleman from Louisiana [Mr. ASWELL]. Mr. ASWELL last summer made a trip to several European countries to study agricultural conditions, and his remarks are very interesting and very illuminating.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the Record by printing a statement made by the gentleman from Louisiana [Mr. ASWELL]. Is there objection?

There was no objection.

Mr. JONES. Mr. Speaker, under leave granted me to extend my remarks by printing a statement of Hon. JAMES B. ASWELL, of Louisiana, I submit the following:

AGRICULTURAL EXPORT CORPORATION BILL

Mr. ASWELL. This bill, H. R. 15655, omits cumbersome governmental machinery, avoids complex and irritating requirements to be imposed upon the farmer, and proposes a simple business method of handling the surplus of the basic agricultural commodities in each emergency. It provides a board of six members appointed by the President, five of whom to be selected with due regard to their experience and skill in producing and marketing the basic agricultural products, and one to represent the public, with the Secretary of Agriculture ex officio a member of the board.

After examining every bill and proposal on agriculture presented, after an earnest study of farm marketing in this country, and after an extended personal investigation recently in Europe, this bill is my best judgment of what should be promptly done for effective and speedy relief of agriculture. In my opinion, this bill offers the opportunity to end the long-drawn-out confusion and discussion in which the farmer is too often made a political football by some of his self-styled "friends" and professional farm-relief advocates. Its passage will solve the vexing question of handling in a nonpolitical business way the problem of the agricultural surplus. It will work. It eliminates the unworkable and unconstitutional proposal of the equalization fee. For each basic commodity, it authorizes the establishment of an agricultural export corporation with five directors and with authority to acquire storage and processing facilities to buy, store, hold, and sell the surplus. A revolving fund of \$250,000,000 is created for loans to the agricultural export corporations with authority to issue bonds up to ten times that amount.

Take cotton for example: The corporation, upon its creation, will proceed to purchase the cotton surplus outright, store it, and hold it for a higher price. The cooperatives don't want to borrow more money on this cotton. They want to sell their cotton for cash. This corporation, under this bill, will not lend money but buy the surplus for cash. It is reasonable to expect this corporation immediately to announce that it is ready to buy cotton at 15 or 18 cents a pound. The market for cotton would forthwith rise to that level or higher. The corporation will be financially strong enough to handle the surplus, and the world would quickly recognize this convincing fact. The price would be definitely stabilized, greatly to the advantage of both the producer and the consumer. The present crisis in cotton would be immediately relieved. The corporation, being in a position to stabilize the price, would not lose a penny of the revolving fund provided by the Congress for the board to use in financing the corporation.

The problem of overproduction is fundamental. The corporation would also be in a position mightily to influence helpfully the present efforts to reduce acreage in 1927. Holding the surplus, the corporation could speak with authority as to what the producer might expect if overproduction continue.

The other basic agricultural commodities named in the McNary-Haugen bill, together with tobacco, would be handled in the same manner. The farmer would be relieved of the irritating annoyances of having a Federal agent constantly at his door collecting the equalization fee.

This agricultural export corporation emergency bill that I have introduced to-day has nothing whatever to do with the Curtis-Aswell cooperative marketing bill now on the House Calendar, whose primary purpose is to expand and give national scope to the cooperative marketing organizations of the country. It is generally agreed that perma-

nent relief for agriculture must ultimately come through cooperative marketing whose scope is national and whose membership includes a majority of the producers of each commodity.

I wish to make a brief statement of the background of this bill, which may not be very pertinent to the bill itself, but I shall hurry on to discuss the bill. I was born on a farm, reared on a farm, and all the business I have now is a cotton farm. So my interest in agriculture is self-evident. I have believed that the ultimate solution of the agricultural problem would be through cooperative marketing organizations, national in scope, containing within themselves more than a majority of the producers of each commodity. I think that is the final solution. I have been working on that idea for a long time, as some of you know, and have a bill on the House Calendar to that effect.

But that bill does not provide any immediate overnight relief. It does not provide any patronage or any political favors. It would take a long time for it to expand the present cooperatives into an effective system national in scope. So, after working for many years, I concluded that there ought to be something done for immediate relief. Therefore, I went to Europe to look into the farm marketing operations in all of the principal countries where cooperation has been developed. I did not go to Australia. My effort was to try to discover what was being done in the European countries. I went through the British Isles. Of course, in England the whole control of legislation is in the hands of the industrialists. They control the legislation in England, and the legislation there has to do with the holding down of the price of agricultural commodities. The British Parliament did pass a bill once guaranteeing the price of farm products. I was in the Parliament at the time they repealed it, and the motion to repeal it was made by the Minister of Agriculture, who was a member of Parliament, after the Government had lost over a hundred million dollars in six months. England has cooperation, but its control is in the hands of the industrialists, who do all they can to hold down the prices of farm products. I noticed that in all of Europe there is a determined effort to produce their food products. Never before in the history of the world has there been such an organized effort to produce food products at home as there is now in Europe. That is a serious situation for us.

In Scandinavia, especially in Denmark, there is the most complete organization of the cooperatives in the world, as you know. I remained in Denmark until I familiarized myself with the whole system. They have 95 per cent of the farmers in the cooperatives. We have in the South 9 per cent. The people of Denmark, only two and a half million farmers in the whole country, live so close together that you can throw a stone across the country from one house to another. The average small farmer has 5 acres. A big planter has 75 acres. They are one people, one race, one nationality, one religion, one in ideals, one in everything, so that they can get together and organize almost perfectly. I wanted particularly to find out what the Government was doing for them. I communicated with the officers of the Government, the heads of the cooperatives, the individual farmers, etc. I suppose I asked in Denmark 30 times, "What is the Government doing for the cooperatives?" And invariably the answer was the same. "The Government educates our children and the children do the rest." When the cooperatives were organized 95 per cent strong they went to the Government and asked for a law, and, of course, they got it. They are stronger than the Government, recognized to be by everybody. That law provides for the grading, a standardizing of their products. The Government sends its agent and stamps the Lure brand on the product, and until that stamp is on the product it is not exportable. It can not be exported unless the Government brand is on it. But the cooperatives pay the salaries and expenses of the Government officer. The Government does not control the cooperatives in Denmark. I can give you an example. I was in Copenhagen when they had a meeting of the National Cooperative Association. The heads of it were there. They had a new Minister of Agriculture. He gave the address of welcome. He expressed his delight and said that the Government and himself would be delighted to do anything they could for the cooperatives.

The national chairman, weighing about 320 pounds, responded to the address of welcome. It was a very thrilling response. He thanked the Minister of Agriculture, but said that the Government can help us most by letting us alone. We do not want you to meddle with us, because we are stronger than the Government, and everybody cheered him. There is nothing in Denmark that would give any angle toward relief in this country. There isn't a single fact in Denmark similar to conditions in the United States. I will not go into that now.

The farmers in Denmark have enough to eat and enough to wear. In that sense they are prosperous. The farmers in this country would not live as they do. I will give you a concrete example of the situation. I spent a day in a bacon factory. I saw a farmer bring in six hogs, have them weighed, and he went to the office and collected 90 per cent in cash for those hogs. He had six of them. They have them standardized so that they must be 6 months old and weigh around 195 pounds. He collected the money and left. I watched the hogs go through the processing. When they swung them out in the cold room I saw them shove one aside and they stamped five of them.

I asked what about that one and they said that is a second. We can not export that. So about 2 o'clock I asked for some luncheon, and they took me around the corner. Mr. Sorensen, who was my host and commercial attaché from our Department of Commerce, and one of the most competent men I have ever met, took me around to a little red stone hotel, which had been there perhaps a thousand years. It was nice and clean. I met the manager and when he came to take my order I said I wanted some bacon and eggs. The manager of the hotel smiled and asked me if I wanted to change that order. I wanted to know why I should do so, and he said "We do not serve the bacon that you saw; we serve only the seconds." The people of Denmark have a premium in the world's market on their bacon and butter. They eat the seconds themselves and ship out their good bacon. They get 2 cents a pound premium for their butter in the world market and they eat oleomargarine and get the vegetable oils from the United States. I merely mention that incident because our farmers would not agree to that sort of thing.

From there I went to Germany in an effort to find out something that was being done by the Government. I stayed in Germany until I familiarized myself fully with the German Einfuhrschein, or debenture plan, and all its bearings upon agriculture in Germany. I haven't time to discuss that proposition now. But in Belgium, France, Holland, and everywhere, I found few instances in Europe where the Government is contributing in large measure to agriculture. Germany has created a grain corporation, having loaned 30,000,000 marks of the money that had been accumulated in their food administration during the war—the same as our War Finance Corporation—they loaned that to the cooperatives without interest for three years, and then the interest will be one-half per cent, and so on up. I asked the minister of agriculture, the minister of foods, and all the leaders of Germany, why they made the loan without interest. They said the loan was made to the cooperatives in that way so that the Government would have a string on the prices. They did not want them to go too high. That is the most definite thing that is being done in Europe by any government for the farmers.

Let us take Belgium. While I was in that country the Government enacted a law—the minister of agriculture opposed it, the farmers opposed it, but the industrialists were in the majority—they enacted a law providing that no food product shall be exported out of Belgium and that all bread baked in the home or in the bakery shall contain 10 per cent of rye, compelling the Belgian people to eat their home-grown rye, and prohibiting the exporting of any food products to force the price down. In fact, the whole attitude in Europe is to control prices and keep them down. We have nothing as an example to follow that I can find.

American students of agriculture have spent a great deal of effort in recent years observing the cooperative marketing organizations of various European countries, particularly Denmark. They have tried to show how the efforts now being made abroad point the way to various reforms and advances in the marketing of farm produce in the United States. Many of them have advocated the transplantation, virtually unchanged, of foreign methods to America.

The trouble with most of these investigations was that they were not, in a true sense, investigations at all; they were merely efforts to substantiate preconceived ideas, to select those facts above all others which might offer support for movements and reforms already entered upon. The "investigators" were not after truth; they were after "proof" and the raw material of propaganda. They went home with attaché cases stuffed with figures, statistical charts, statements. They did not go home with any true picture of the conditions which actually prevail among the farmers of Europe and their relation to conditions among the farmers of America.

As a matter of fact, it is my conclusion that there is very little in common between the conditions which have led to the formation of cooperative unions among the farmers of the two countries which are possibly most representative in this field, i. e., Germany and Denmark, and those at home. In both countries cooperative unions have accomplished much, in two rather dissimilar lines, toward helping the farmer to prosperity. In both countries the cooperative marketing associations function with an efficiency and effectiveness that is truly marvelous when compared with the old system wherein it was "each man for himself." Yet one important fact must be borne in mind in any consideration of these organizations: They work and stand independently alone, with virtually no government control or subsidy.

There are, obviously, but two ways for cooperative farmer associations to originate; they may be created and financed by the Government, and supported out of Government funds; or they may originate, as was the case in Germany and Denmark, out of the farmers' own initiative—and the press of necessity. They have been the logical result of revolutionary processes working over a long period of time. They did not come of governmental efforts to aid the farmer; on the contrary, they sprang up in many cases as a protest against unfavorable laws.

In 1789 the Danish people exhibited their first talent for cooperation when they rose to throw off the yoke of serfdom under which they had suffered for nearly 400 years. From that time on their

liberties gradually increased, until in 1848 they received their political freedom. About this time the construction of railways in America, and the resulting appearance of wheat and other grains in the European markets to compete with that grown in Denmark made it plain to the Danes that they must concentrate upon some other field of production in order to subsist. Emphasis began to be laid upon the manufacture of dairy and bacon products. The Danish farmers, with typical foresight, imported German overseers for their farms, and, aided by the geographical fact of farm communities instead of isolated and lonely farms, they took the first steps toward the formation of joint selling organizations. The success of this scheme was aided by the fact that they might buy the cheap grain from America and feed it to their livestock while exporting bacon, eggs, and butter in return. Times were hard, but because the Danes have always been a homogeneous people, one in temperament and thought, their efforts at teamwork bore fruit. It is interesting to note that the first Danish cooperative originated in the poorest and most unproductive portion of the country—the result of dire necessity and its attacks upon an indomitable spirit.

To summarize, there are several conditions which are inherent to Denmark and which set it off sharply from the United States, conditions which make it certain that the formation of similar unions in the States must be a thing of the far-distant future, if at all. They are, briefly, these:

- I. A homogeneous racial stock; the psychological basis of cooperation.
- II. Compact farm communities; the physical basis of cooperation.
- III. A racial trait of efficiency; the temperamental basis of cooperation.
- IV. Evolutionary processes, tending toward cooperation as a logical result; the historical basis of cooperation.

These things, it may be readily seen, the United States does not possess, nor does she have much prospect of possessing them for many decades to come. The great lesson accruing out of any careful observation of the Danish cooperative is that if any similar organization be attempted upon the same scale in the United States, it must be done slowly—must be done almost with no artificial aids from above, almost as a result of the farmer's own initiative. I say almost, because certain very restricted governmental aids have been found effective in Denmark. These have, however, been mostly of a negative nature; for example the removal of legal obstacles in the way of the farmer and uneconomic tariffs.

In Germany the Government has gone a bit further than that of Denmark in helping the farmer. This has been necessary because of the disastrous economic upheaval following the war. In the six-year inflation period the German farmer's liquid capital was destroyed, and, although his mortgages were theoretically wiped out as well, these have since been revalorized to the extent of 25 per cent. As a result, interest rates soared during this period; it finally became almost impossible for the farmer to borrow any money at all. Instead of the long-term low-interest loans which he had found available before the war, he was faced now with short-term high-interest notes.

The cooperative movement in Germany has spread rapidly in consequence of these conditions, although it has been for years an important factor in German agriculture. Farm communities drew together in a common fight against the consequences of national bankruptcy. They have sought a simplified tax program, better commercial treaties, advantageous customs regulations, and easy credits. Some of these things they have. The rest they believe are barely in sight.

The farmer to-day in Germany unquestionably lacks the political power that he wielded before the war. Yet he is not wholly without influence. His organizations by the score and of diverse types seek governmental ears in his behalf. Of these, perhaps the two most important to-day are the "Landbund," a politic-economic body which watches over the interests of the whole body of German agrarians, maintains luxurious offices in Berlin, and is reputedly nationalistic in sympathy, and the National Association of German Agricultural Cooperatives, supposedly nonpolitical and concerned merely with the facilitation of the various phases of buying, selling, and finance that concern its members. These two organizations are wholly separate but are said to "approve of each other" and to work on occasion in concert.

Of the several schemes, which are in effect mild governmental subsidies, the only one which German agricultural leaders believe to be permanent is the "Einfuhrshein," which allows the farmer to bring in as much produce as, and similar in nature to, that which he exports. For each shipment of grain which he exports he receives a certificate entitling him to bring in an equal quantity of grain. In practice the German farmer rediscounts these notes on the stock exchange, and so the Government subsidizes him to the amount of the notes.

This scheme obviously could never be grafted upon the American economic system for a great many reasons. The main and most insurmountable of them is that America is not a great importing country; she does not need to increase production; and there are not enough articles on her taxable list of imports to offset the exports in the single field of cotton or wheat.

Another—and supposedly temporary—governmental subsidy is designed to help the growers of rye. Germany grows more rye than she can use, and must import some of the harder wheats each year to mix with her own soft varieties. Thus the price of rye at home is often

precarious, and unless all of it is so sold in the world market at once, an embarrassing situation to the farmer may result. To meet this situation a so-called "private" corporation has been formed, backed by a governmental loan of 30,000,000 marks. This firm attempts to valorize the rye market at a standard level and keep it there. Many critics think that the plan is an artificial interference with the law of supply and demand and that sooner or later the bottom will fall out of it. In any case, it is a situation which is peculiar to Germany alone.

The big things for the farmer in Germany are being done for him by his cooperatives and not by the Government. Each day of inquiry, each day of conversation with men high in the Government and in the cooperatives themselves, brings this fact closer and more irrefutably home. All of the schemes which the Government has undertaken with a view to placing capital in the hands of the farmer have been harshly criticized, while the efforts of the cooperatives undertaken independently are recognized to be almost wholly good.

On my return I reread every bill and proposal that has been made to Congress; I reread the hearings. I wanted to help to do something or make an effort to do something for agriculture. I worked up this bill after consulting with everybody I could see. I got back from Europe in October and stayed right on here at work at this general idea until the time came for me to draft some bill. I do not claim that any other gentlemen will agree with me precisely, but this is the best that I can produce, and I am giving you my position. I worked at it day and night. I worked at it every day and night during the Christmas holidays. I had the wonderful opportunity of having Mr. Lee and Mr. Alvord, of the drafting legislative councils of the two Houses, to whip it into shape. This bill was finished at 1 o'clock last Monday morning, after Saturday night, Sunday, and Sunday night work.

I want to say this with care. This bill that I present to you is not a bill written by a committee in the office of any Cabinet officer, labeled bipartisan, and turned over to me. I wrote this bill specifically myself. I do not label it bipartisan, but I do know that it is nonpolitical. If I had had any political ideas I certainly would not have turned over the operations to the President of the present administration, but I am thinking of agriculture, and I think any President or any administration who is given the responsibility of such a measure will strive to make it successful. I would like to get that in the minds of some.

Now, I wish you would notice two or three things. First, this bill provides for a board of 6 members, not 12, to be appointed by the President, after consultation with the cooperatives producing that commodity; 5 of them must be men experienced and skilled in producing and marketing agricultural products; 1 of them, who is to be the chairman, is to represent the public. The Secretary of Agriculture is ex officio a member. The agricultural council, which is provided for in the Haugen bill and in all the others that I have seen, has some advantages, I think, and I am not unalterably committed against that, but I wish you would follow this reasoning. I provide for the most direct procedure, eliminating all the cumbersome machinery. I do not provide for a farm counsel of a large number of men traveling over the country at Government expense. I leave the responsibility largely with the President, consulting with the cooperatives. The bill in doing that—and I think this is rather important, in cutting the board down to six members and eliminating the council, cuts the operating expenses down to 50 per cent. That is instead of \$500,000 it is necessary to have only \$250,000 for operating expenses.

Instead of the equalization fee—I think the members of the committee are familiar with my attitude on that—instead of the equalization fee I provide an export corporation. This corporation is to be established by the board whenever an emergency arises, only one corporation for each basic commodity. I have named the basic commodities, cotton, wheat, corn, and hogs, together with rice, and tobacco. The growers of these commodities are the parties who will say whether the corporation should be established. It is entirely in their hands. If they do not want it they are not required to use it. The corporation is to be established by the board and exempt from the restrictions of the antitrust law for the reason that it will enable that corporation to buy a commodity outright instead of paying 50 or 75 per cent on it.

Mr. FULMER. Who subscribes to the stock of the corporation?

Mr. ASWELL. The Government of the United States. The Government takes the stock. The Congress proposes to appropriate \$250,000,000 with a right to borrow up to ten times that amount, and the money goes to the corporation for each basic commodity as it is turned over by the board. This board has control of the corporation in a general supervisory capacity.

If you will follow me on this, I will take cotton for an example, because that is the commodity with which I am most familiar. When the corporation—let us say the cotton corporation—is created, that corporation will proceed to announce that it is ready to buy the surplus on the market. I have reason to believe, and I feel confident, that that price will start at 15 cents a pound. Everybody knows that immediately upon an announcement of that kind that the world price of cotton would go up to that and above. Now it has been estimated by those best informed that there is a surplus of

cotton this year of about 5,000,000 bales. Of course, that does not mean exportable, because as long as you can get a reasonable price for a commodity in this country or abroad it is not a surplus. This last year the cotton crop exported will be 10,000,000 bales, and there are about 5,000,000 bales estimated too much. This corporation will be financially strong enough to announce that it will take the surplus off the market. It won't have to do it, but it will have the power and authority to do it.

Mr. FULMER. How would they proceed to take it off the market?

Mr. ASWELL. Buy it and store it; sell it outright. The corporation is given authority to purchase or acquire storage and processing facilities.

Now, I think you will agree with me on this point. One gentleman said that the equalization fee on cotton would be \$1. That would be \$18,000,000. That would purchase outright about 180,000 bales of cotton. The surplus is 5,000,000. I am just wondering what the gentleman would do with the 18,000,000 toward controlling the price of cotton. Another one said that it would be \$2 a bale. That would give 36,000,000 and he would be able to buy about 350,000 bales of cotton. Still you have the 5,000,000 and it would not have any appreciable effect. The equalization fee on cotton, gentlemen, to be of value in controlling the surplus, must be \$10 to \$15 a bale. There is no question about that. All thoughtful men know it.

Mr. FULMER. If that is—

Mr. ASWELL. Pardon me; I do not yield for any questions until I have finished. If you will wait until I finish, I will then yield.

Now, I would like to discuss briefly the primary differences in the three farm relief bills:

(1) The proposed surplus control act, known as the McNary-Haugen bill (S. 4808 and H. R. 15474).

(2) The proposed Federal agricultural export corporation act, known as the Aswell bill (H. R. 15655).

(3) The proposed farm surplus act of 1927, known as the Curtis-Crisp bill (S. 5088 and H. R. 15963).

I. FEDERAL FARM BOARD

(A) McNARY-HAUGEN BILL

The board is composed of 12 members, one from each Federal land bank district, appointed by the President and the Senate for staggered terms of six years. The nomination of a member of the board from a particular Federal land bank district is required to be made by the President only from a list of three individuals submitted to him by a nominating committee for the district. The nominating committee is composed of five members from the district selected at a convention of representatives of the farm organizations and cooperative associations of the district, held under the supervision of the Secretary of Agriculture. The board is to select its chairman from among the appointed members. The Secretary of Agriculture is an additional ex officio member of the board. The salary of each member of the board is \$10,000 a year.

(B) ASWELL BILL

The board is composed of six members appointed by the President and the Senate for staggered terms of six years. One member is to represent the producers of wheat, one the producers of cotton, one the producers of corn or swine, one the producers of rice, and one the producers of tobacco. The sixth member, who is to be the chairman of the board, is to represent the public. No nominating committees are provided for, but before making any nomination the President is required to consult with such farm organizations and cooperative associations as he considers to be representative of the producers of the commodity whose representatives the nominee will be. The Secretary of Agriculture is an additional ex officio member of the board. The salary of each member of the board is \$10,000 a year.

(C) CURTIS-CRISP BILL

The board is composed of 12 members, one from each Federal land bank district, appointed by the President and the Senate for staggered terms of six years. Not more than six of the appointed members are to be members of the same political party. No nominating committees are provided for nor is the President required to consult with farm organizations or cooperative associations in making the nominations. The Secretary of Agriculture is an additional ex-officio member of the board and is to be the chairman of the board. The salary of each member of the board is \$10,000 a year.

II. APPROPRIATION FOR ADMINISTRATIVE EXPENSES OF THE BOARD

Each bill authorizes an appropriation for the administrative expenses of the bill prior to July 1, 1928, as follows:

(a) McNary-Haugen bill, \$500,000.

(b) Aswell bill, \$250,000.

(c) Curtis-Crisp bill, \$500,000.

III. METHOD OF CONDUCT OF OPERATIONS

(A) McNARY-HAUGEN BILL

Operations are conducted by the Federal farm board through agreements entered into with cooperative associations and their agents and with persons engaged in processing.

(B) ASWELL BILL

Operations are conducted by a Federal agricultural export corporation for each basic agricultural commodity. The export corporations are to be established by the Federal farm board, but not more than one corporation may be established for each commodity. The management of each export corporation is under the control of five directors who are also the principal officers of the corporation and who may be elected and removed by the Federal farm board at its pleasure and whose salaries are fixed by the board.

(C) CURTIS-CRISP BILL

Operations are to be conducted by private corporations formed under State law by cooperative associations. Only cooperative associations may be stockholders in the corporation. The corporate directors and officers are not subject to the Federal farm board in respect of their salaries and appointment and removal.

IV. BASIC AGRICULTURAL COMMODITIES

(A) McNARY-HAUGEN BILL

Operations are to be had only in wheat, corn, rice, and swine. If conditions require operations in other agricultural commodities the Federal farm board is to submit its report thereon to the Congress.

(B) ASWELL BILL

Operations are to be had only in cotton, wheat, corn, swine, rice, and tobacco. Corn and swine are, for operating purposes, treated as a single basic agricultural commodity. If conditions require operations in other agricultural commodities the Federal farm board is to submit its report thereon to the Congress.

(C) CURTIS-CRISP BILL

Operations may be had in all agricultural commodities not liable to spoilage by reason of their inherent nature.

V. BEGINNING OF OPERATIONS

(A) McNARY-HAUGEN BILL

The Federal farm board may establish an operating period if it finds—

(1) That there is or may be during the ensuing year a surplus above the domestic requirements for wheat, corn, rice, or swine.

(2) That there is or may be during the ensuing year a surplus above the requirements for the orderly marketing of cotton or of wheat, corn, rice, or swine.

(3) That the advisory council for the particular commodity favors the full cooperation of the board in the stabilization of the commodity.

(4) That a substantial number of cooperative associations and other organizations representing producers of the commodity favor the full cooperation of the board in the stabilization of the commodity.

(B) ASWELL BILL

Same as McNary-Haugen bill, except that there is no requirement in respect of commodity advisory councils.

(C) CURTIS-CRISP BILL

The Federal farm board may commence operations if it finds—

(1) That there exists or threatens to exist a surplus above the world requirements.

(2) That the existence or threat of such surplus depresses or threatens to depress the price of the commodity below the cost of production with a reasonable profit to the efficient producers thereof.

(3) That the conditions of durability, preparation, processing, preservation, and marketing of the commodity or its products are adaptable to the storage or future disposal of the commodity.

(4) That the producers of the commodity are sufficiently organized cooperatively to be fairly representative of the interests of the producers of the commodity.

(5) That the cooperative marketing associations are efficiently organized to direct the purchasing, storing, and marketing of the commodity.

(6) That the producers of the commodity request the cooperation of the board.

VI. COMMODITY ADVISORY COUNCILS

(A) McNARY-HAUGEN BILL

Commodity advisory councils for each basic agricultural commodity are created. Each council is composed of seven members representative of the producers of the commodity and selected by the Federal farm board from lists of nominees submitted by cooperative marketing associations and farm organizations. The commodity advisory councils, in addition to participating in the commencement of operations as above set forth, may also call for information from the Federal farm board, confer with it, and cooperate with it in advising producers and cooperative associations and farm organizations in the adjustment of production. The members of the council receive a per diem compensation when engaged upon the business of the council.

(B) ASWELL BILL

No provision is made for the creation of commodity advisory councils.

(C) CURTIS-CRISP BILL

Same as McNary-Haugen bill.

VII. FINANCING OF OPERATIONS

(A) M'NARY-HAUGEN BILL

A stabilization fund is provided for each basic agricultural commodity. The fund is composed of temporary advances from the revolving fund bearing 4 per cent per annum interest, of equalization fees imposed in respect of the transportation, processing, or sale of the commodity, and of the profits arising from operations in the commodity. Losses are met by equalization fees as well as by prior profits and advances to the stabilization fund from the revolving fund.

(B) ASWELL BILL

No stabilization fund or equalization fees are provided. The capital of the export corporations is to be used as a basis for operations. This capital comes from temporary advances made from the revolving fund in the form of subscriptions to capital stock. These advances bear interest at 4 per cent per annum, to be paid upon retirement of the stock. The corporations can also make use of their prior profits and proceeds of bond issues not exceeding ten times the amount of the outstanding shares. Losses can be met only from prior profits, advances from the revolving fund, and proceeds from the sale of bond issues.

(C) CURTIS-CRISP BILL

No stabilization fund or equalization fees are provided. The capital of the corporations formed by the cooperative associations are to be used as a basis for operation. This capital comes from temporary advances from the revolving fund bearing interest at 1 per cent per annum above the rate of interest paid by the United States Treasury for the last loan made by it preceding the date of the advance. The corporations may also use prior profits that have been placed in reserves and not distributed to cooperative associations. The corporation may also borrow upon the security of commodities acquired by them. Losses can be met only from prior profits, advances made from the revolving fund, and proceeds of loans upon the commodities.

VIII. LIMITATIONS UPON OPERATIONS

(A) M'NARY-HAUGEN BILL

No limitation.

(B) ASWELL BILL

No limitation.

(C) CURTIS-CRISP BILL

The corporations formed by the cooperatives may make purchases from the proceeds of the advances from the revolving fund only—

(1) When prices are below, or except for the purchases, would fall below, the cost of production to efficient producers.

(2) If the commodities are of a grade and quality the production of which is desirably in the interests of domestic consumers or for which normally a foreign market exists as a price showing a reasonable profit to efficient producers.

(3) So long as ensuing production of the commodity does not show an increase in planting or breeding.

(4) If the commodity is properly conditioned, preserved, stored, and safeguarded.

(5) If the commodity is not of inferior grade or liable to spoilage by reason of its inherent nature or inferior condition.

IX. DISPOSAL OF PROFITS FROM OPERATION

(A) M'NARY-HAUGEN BILL

After repayment of temporary advances from the revolving fund profits from operations will result in the reduction in subsequent equalization fees, and in the case of cotton they may also result in ratable distributions to producers.

(B) ASWELL BILL

After repayment of the temporary advances from the revolving fund profits are cumulated and are to be disposed of as Congress may direct when operations are terminated.

(C) CURTIS-CRISP BILL

After repayment of temporary advances from the revolving fund profits are to be set aside in reserves of the corporation created by the cooperatives and are then distributed ratably to cooperative associations that are stockholders.

X. LOANS

(A) M'NARY-HAUGEN BILL

The Federal Farm Board is authorized to make loans from the revolving fund to cooperative associations for the purpose of assisting in controlling the surplus of basic and other agricultural commodities and also for the purchase or construction of storage and processing facilities. Loans are to bear interest at the rate of 4 per cent per annum.

(B) ASWELL BILL

There is no provision for loans.

(C) CURTIS-CRISP BILL

The Federal Farm Board may make loans to cooperative associations for the purchase or construction of storage and processing facilities and to cooperative associations or common marketing agencies for the

orderly marketing of products of the associations. The loans are to bear interest at 1 per cent per annum above the rate of interest paid by the Treasury of the United States for the last loan made by it preceding the date of the advances.

XI. REVOLVING FUND

All three bills provide for a revolving fund of \$250,000,000.

Mr. ASWELL. I would like for you to glance a moment at this condition. There is not a single country in Europe that has any problem of overproduction. Germany started, under the old Kaiser, with the slogan, "Put the food behind the guns" and all Europe joined in the slogan. Since the war they have gone with intense vigor, as I intimated in the beginning of my statement, toward producing their own food products. I was told by high authorities in Germany, not only the Government authorities, but the heads of the great grain corporations, that they have reached a maximum production, that they can not increase it any more except by intensive cultivation and intensive fertilization. They are producing all they can, and I was told that they are still producing less than two-thirds of their needs. That same thing is true in all of the countries of Europe. In our country the question of overproduction is the vital one.

This export corporation, when created—I will still take the example of cotton—when it has, say, 4,000,000 bales of cotton in the warehouses, that corporation can talk with authority to the cotton farmers in this way. That corporation will be in a position to say to the farmers, "We have 4,000,000 bales of your cotton in storage which will go on the market next year. If you overproduce again you will fail, because we can not carry on this thing. You have got to reduce your acreage." I know of no force in America that would be as effective as the corporation speaking to the farmers in that way, because, holding the surplus in its hands, it could call them in and say, "This is a part of your production; if you do not reduce your acreage you will lose this and get a low price next year." This export corporation, in my judgment, will be the force to carry out what is being undertaken now by preaching and persuasion toward the reduction of acreage for next year.

Mr. ANDRESEN. Does this put the Government in business, in your opinion?

Mr. ASWELL. No, sir. This corporation is a private corporation, but the Government puts up the money.

Mr. HALL. Did you get into south Russia on your trip?

Mr. ASWELL. No; I did not get down that far.

Mr. ADKINS. You say borrow the money; you mean just take the money and turn it over to the corporation?

Mr. ASWELL. Yes.

Mr. ADKINS. It would have the same effect on the Treasury as though you borrowed it?

Mr. ASWELL. Yes.

Mr. PURNELL. In these countries where you investigated agricultural conditions, how did the prices of farm products compare with other commodities? Admittedly in this country they are below other commodities.

Mr. ASWELL. I found the farmers complaining, reckless, and raising trouble, particularly in Germany. They have a specific reason for it in Germany. You will remember that when the currency was repudiated in Germany they created a new currency. It is very stable now, but the volume of it is restricted, and the German farmers last year paid 18 to 20 per cent interest to get money to move their crops. They have a lobby at Berlin, surpassing anything in this country, hammering on the Government to borrow money from the United States to get the volume of currency large enough so that they can get a low rate of interest.

Mr. ADKINS. The farmers in Denmark are hard up, are they not?

Mr. ASWELL. They are hard up, but they are so powerful that they have reduced freight rates to the minimum on all cattle destined for export.

Mr. ADKINS. Still they are suffering?

Mr. ASWELL. Yes; they are very hard pressed. Everywhere the farmers are complaining and declaring that the Government is against them, and they have some reason, too, in Germany. But with regard to France, where they claim that over 50 per cent of the people are agricultural, the industrialists are running the Government.

Mr. PURNELL. What is the present condition of the cooperatives in Denmark, for instance?

Mr. ASWELL. They are organized and they are successful.

Mr. KETCHAM. Have they anything that corresponds to our elaborate system of indexes in this country?

Mr. ASWELL. No.

Mr. KETCHAM. What have you to say with reference to Denmark as to what we call in this country the farmer's commodity dollar? How does it compare, in terms, with the dollar in other sections?

Mr. ASWELL. I think it is considerably better than it is in this country, for this reason: Take, for example, the illustration I gave a while ago of the farmer who brought in his six hogs to the bacon factory. After they were weighed they paid him 90 per cent cash, and they deducted that 10 per cent for just what happened; that is, one of the hogs was defective. This particular factory is owned by 141 farmers.

They hold all the stock. They told me that in all the years it had run they had paid an annual dividend of 10 per cent. They get 2 cents a pound on their butter premium in London. They have the Lure brand registered in London officially. They get so many cents a pound above the market for their bacon. They get a better price than we do relatively.

Mr. TINCER. Do you know what they paid for those hogs that they bought?

Mr. ASWELL. I do not remember, Mr. TINCER. I have it in my notes and can give it to you.

Mr. ADKINS. The hogs are produced specifically for that bacon purpose?

Mr. ASWELL. Yes. It has to be up to a certain standard.

Mr. ADKINS. Yes; they start back in the pigpens to grow that particular type of hog.

Mr. TINCER. You say that the relative purchasing power of a dollar is perhaps higher than ours, but the standard of living in that country is not comparable with the standard of living in our country?

Mr. ASWELL. No. I said that our farmers would never agree to those conditions. I was in Brussels when they passed the law requiring that all bread contain 10 per cent rye both at home and in the bakery; the people never questioning it. They accepted it, although they said they didn't like it.

Mr. ADKINS. In Denmark the whole family works on the farm, do they not?

Mr. ASWELL. No; you are mistaken about that, Mr. Adkins. That is a very interesting point. The farmers in Denmark say that they use their minds much and their hands little. It is considered a disgrace to the men in Denmark for women to be seen in the fields. She does all the work in the house and around the yard, but not in the field. Right across the sound—

Mr. ADKINS. But they do what we call the chores?

Mr. ASWELL. Yes; they do the inside work. We went across the sound into Germany where all the work in the fields is being done by the women.

Mr. ADKINS. Do the women milk the cows in Denmark?

Mr. ASWELL. Oh, yes. The situation in Denmark is so systematized that they laughed a great deal at the statement made by Mrs. La Follette, widow of the late Senator La Follette, when she was over there. In Denmark they take a cow and let it get the grass. In Germany the women cut the grass and take it to the cow. They have those cows tethered in rows in the grass fields, so much space to each cow. Mrs. La Follette, when she was going through said "Cooperation certainly has developed to a high mark in Denmark because the cows cooperate. You can see that they all stand in rows across the field."

Mr. FORT. Isn't it true that in Denmark they are having the same trouble with mortgage foreclosures that we are having in this country?

Mr. ASWELL. Yes.

Mr. FORT. Isn't it also true that those mortgage foreclosures are coming in cases where the lands have changed hands in the last 10 or 15 years and that where the individual farmer is still operating the small farm that they previously operated that it is not happening?

Mr. ASWELL. Yes. I would like to repeat in passing that Denmark never started into cooperation until the railroads and grain production had developed in the United States. They could not compete. They went down to dire poverty. They started then to organize. They got what they called their economic liberty just about the time that they got their political liberty. But you take the old fellows on 5-acre farms, who lived there all their lives, and they are getting along pretty well satisfied.

Mr. KETCHAM. You referred to the various countries you visited where the industrial situation had become the predominant and controlling factor in the life of the country. In the United States, for instance, that situation is likewise developing. In view of that, and upon the chance that that will increase rather than decrease, what is your general reaction to the thought of a Governmental board having power to take over the machinery of agriculture?

Mr. ASWELL. I have provided one in this bill. I was slow to come to that point, but have provided for it in this bill.

Mr. KETCHAM. You referred also—

Mr. ASWELL. May I interrupt you just a minute?

Mr. KETCHAM. Certainly.

Mr. ASWELL. France has a peculiar attitude toward the farmer. She is doing the best she can, but France is under the control of the industrialists. They had one law that interested me very much. They are short of babies in France and they have provided that if ex-service men will go on the farm they can borrow money at the rate of 2 per cent, and for each baby born the rate is reduced by 1 per cent. That is to encourage the people to go back to the farm.

The CHAIRMAN. Have you any questions, Mr. DOYLE?

Mr. DOYLE. No, Mr. Chairman.

The CHAIRMAN. Mr. FULMER?

Mr. FULMER. You stated that you were satisfied that the price of cotton would be 15 cents. How would they arrive at a fair price of the cotton and who would do that?

Mr. ASWELL. The board, through the announcement of the corporation.

Mr. FULMER. Then they would take the cotton off the market. How would they proceed to do that?

Mr. ASWELL. Buy it and put it in the warehouses.

Mr. FULMER. They would go out and buy the cotton in a competitive manner?

Mr. ASWELL. They would say, "We will pay so much for cotton for this week," and it would come in in a hurry. The corporation wouldn't go out and chase around after it. They might say that we will buy it in quantities of so much, and get it from the cooperatives.

Mr. FULMER. But they would buy it from just anybody?

Mr. ASWELL. It is my thought that they would buy it in large quantities, buy the cotton now held by the cooperatives.

Mr. FULMER. They would buy until the price reached 15 cents or above, and then they would withdraw from the market?

Mr. ASWELL. Yes. Then if it went above that they could sell enough of it in order to stabilize the price.

Mr. FULMER. In other words, if a speculator wanted to take advantage of that price and put it up higher, which might retard consumption, then the corporation would sell it?

Mr. ASWELL. Yes; they would sell it right away. Here is the point; this corporation would have discretion to say that it would take the surplus off first from the cooperatives, or it might be well to have it that way, and then buy from others afterwards. They could do that.

Mr. FULMER. But with that kind of machinery in operation you do not believe that they would have to buy any great quantity of cotton; is that it?

Mr. ASWELL. No; I do not think so. They would have the financial strength to do it, and the world would know that they could do it.

Mr. FULMER. In connection with the equalization fee, in order that there may not be any misunderstanding of your statement of a while ago, \$2 a bale on cotton, 18,000,000 bales, would be \$36,000,000?

Mr. ASWELL. Yes, sir.

Mr. FULMER. Under the Haugen bill and several of these other bills, carrying a hundred million, at the present price of cotton it would take a hundred million to pay for two million bales—

Mr. ASWELL. \$50 a bale?

Mr. FULMER. Ten cents a pound.

Mr. ASWELL. I had not planned for that price or to handle it in that way.

Mr. FULMER. You propose to go into the market and pay a fair price for the cotton, and in the meantime you could borrow from the intermediate credit bank 65 to 85 per cent of the value of that cotton you bought and buy an additional one and a half bales, couldn't you—

Mr. ASWELL. My thought is—I talked the matter over with the spinners. In fact, everywhere I went in Europe the first thing they talked about was the Haugen bill. Several of them had copies of it. They were very uneasy about the dumping feature of it. I want to bring this to your attention. I made the preliminary statement that I did in order to carry out what I am going to say next. Now, if I were a spinner, if I were a consumer of cotton and knew that you did not have but \$36,000,000 and another one hundred million to take it off the market, why I would laugh at you and let you hold it until you had to sell it. But if you had a billion, as this bill provides, I certainly would pay attention to you when you said you were going to take it off.

Mr. FULMER. Under that scheme I agree with you that you would not have to buy three or four million bales.

Mr. ASWELL. You wouldn't have to buy it if they knew you had authority to carry out your threat. Down in Florida a few years ago they decided to store the turpentine. The buyers' people said let them store it and they will blow up, and they did. They did not have enough money to carry it on.

The CHAIRMAN. Mr. SWANK, have you any questions?

Mr. SWANK. No, Mr. Chairman.

The CHAIRMAN. Mr. JONES?

Mr. JONES. Mr. ASWELL, did you not find, in view of the small size of the farms in the European countries, that their problem is quite different from ours?

Mr. ASWELL. Absolutely; no similarity whatever.

Mr. JONES. I notice you provide in the bill for the retirement of this stock. That is in event the corporation should make money sufficient to retire the stock?

Mr. ASWELL. Yes.

Mr. JONES. Suppose they got enough to retire the entire capital stock of one of the corporations? That would not necessarily mean that the corporation would go out of business, but if you go ahead without the capital stock?

Mr. ASWELL. Yes, sir.

Mr. JONES. And handle the business just the same?

Mr. ASWELL. Surely.

The CHAIRMAN. Mr. ANDRESEN, have you any further questions?

Mr. ANDRESEN. Mr. ASWELL, under your bill the President appoints the board, and the board appoints the directors of the corporations, and the directors are given power under the law to go ahead and handle this surplus. That virtually puts the Government into business, does it not?

Mr. ASWELL. Indirectly only.

Mr. ANDRESEN. The Government furnishes the money?

Mr. ASWELL. Yes. But it does not put the Government directly into business. It is an indirect procedure, I grant you that.

Mr. ANDRESEN. Do you believe the Government should go into business?

Mr. ASWELL. Indirectly that way. I tell you, Mr. Andresen, in my opinion unless the Government does do something of this kind there isn't any use of fooling around and talking about agricultural legislation. That is the only way we can give relief.

Mr. ANDRESEN. I am not against the Government going into business, but I thought you were.

Mr. ASWELL. Well, I am indirectly.

The CHAIRMAN. Mr. HALL, have you any questions?

Mr. HALL. No, Mr. Chairman.

The CHAIRMAN. Mr. FORT?

Mr. FORT. Mr. ASWELL, do you accept Mr. JACOBSTEIN's definition, given on yesterday, of the method of fixing a surplus? I notice there is no definition of a surplus in your bill?

Mr. ASWELL. No, sir. You notice what?

Mr. FORT. I say, do you accept Mr. JACOBSTEIN's definition of yesterday as to how a surplus is determined? You have no definition of it in your bill.

Mr. ASWELL. No; I do not agree with him on that point.

Mr. FORT. There is no definition in the bill. Don't you think there ought to be one of what surplus is?

Mr. ASWELL. I should be very ready to approve any addition of that kind.

Mr. FORT. Have you any definition to suggest?

Mr. ASWELL. I can illustrate it better; I can give you a concrete example. I am an old teacher and that is the reason I have to do it in that form. If I manufactured a million machines, sold 900,000 of them in the United States and a hundred thousand of them in Europe, as a manufacturing concern I would not have any surplus, would I?

Mr. FORT. I should say not.

Mr. ASWELL. My understanding of a surplus is it is that part of a commodity for which there is no market at a fair price in this country or a world market.

Mr. FORT. In other words, you mean a surplus above the world's demands?

Mr. ASWELL. That is it exactly.

Mr. FORT. At a price above the world's demand at some fixed price?

Mr. ASWELL. I would say at a fair price.

Mr. FORT. Then you really come down to Mr. JACOBSTEIN's definition of yesterday, which was that a surplus was that amount which would not be taken up by the markets at the cost of production?

Mr. ASWELL. I did not understand him to say that. I understood him to say that he was dealing with a domestic surplus.

Mr. FORT. I understood him to mean that when there was no demand at the cost of production price, that anything in addition thereto was a surplus.

Mr. ASWELL. That is true.

Mr. FORT. Now, if that is to be the notion of a surplus that we are going to work on—and I am inclined to think myself that it is pretty close to the right one—your idea is that your corporation will have the power to go in, whenever it sees fit, and purchase the commodity at any price it sees fit?

Mr. ASWELL. That isn't quite an exact statement. This corporation is established when the producers of that commodity call for it; when they call for it it is established by the board, after an emergency has been declared in response to the cooperative call. Then the corporation is to have full power to say that it will buy at such and such a price without limitation.

Mr. FORT. Without limitation either above or below the cost of production?

Mr. ASWELL. Yes.

Mr. FORT. Now, the directors of the corporation have a life term, unless they resign?

Mr. ASWELL. Unless the board removes them. It has that authority.

Mr. FORT. The board has authority to remove them?

Mr. ASWELL. Yes; at will.

Mr. FORT. But the stock that the Government owns has no vote?

Mr. ASWELL. No.

Mr. FORT. So that as long as the board is in office, the board is absolutely in control of all the assets that are turned over to it by the Government?

Mr. ASWELL. Yes, and I think it should be.

Mr. FORT. And all profits or losses go to the Government?

Mr. ASWELL. Yes, sir; precisely.

Mr. FORT. The corporation can go into the building of warehouses, the building of cotton mills or packing houses, or other processing facilities?

Mr. ASWELL. Yes, it could; but it wouldn't.

Mr. FORT. It can store or process?

Mr. ASWELL. Yes; and I think it should.

Mr. FORT. That would include the right to build a cotton mill or a packing house for hogs?

Mr. ASWELL. I should not think the average board would be so idiotic.

Mr. FORT. But it could do it.

Mr. ASWELL. It could. It is to buy and sell.

Mr. FORT. Also to store and process.

Mr. ASWELL. In processing I had reference directly to swine.

Mr. FORT. You think that ought to be limited to the swine?

Mr. ASWELL. No; I wouldn't say that, but I say I had reference directly to swine in processing.

Mr. FORT. The point I am getting at is that it seems to me you are giving your corporation tremendous powers to play with Government money, while the stock owned by the Government is not going to have a vote.

Mr. ASWELL. Going back to Mr. FULMER's question, my thought is that it is necessary to give this corporation tremendous power, so that it will have a standing in the world of business. Not to play with the Government money. It will make money for the Government in most cases.

Mr. FORT. How do you terminate the existence of the corporation?

Mr. ASWELL. By the board. The board says when it shall be terminated.

Mr. FORT. Where is that in the bill?

Mr. ASWELL. I do not remember the exact paragraph.

Mr. ADKINS. It is in there.

Mr. FORT. What happens when it does that?

Mr. ASWELL. The board decides when it will terminate and gives the time to liquidate. If an emergency arises in the meantime it revives the corporation.

Mr. FORT. When it does terminate the property, including any mills and processing plants and storage warehouses, etc., that it might own, are turned back to the Government?

Mr. ASWELL. No; not necessarily.

Mr. FORT. Doesn't it say so?

Mr. ASWELL. No. It can dispose of those and return the money to the Government.

Mr. ADKINS. Liquidate the assets?

Mr. ASWELL. I think a sensible group of men in the corporation would sell the holdings and turn the money into the Government. I think this corporation would have five very businesslike directors.

Mr. FORT. But in the meantime, while the old corporation is operating on Government capital, with its losses or profits going to the Government, with unrestricted power to buy and sell, process, and store at such prices as it sees fit, do you not feel that we are putting the Government in business?

Mr. ASWELL. Indirectly.

Mr. FORT. Indirectly?

Mr. ASWELL. Yes.

Mr. FORT. What could be more direct?

Mr. ASWELL. The board to do it itself.

Mr. FORT. But the board can, by removing the board of directors of the corporation; in other words, doesn't it do it through its designated people, calling them directors, instead of a board?

Mr. ASWELL. On one side is the board to control the directors of the corporation and see that they proceed properly. On the other side of the corporation are the cooperatives, and they have that check. I think they could not go far wrong.

Mr. FORT. The cooperatives have no check on the future—they can not create the corporation unless they approve it?

Mr. ASWELL. The board will be recommended by the cooperatives, and thereby be very responsive to them.

Mr. FORT. Where does it say that?

Mr. ASWELL. In the beginning there.

Mr. FORT. Which board, the directors or the farm board?

Mr. ASWELL. The farm board, recommended by the cooperatives—

Mr. FORT. The board of directors are selected by the farm board?

Mr. ASWELL. Yes; and therefore would be very responsive to its creators, the cooperatives.

Mr. FORT. Do you not feel, if Mr. Rockefeller put out a hundred or two hundred and fifty million dollars into the capital of this corporation, designated the directors of the corporation, but retained the power to remove those directors, to get the losses or profits, that he would be in the business pretty directly?

Mr. ASWELL. Mr. Rockefeller would go into it to make money. The Government goes in it to stabilize agriculture, a very different motive.

Mr. FORT. But it is in the business, just the same, whatever the motive.

Mr. ASWELL. Indirectly; but why quibble over stabilizing agriculture when the Government is now directly in the railroad business, in the shipping business, and through the tariff in big business all the time?

The CHAIRMAN. Have you any questions, Mr. TINCHER?

Mr. TINCHER. I have enjoyed the statement made by Doctor ASWELL, and I am not disposed to question his good faith when he says "indirectly," so I shall not ask any questions.

Mr. ASWELL. Thank you for that remark, Mr. TINCHER.

Mr. FORT. I don't question it either, Doctor.

Mr. PURNELL. How much money do you really think would be necessary to operate this?

Mr. ASWELL. The same as the Haugen bill provides, \$250,000,000.

Mr. PURNELL. But you authorize the board to borrow?

Mr. ASWELL. So do you, do you not?

Mr. PURNELL. I was wondering if you think that will be sufficient.

Mr. ASWELL. That is a very important point. If the farm board has a revolving fund of \$250,000,000, with authority to borrow up to ten times that amount, I think it will be sufficient to impress the world with its ability to carry out its plans. You never have more than one or two emergencies at the same time. It is cotton right now. I do not know of any great emergency except in cotton. Perhaps next year you will have it in corn or something else, but at no time will they have all of the emergencies at the same time.

Mr. PURNELL. But you do not think, by investing such a power in this corporation that we are putting the Government into business—

Mr. ASWELL. Oh, no; only indirectly.

The CHAIRMAN. Mr. McLAUGHLIN, have you any questions?

Mr. McLAUGHLIN. No, Mr. Chairman.

Mr. KETCHAM. I want to go back to the question I propounded a little while ago. I think every one of us on this committee, and I think everyone studying farm-relief legislation, is looking at it from the standpoint of assisting agriculture. I think the sentiment is unanimous for doing something, if we can find something that we can all agree upon that will do the business. Taking into consideration the experience of these old countries where the industrial situation has gradually assumed the ascendancy, and having already reached that condition appreciably in this country, can you or can you not see any danger in taking the business of the country, so far as it relates to agriculture, and putting it in the hands of a board, with the idea in view that the controlling power of the country in the years ahead is bound to be industrial rather than agricultural?

Mr. ASWELL. I do not see any danger there. I admit it is likely to come to that.

Mr. KETCHAM. As we are all looking at it from the standpoint of affording relief, I am wondering if we are not running into that sort of a situation—

Mr. JONES. We would be in that danger whether we had this corporation or not.

Mr. ASWELL. Surely.

Mr. KETCHAM. Of course, that is true as a general proposition.

Mr. ASWELL. The trend is evidently that way in this country.

Mr. KETCHAM. Then isn't one of the things to be careful about and to consider in all this legislation, not only the particular situation which confronts us now, for instance in cotton this year and last year in corn, ought we not to be careful not to put the farmers absolutely into a yoke and place them subject to control of their prices by the consumer rather than the producer?

Mr. ASWELL. Which ultimately will dominate?

Mr. KETCHAM. Yes.

Mr. SWANK. But there isn't any more danger of that condition now than there was under the Haugen bill in the Sixty-eighth Congress.

Mr. ASWELL. No.

The CHAIRMAN. Mr. MENGES, have you any questions?

Mr. MENGES. I think that the McNary-Haugen bill has in mind the price stabilization, has it not?

Mr. ASWELL. Yes.

Mr. MENGES. If I understood you correctly, you said in your statement that the producers of the commodity, when they call upon the board, if there is an overproduction, that the board shall set in operation a movement to remove that condition—

Mr. ASWELL. Set up a corporation.

Mr. MENGES. Set up a corporation and remove from the market the commodity in question. Am I right?

Mr. ASWELL. Yes.

Mr. MENGES. Now, at what price would they remove it? Who would have the authority? Here is a set of producers that think that they have too low a price, lower than they are entitled to, they are not getting the cost of production and a reasonable profit for their efforts. Who shall say what that price shall be?

Mr. ASWELL. The farm board will be in close touch with the co-operatives producing that commodity. The farm board and the co-operatives producing that commodity will be in close touch, and the directors, of course, would reflect the sentiment of the co-operatives. The corporation would name the price. In further answer to that question, I can say that I have discussed that very question privately with a

number of administration leaders now in this Government, and the universal statement to me was that, if this corporation is set up and it will buy cotton at 15 cents a pound, that the Government is willing to invest that much in cotton, at 15 cents a pound or maybe get 18 cents. That is along the line of Mr. JACOBSTEIN's statement of yesterday, that the price ought to be 18 to 20 cents. It is now 9 and 10. If they started at 15 cents it would immediately elevate the price all over the world, as you know. If it went up too high they could immediately sell their holdings, and stabilize the price right there, within a cent, and destroy speculation.

Mr. MENGES. That removes the speculation feature, does it not?

Mr. ASWELL. Yes.

The CHAIRMAN. Mr. PRATT, have you any questions?

Mr. PRATT. No, Mr. Chairman.

Mr. ADKINS. I do not think you have any thought in mind except to help work out something that will relieve the agricultural situation. Your bill, the Haugen bill, and some others that are proposed, all contemplate about the same idea of a board. The details as to the size of it and how it shall be selected, is something that can be adjusted. Now, in having this board, whose judgment is to be depended upon in disposing of the surpluses?

Mr. ASWELL. The board's judgment, as gathered from the co-operatives.

Mr. ADKINS. But in the end the board does it?

Mr. ASWELL. That is right.

Mr. ADKINS. So up to that point there does not seem to be any material difference except as to detail. One of the objections urged by men who have found reason to oppose agricultural relief, is that the bill increases production to such an extent that it will become unmanageable. Your scheme contemplates that after this corporation has taken off the market a certain amount of this surplus that a statement is to issue to the producers of that commodity?

Mr. ASWELL. By that corporation; yes.

Mr. ADKINS. A statement is to issue to the producers of the commodity that they must reduce their acreage or it can not take care of them. That is the only check that you have on the restriction of production under your scheme?

Mr. ASWELL. The principal check; yes. I do not know of any greater force; do you?

Mr. ADKINS. That is what we are coming around to. Now, then, the money that is made or lost is of no concern to this corporation. If they lose it, it is lost, and the Government loses it. Now about the only material difference that I see in your scheme and the Haugen scheme is this: Under the Haugen scheme this board will do practically the same thing your board does. If the prices go too high and we are about to have a runaway market, both corporations would feed back into the market the commodity to stabilize the price. Now under your scheme if you lose in doing that the Government loses.

Mr. ASWELL. What about the Haugen bill? What about the \$250,000,000?

Mr. ADKINS. Under the Haugen scheme if there is any money lost this board is responsible and the producer has to put up that money. Doesn't it stand to reason that the larger the surplus they produce the more equalization fee they would have to put up, and wouldn't that be a greater deterrent to restrict production than just simply to advise them that if they do overproduce they would lose it anyhow?

Mr. ASWELL. May I answer that question by asking you one?

Mr. ADKINS. All right.

Mr. ASWELL. Do you know of any protected industry in America that charges its producers an equalization fee?

Mr. ADKINS. I will answer that. Take the million machines that you spoke of a while ago, 900,000 of them being sold in this country and a hundred thousand sold abroad. Now, it is common talk—I do not know whether it is true or not—that those men, in order to keep their organization functioning, are willing to take the surplus that can not be consumed in this country and dump it on the market abroad for whatever they can get. It is commonly stated that the sewing machines and binders are sold abroad for what they can get. Evidently the private corporation that does that has to take that loss and charge it back on to what they sell in this country, and the equalization fee is virtually put on the consumer. Isn't that true?

Mr. ASWELL. No; it is not.

Mr. ADKINS. What do they do about those losses?

Mr. ASWELL. In the first place, this manufacturing corporation that has sold 900,000 machines in this country has sold them at such a high price that he does not have any loss on the price that he gets in China or in Italy.

Mr. ADKINS. They had to sell at a price high enough to take care of the profit they lost by shipping them abroad.

Mr. ASWELL. They did not lose any actual profit.

Mr. ADKINS. Indirectly, as you say, they do put that equalization fee back on the fellow who buys the machines.

Mr. ASWELL. No; because in the case of that corporation you do not have any Federal agent, offensive as he has become in America, at the farmer's door collecting the equalization fee every year. I

want to say that the only primary difference between this bill and the Haugen bill is that we raise that fund without that equalization fee.

Mr. ADKINS. Yes; but it takes it out of the taxpayer's pocket. If there is any loss there is no hope of ever paying it back. The principle is the same all the way through. The only essential difference that I see is that the producer must stand responsible, through the equalization fee, for the loss that may accrue, and under your scheme the taxpayer foots the bill.

Mr. ASWELL. But doesn't the taxpayer foot the bill anyway?

Mr. ADKINS. But if he has to pay because of the fact that he increases his production, with the advice going out from the board that they have so many million bales of cotton on hand now, and that if they make a greater surplus the next year they will have to put up a greater loss, wouldn't that be a greater deterrent to them than just the advice your board would give out?

Mr. ASWELL. It would not be, in my opinion.

Mr. ADKINS. That is what I want to find out; that is all.

Mr. ASWELL. I can answer that with a concrete example. I am a cotton farmer, and if I was told by the Government that the Government would take 1 bale of my 20 bales of cotton as an equalization fee next year, I need 20 bales for my business, and I will just go ahead and produce 21 bales so that I will have my 20 bales, and the equalization fee would not reduce production.

Mr. ADKINS. Now, all these schemes have in mind the matter of raising price. If they did not, we would not be here fussing around, would we?

Mr. ASWELL. We are not fussing around. We are in good humor.

Mr. ADKINS. Well, arguing about it. We wouldn't be trying to find a remedy. If of your 20 bales you could give 1 bale and enhance the price of your cotton very materially, you would be glad to do that, wouldn't you?

Mr. ASWELL. But I might not be an economist. I am a farmer.

Mr. KINCHELOE. The stockholder of a corporation, protected by the tariff, does not pay an equalization fee, does he?

Mr. ASWELL. No; they do not call on him to come up and pay some of it.

Mr. KINCHELOE. No; it is the consumer who pays it.

Mr. ASWELL. Surely.

Mr. KINCHELOE. Under your bill they have a revolving fund of \$250,000,000, and the Haugen bill does also?

Mr. ASWELL. Yes; the same sum and the same rate of interest.

Mr. KINCHELOE. There isn't much more danger of losing that \$250,000,000 under your proposition than there would be under the Haugen bill—they both would come out of the Treasury, wouldn't they?

Mr. ASWELL. Yes; but just half as much overhead expense.

Mr. KINCHELOE. The only way under your bill in which you attempt to prevent overproduction is that domination, that is all?

Mr. ASWELL. The man that has a part of your crop in his hands, you will listen to him for financial reasons, won't you?

Mr. KINCHELOE. You provide here that this Federal export corporation shall borrow money to the extent of ten times the amount of the capital, to wit, \$250,000,000, which would be of course a total of a billion, \$250,000,000 that they could borrow, and you further provide that the United States shall not be liable, directly or indirectly, for its debts. What security would the private investor have if he purchased those bonds?

Mr. ASWELL. He would have the holdings in the warehouses and the processing facilities and the real property.

Mr. KINCHELOE. The property plus the \$250,000,000 appropriated out of the Treasury?

Mr. ASWELL. Yes; right there, the point that has been in my mind constantly is that it is not likely that you would have an emergency in many commodities at the same time. Now, it is one commodity and next year it will be another commodity and next year it will be another one, and therefore a fund of \$250,000,000 is ample to handle it.

Mr. KINCHELOE. There isn't any doubt in my mind, and I suppose there isn't in anybody else's, because I think it is fundamental, that increase in price in a commodity tends to increase production.

Mr. ASWELL. Surely.

Mr. KINCHELOE. Now, if this corporation were to lose \$250,000,000, and hadn't made any profit in the meantime, it would have to go out of business, wouldn't it?

Mr. ASWELL. Yes; unless Congress appropriated another amount.

Mr. KINCHELOE. They talk about the Government being in business. Well, hasn't it been your experience the Government has been in business for certain businesses of the country since you and I were born?

Mr. ASWELL. Yes; and I would like to help it out in some places.

Mr. KINCHELOE. Mr. PURNELL said that it might be charged that we were putting the Government in business.

Mr. ASWELL. I imagine they can put the Government in business again?

Mr. PURNELL. You mean indirectly?

Mr. KINCHELOE. I am frank to say that, so far as I am concerned, I am not so afraid of putting the Government in some business to

help the disastrous condition in agriculture, in view of the fact that the Government has been in business to help every other kind of business ever since I was born. I am not conscientious about that at all.

Mr. ASWELL. I would like to make a statement which I forgot with reference directly to tobacco. In the South African Union they have a law providing that whenever 75 per cent of the commodity is controlled by the cooperatives that all that commodity must be marketed by the cooperatives.

Mr. KINCHELOE. They do not have much of a constitutional government down there.

Mr. ASWELL. No, sir.

Mr. KINCHELOE. If I understand the difference between your bill and the McNary-Haugen bill, you provide right out, without any bones about it, an appropriation of \$250,000,000 with which to inaugurate this corporation.

Mr. ASWELL. Yes; in place of an equalization fee—

Mr. KINCHELOE. The corporation is organized for the purpose of taking the surplus off the market.

Mr. ASWELL. Directly.

Mr. KINCHELOE. If any profit comes out of it, it goes to the Treasury, and if a loss is made it comes out of the Treasury.

Mr. ASWELL. Precisely.

Mr. KINCHELOE. And therefore all of the basic commodities that you mentioned here are treated exactly alike under your proposition?

Mr. ASWELL. Surely.

Mr. RUBEN. Mr. Chairman, I believe all questions that I wanted to ask have been asked and answered, with the exception of one or two things that I would like to talk about. On this question of the Government going into business. I don't think that has been mentioned more than twelve or fifteen times. It seems to me I have seen in the President's message, and I know I have seen it in many newspapers throughout the country, the statement that going into business must be avoided; but, of course, you can go into it indirectly, I suppose.

Mr. KINCHELOE. Was that the President's message or Lowden's?

Mr. RUBEN. It might have been both, although I don't know. There is one question I might ask, and that is where you have a great many people handling this business, of course, they necessarily will handle quite a good deal of money. Have you made provision in the bill for binding the people who handle the money?

Mr. ASWELL. Yes.

Mr. RUBEN. You have covered all of that?

Mr. ASWELL. Yes.

Mr. RUBEN. I do not think of anything else that has not already been covered.

Mr. ANDRESEN. Will you have any objection to accepting an amendment to your bill so that the board could issue its decree, which would have the force and effect of law, to determine the productions, like they do in Cuba, for instance, where the President signed a decree that a certain number of acres of sugar cane should be put in?

Mr. ASWELL. I have never been able to see how that could be made practicable or possible.

Mr. ANDRESEN. But that would solve the problem.

Mr. ASWELL. For instance, you mean I would be told that I must plant only so much?

Mr. ANDRESEN. Yes; for instance, only 80 acres.

Mr. ASWELL. How would you get the information out to the country in the proper time?

Mr. TINSCHER. That has all been worked out. You simply abandon constitutional government and establish what is known as a soviet government, and run it with an army.

Mr. KINCHELOE. If they did that to curtail the crop it would be similar to saying to the American public "You have got to pay an equalization fee whether you want to or not, and if you don't we will take you into the Federal courts."

Mr. ASWELL. Mr. Chairman, one of the boys just whispered to me asking who sent me to Europe. I went upon my own responsibility and paid my own expenses. I represented the American farmer. I went to study the question at my own expense in preparation for this bill. I want to say to the committee that I still have a firm belief that out in the distant future the cooperative marketing system, national in scope, with a majority of the farmers in it, is the ultimate solution of this problem, but that this bill meets the immediate demand.

The CHAIRMAN. It has been reported, you spoke of Denmark, that the cooperative bank had failed there.

Mr. ASWELL. It had not failed when I left there, the latter part of September.

The CHAIRMAN. It has been so reported, and I was anxious to know about it.

Mr. ADKINS. The Government saved it.

Mr. ASWELL. The Government saved it, I understand, by putting up the money, but I do not know about it.

Mr. FULMER. In our bill last year we had a hundred million for cotton. You made the statement at that time that it was just simply

a raid on the Treasury or a subsidy. What is the difference between your \$250,000,000 and that \$100,000,000?

Mr. ASWELL. Do you want me to answer that?

Mr. FULMER. Yes.

Mr. FORT. The difference between May and December.

Mr. ASWELL. I can answer that very definitely. That \$100,000,000 was offered openly, without any equivocation, publicly, to buy the votes of the southern Members of Congress for that bill. There wasn't any doubt about that. I started out by saying that under this bill I treat all commodities alike. I do not put a tax on TINCER's hogs and wheat and give you something free. I have not based it on any political ground. I am not trying to buy Brother FULMER's vote either.

Mr. FULMER. Some days ago you gave an address on the Fulmer bill and said an equalization fee of \$2 amounted to a tax of \$38,000,000 on the farmer.

Mr. ASWELL. I think, without any question, it is practically a tax.

Mr. FULMER. What is the difference between an equalization of \$2 a bale on cotton and 7 per cent on the deposits of national banks turned into the Federal reserve system as a revolving fund for the benefit of the national bank members of the Federal reserve system?

Mr. ASWELL. I do not deal with 7 per cent here. That is not in my bill.

Mr. KETCHAM. Mr. Chairman, I want to make a request. I think all of us have particularly enjoyed Doctor ASWELL's statement of the agricultural situation in the various European countries that he has visited, and I wish to make this request, that he be asked to extend his remarks, that he be given that privilege, to cover that particular question, so that we may have somewhere a statement made by one of our own committee members with reference to the European situation, and that he go into it in considerably more detail.

Mr. TINCER. May I suggest that the testimony of Doctor ASWELL be printed in a separate pamphlet, so that we can get it quicker?

Mr. ASWELL. If I were to make a careful analysis of the reports of each country it would take a whole pamphlet.

Mr. TINCER. That is all right. That would only make one day's procedure.

Mr. RUBEY. I would like to have the testimony as given just as quickly as possible.

The CHAIRMAN. Without objection, that course will be pursued. It is understood that when the committee adjourns now it will meet to-night at 8 o'clock.

Mr. ASWELL. By request of the committee, I give below a fuller statement of a few of the more important agricultural conditions and activities as I found them in Europe. I hope I have discussed the principal points desired further explained by the committee.

DENMARK

Bound up with the tariff, commercial treaties, and high cost of living, the problem of agriculture in Europe represents an enigma by no means easy to understand. The most efficient American organizations aiding me to unravel and to understand this question are the officers of the American commercial attachés representing the United States Department of Commerce. Their trade commissioners follow the situation closely and are able to render a very high order of service to the American student of agricultural marketing.

The farmers of Denmark, as I have said, are especially well organized and are in control of their own business, the Government merely acquiescing in the activities of the marketing associations.

The development which during and since the last quarter of the nineteenth century has taken place in Danish agriculture has been due primarily, not to say entirely, to the efforts and resourcefulness of the Danish farmer himself, and only to a very limited extent to direct assistance given to agriculture by the National Government.

Government assistance to Danish agriculture during the early years of the modern development took the form chiefly of an acquiescent and willing attitude. The Government, when necessary, acted to remove existing barriers to the organization and development of cooperative agricultural associations for production and sales purposes, and provided freedom from taxation and other liberties and privileges for these organizations. Of direct aid in the form of subsidies, valorization, or marketing assistance, practically nothing was done or has since been done. Among the few contributions of this type are the following:

1. Appropriations for agricultural attachés abroad.
2. An export subsidy of 5,000,000 crowns, available in the form of export guaranties and export loans.
3. Reduction of railway freight rates on certain agricultural products destined for export.

The first item mentioned—establishment of agricultural attachés abroad—is of rather old standing, there being, however, but a few of these posts in existence. The total expenditures in this connection, it appears from the budget, is about 225,000 crowns (\$60,000).

The second item, export credits in the form of Government guaranties against loss on export shipments and extension of Government credits to the extent of 5,000,000 crowns, is of comparatively recent origin, having come into force about a year ago. This system was organized with export to Russia in view, but has apparently not proved of very

great value to the Danish farming community, as indicated by the fact that only a small fraction of the sum made available has been used.

The third mentioned form of direct government assistance to agriculture, reduction of railway freight rates on agricultural products destined for export, has been in vogue for some time. It is, however, in effect more an agreement between a large shipper—agriculture—and a large transportation organization—the State railways—than a form of Government assistance to agriculture.

Besides the three above-mentioned forms of direct "marketing assistance," the present-day Government aid to Danish agriculture takes the form shown in the following excerpt from the budget of the Danish Agricultural Ministry for the year 1925-26:

Excerpt from the budget of the Danish ministry of agriculture for the fiscal year 1925-26

	Danish crowns
Appropriations for the Danish Royal Agricultural College—	2,546,000
Agriculture advisers—	185,636
Tests in connection with improvement of soil and agricultural machinery—	245,400
Prevention of sand flights—	647,550
Improvements of Danish forest plantations (supervision of private forests and cultivation of cut-over land)—	104,914
Tests in connection with improvement of plant culture, etc.—	1,493,003
Expenditures in connection with stock improvement, supervision of animal shows, prevention and extermination work in connection with animal pests and diseases—	969,280
Expenditures for prevention of animal diseases—	839,396
Dairy schools and expenditures in connection with the dairy experiments—	200,674
Quality control of production and sale of agricultural products—	235,639
Agricultural attachés—	225,338
Prizes to small holdings—	290,000
Travel expenses for Danish agricultural students—	22,500
Agricultural educational work—	72,000
Support of agricultural associations and societies—	93,500
Land reclamation—	1,952,395
Sundry: Support to various agricultural associations, expenditures in connection with a number of agricultural commissions—	802,921

Total Government expenditures in connection with agriculture— 10,944,466

Practically all of it for agricultural education in production. Agriculture, as is generally known, occupies a dominating position in the Danish economic scheme of things and the Agrarian Party, the Left, has for a long period been the largest single political party in the Danish Parliament. This party, out of consideration for the export interests of agriculture, has always supported the free-trade principle and domestic tariff rates have therefore never played any important part in the development of Danish agriculture.

NORWAY

Norwegian agriculture, owing to the unfavorable geographic and climatic conditions, has always labored under a handicap, especially as far as grain raising is concerned. This fact, together with a natural desire to further national self-sufficiency and independence of foreign sources, has had a strong influence upon the Norwegian Government's attitude toward agriculture in the past as well as at present, and has led to the enactment of various laws intended to encourage domestic grain raising and agriculture in general.

The most important example of Government assistance to Norwegian agriculture is found in the so-called "grain monopoly" enacted largely as a war measure in 1914, but kept in force until the present time more or less as a direct subsidy to Norwegian grain growers.

What the monopoly has done and still does is in effect this: It encourages domestic grain growers by paying to the farmer a price for his grain corresponding to the world market level for imported grain; a price which the domestic grain, because of its rather inferior quality, due to adverse climatic conditions, could not otherwise obtain.

The monopoly after having been in operation for about 12 years is now to be replaced by another arrangement authorized by law of June 16, 1926. This law, which will go into effect before July, 1927, provides that the import and sale of grain and flour (except oats, of which 15,000 tons must be purchased each year by the Government) shall be free to all who secure authority for such importation and sale from the appropriate Government department and who have fulfilled the requirements regarding purchase of a fixed ratio of domestic grain. The law further provides that the state shall purchase all Norwegian grain fit for human consumption at prices which correspond to the price of imported grain f. o. b. Norwegian port, without duty. Imported grain shall pay a duty of 4 oere per kilo and the state shall further pay to each farmer a "trygd" (subsidy) of 4 oere per kilo for home-grown grain—up to 200 kilos per year per person—ground by the farmer for his own use.

Of other provisions of the new law the following are of chief interest:

1. Domestic grain bought by the state is accepted at the same price at all centers designated by the state and for freight from outlying districts to these points the state shall pay a certain compensation.
2. The "corn trygd" of 4 oere per kilo used in own household is payable to the farmer upon presentation of receipt from millers showing amount of grain ground for the farmer.
3. Importers of grain must buy domestic grain or flour in a certain ratio to the imported amounts.

NORWEGIAN STATE GRAIN MONOPOLY AND NORWEGIAN GRAIN IMPORT

The Norwegian food administration, which now has charge of the temporary import monopoly of grain and flour, was organized under the authority of a Government decree of August 4, 1914, which authorized the establishment of a Government foodstuffs commission. The foundation of the foodstuffs commission was in the decree defined as follows:

1. To regulate the country's supply of grain, flour, and other articles of necessity, among which coal and coke.

2. To regulate the distribution to the various districts of the country and the prices on the various articles.

The Government foodstuffs commission was abolished in September, 1918, and it was decided that the matters which had been taken care of by the commission were to be transferred to a temporary Government food administration.

The difficulties which were involved in supplying sufficient food for the country's needs at that time (during the war blockade) necessitated the rationing of the most important foodstuffs. Under these conditions a decree was published making the import of grains, flour, and sugar a Government monopoly. After the close of the war all commodities, with the exception of grains, the importation of which had been controlled by the Government during the difficult war years, were released as soon as conditions permitted, the sugar monopoly being abolished in 1920.

The Government food administration is therefore now only in charge of the importation of grains and flour, which still continues as a Government monopoly, and the present activities and functions of the food administration are therefore confined solely to this monopoly.

The functions of the monopoly: During the war years, and as long as it was difficult to secure the necessary supplies of foodstuffs, the most important function of the monopoly was to take care of the country's supply and maintain as large reserve stocks as necessary. Next in order came the consideration of the domestic production of grain and the State effort for the promotion of agriculture. When there no longer existed any danger of shortage of foodstuffs it became the most important duties of the monopoly to extend the cultivation of grain in Norway, maintain reserve stocks of grain, and to care for the purchase and importation of the quantities required by the country. According to the decision of the Storting the monopoly must purchase all rye, wheat, and barley of good quality offered by domestic producers at prices corresponding to those at which foreign grain can be delivered to the producers. The difference thus arising between the prices paid for Norwegian grains and that paid for imported grains has declined considerably, and now only amounts to 2.75 kronen per 100 kilos.

The purchases of the monopoly, as it appears from the foregoing, does not include oats. This article, however, as products thereof, is subject to an import embargo, and dispensation for import of this article is not granted, in so far as Norwegian oats can be obtained at prices which in comparison with prices on foreign oats can be considered reasonable. As there are more than enough mills within the country to satisfy the demand for rolled oats the importation of that product is also generally prohibited.

The proposal for a permanent grain monopoly which is now before the Norwegian Storting provides that prices on grains of domestic production bought by the monopoly must be the same as the monopoly's selling price of whole grain.

Import of foreign grains and flour: The purchases of the food administration takes place along ordinary business lines. The purchases are effected at a moment when the market is considered most favorable, and the grains are purchased from the market offering the most attractive terms, thus alternately from the United States, Canada, Argentina, and now also from Russia. Likewise purchases have been made occasionally also from Australia and India. The rye imports have for a number of years taken place from the United States and partly from Canada. Of late purchases have also been made from Russia, which country has delivered rye of a very satisfactory quality at competitive prices. Barley has been purchased from the United States as well as from European countries. Wheat flour has chiefly been taken from the United States and Canada. Of late a very considerable portion of the Norwegian wheat and wheat flour purchases has been made in Canada, due to the ability of that country to offer the most attractive terms. From the foregoing it will be seen that it is only strictly economic and businesslike considerations which determine the Government purchases of grains and flour.

Grinding and sales: The grains imported by the Government, as well as the grain raised within the country purchased by the State monopoly, is placed in the hands of the mills for storing, grinding, and sale. The State has closed contract with all the mills in the country. These mills grind exclusively grains delivered by the monopoly.

When the imported grain reaches the country it is generally delivered direct to the mills, which, against a certain compensation, receive the grain from the ship, transport it to the mill, keep it stored, and do the grinding, selling, and shipping at their own risk. The mills pay for the grains they receive and collect the money for the sales themselves. The resale prices are stipulated by the Government (food director).

In the same manner imported flour is left in the hands of the Association of Grain and Flour Dealers, which distribute the flour to the cooperative selling societies, district food commissions, and some wholesale dealers not members of the above association. The business in flour done by the district food commissions is very small, and most of them have now discontinued doing business. For the wholesale distribution of flour a fixed compensation per 100 kilos is given.

Prices: The selling prices for grains and products thereof are fixed by the food director after conference with the Minister of Agriculture. All grain products for human consumption are sold at the same price over the entire country, the Government bearing all transportation costs. In fixing prices the greatest possible stability is sought. The prices thus are not changed according to the daily fluctuations of the market quotations and exchange rates, but an effort is made to regulate the prices in accordance with any large movements in the world market, and as far as it is possible the prices are kept at a level not higher than the world market prices. The Government changes its prices whenever important movements take place in the world market, and likewise whenever changes are deemed practical and desirable. This price policy will naturally result in that the monopoly's prices in a rising market will be on a lower level than the world market prices and vice versa. Finally the principle is followed that the State is to have no profit in operating the grain monopoly, but, on the other hand, is not to have any losses. Because of this it therefore depends entirely upon the purchase dispositions made by the monopoly whether prices can be kept in conformity with world market prices.

Our problem is overproduction. In Norway it is underproduction and overconsumption.

There are at present several proposals under discussion in the Norwegian Parliament aiming to solve the grain question. Whether it will be solved by monopoly or in some other way it is impossible to say at the present moment. The question is under debate by the agricultural committee of the Norwegian Parliament.

THE DEBENTURE PLAN, OR THE DRAWBACK SYSTEM ON AGRICULTURAL EXPORTS IN GERMANY (EINFUHRSCHEINSYSTEME)

The system was first put into operation in Germany in 1894. Agricultural duties on imports were, at that time, in effect and the Einfuhrschein system made it possible for exporters, particularly of grain, to receive a certificate good for the amount of the duty, applying on the variety of grain which they were exporting. These certificates were negotiable and could be used to pay the duty on imports of certain commodities, particularly grain. At first it was provided that these certificates could only be used in payment of import duty on the variety of grain that had been exported; later this was changed and the certificates could be used to pay import duty on a larger number of products interchangeably, and they were even made applicable to duty payments on petroleum and coffee. Incidentally, it was necessary to enlarge further the number of products against which it might be applied, since there was a sufficient number to take up all the certificates issued, and they commonly brought within a few per cent of their face value. These certificates could only be used for a given number of months in payment of import duties; and, if not used during this period, they lost their value. The exact length of time set was changed several times.

Besides grain itself, a plan was worked out to include flour on the basis of an estimated milling percentage. For instance, if it was considered that rye would yield 68 per cent flour, a miller, by exporting 68 kilograms of rye flour, would be given an import certificate equal to the amount of duty on 100 kilograms of rye; the same general plan applied to wheat. It is often claimed that the milling percentages were estimated too low, and that, consequently, the flour mills obtained thereby what amounted to a subsidy on exports.

In 1906 the tariff on agricultural products was increased, and the amount of the Einfuhrschein was increased accordingly; and it was only after 1906 that the full effects of the Einfuhrschein became evident. The changes in the duty were as follows:

	Before Mar. 1, 1906	After Mar. 1, 1906
	Marks	Marks
Rye.....	3.50	5.00
Wheat and spelt.....	3.50	5.50
Malt barley.....	2.00	4.00
Other barley.....	2.00	1.30
Oats.....	2.80	5.00
Buckwheat.....	2.00	5.00
Edible beans.....	1.50	2.00
Other peas and beans.....	1.50	1.50
Rape seed.....	2.00	2.00

In noting the effects of the Einfuhrschein it may be desirable to note some of the peculiarities of the German agriculture and economic conditions.

Germany was at that time and still is not self-supporting in foodstuffs, and it was regarded as highly desirable that agriculture should be intensified and production increased, so that she would be as inde-

pendent as possible in such an important article as food. At the present time it is also regarded as desirable to stimulate production, so that food imports will not be too great a burden on the trade balance.

German soil and climate is particularly adapted to the production of rye, and it has not been found possible to increase wheat production proportionally. As Germany became industrialized, the population more and more demanded a high-grade wheat bread and consumed diminishing quantities of rye. German wheat and rye are very humid, and, to make a high-grade flour, it is necessary to mix a certain percentage of drier type of grain, such as is produced in America, with the German grain. Consequently, German agriculture, even by increasing their production, was not able to give the population bread grain which it desired, and the Einfuhrschein made it possible to exchange some of this type of bread grain not desired for the more desirable types of wheat.

Geographically, the section of Germany which lies north and east of the Elbe River produces more agricultural products, particularly grain and potatoes, than it can consume. Western and southwestern Germany—the industrial section—consume far greater quantities of foodstuffs than they produce. It is an expensive and long railway haul from the northeast section of Germany to Mannheim or other final markets for grain. Foreign grain finds a more direct route by way of Rotterdam and of the Rhine. As a result of this, before the Einfuhrschein system was adopted, the price of grain in the eastern Provinces was largely set by the price of grain in Mannheim, minus transportation costs to that market. Consequently, east German grain prices tended to be much below the world market price plus the German duty. After this system was inaugurated eastern Provinces tended to export their grain to near-by foreign countries instead of shipping to southwestern Germany, and very soon prices of grain in the eastern sections approximated world market prices plus the German duty. Consequently, even with the same prevailing rates of duty, grain prices throughout the eastern section were considerably raised, and everyone agrees that the system resulted in an immense increase of grain production in northeastern Germany; particularly was this true of rye, for which the soil is best adapted.

Along with the increase in production there was a very heavy increase in the exports of rye and rye flour, which was caused by the same means.

The means whereby exporters were paid came from deducting payments which would have come to the finance department through customs payments.

In 1903 these import certificates were made use of as customs payments to the extent of 21,644,000 marks. In 1912 they amounted to 126,499,000 marks. In 1906 the customs tariff had been increased somewhat, but by no means in proportion to the increased amounts of the Einfuhrschein.

As a result of the Einfuhrschein system, Germany exported particularly to England, Scandinavian countries, and some quantities to France, Sweden, and Italy. Germany also exported, at times, to Russia, particularly Finland and the effects of this export bonus plan were to increase competition with Russia. This caused a great deal of bad feeling between the two countries.

GERMAN FARMER PROBLEMS

In Germany, as in the United States, there is a farm problem which constitutes a live political issue. Agricultural and industrial interests are continually at odds. Agriculturists claim that they have been neglected or at least subordinated in favor of big business. Reichstag and Reich cabinet are beseeched to accord more attention to farmers.

In Germany, as in the United States, the Government is aware of the importance of the problem. Over one-third of the population of the Reich; that is, in round numbers, about 24,000,000 souls, are occupied with agrarian pursuits. They are well organized. They have influence politically, as well as socially and economically. The Nationalists and, to a lesser extent, the Catholic Centrists, champion their cause in the Reichstag, the Junkers in society, and the "Landbund" or land league, with palatial headquarters in Berlin, in conflicts with industries. Furthermore, in the Provinces there are chambers of agriculture and cooperatives. The latter have developed both vertically and horizontally.

Consequently, in Germany, unlike the United States, much has been done for production and much more probably will have to be done by the Government in aid of farmers. There are six principal ways in which this aid manifests itself, to wit:

- (1) Drawback permits or "Einfuhrscheine."
- (2) Protective-tariff duties.
- (3) Cheap bank credits sought.
- (4) Artificial regulation of market-price levels.
- (5) Press propaganda.
- (6) Cheap fertilizer.

The first, by virtue of its name, is familiar to all students of marketing. It is adapted to peculiar German conditions which have no parallel in the United States. These conditions are as follows:

- (1) A big import grain surplus.
- (2) A desire to stimulate domestic production of grain.

(3) A desire to stimulate exports at any cost.

(4) A number of articles of import to which drawback permits can be extended without harming home goods.

(5) A geographical configuration which makes it more profitable to export from the grain-producing east than to transport by rail to the grain-consuming west.

(6) An unusually high level of railroad freight rates.

It is in effect rather than theory that drawbacks permits amount to export bonuses. Theoretically they are granted to farmers who export grain for the purpose of bringing in imports of customs' charge. Practically they are discounted by farmers for cash.

The second way in which the Government aids farmers, namely, by protective-tariff duties, is self-explanatory. The principle of these duties is emphasized as protective, not fiscal. Their level has undergone many changes recently and is still in a state of flux. Commercial treaties to be concluded with Poland, Czechoslovakia, and France will have much to say thereon.

In respect to bank credits, Government influence is used only indirectly, through the rediscount facilities of the Reichsbank. The general scheme seeks to assure to farmers cheap, long-term credits at not more than 1½ per cent above the prevailing rediscount rate. Farmers deliver grain to cooperatives and receive acceptances for 60 per cent of value. These acceptances may be discounted with cooperative credit organizations in such a way as to receive enough money to cover expenses of the initial crop movement. The ultimate amount to be paid for the grain is determined before the bills mature. Bills run for different periods, generally three months or longer.

By means of this scheme it is hoped to prevent the recurrence of contingencies such as that which occurred in 1925, when farmers, from lack of ready money, were forced to throw their crops on the market quickly at any price.

That the last word has not yet been said on credits is certain. Farmers demand more aid in the way of changing "personal" into "real" loans and in way of lengthening out the period of repayment. The Government, through the ministry of agriculture, professes to be ready to make further concessions.

The fourth method of Government action alluded to above, namely, price regulation, is expressed through a so-called grain-trade board. This is a private organization, backed by the Government, whose purpose is to prevent grain prices from falling below a certain level. It is made up of farmers and dealers. It has a financial backing of 30,000,000 reichsmarks, advanced at low rates of interest by the Government. It is empowered to intervene and buy up grain on the open market whenever prices threaten to fall below cost of production. It is intended primarily to valorize the price of rye.

Attached to the board is a Federal commissioner whose job is to watch over the interests of the general public and prevent speculative interests from getting control and driving up prices.

In general, dealer and exchange interests are against the "Getreide-handels-gesellschaft" because it interferes with the free play of supply and demand and introduces an element of uncertainty onto the market. Producing interests (i. e., farmers), on the other hand, are for it, even though antagonistic to its predecessor, the Federal grain board, a relic of government war control.

Press propaganda, as conducted by the ministry of food and agriculture, takes the form of articles urging citizens to eat less wheat, which must in large part be imported from abroad, and more rye, which is almost all raised at home.

Cheap fertilizer chiefly has to do with nitrogen. This forms one of the main varieties of fertilizer used in Germany. Its production, averaging some 495,000 metric tons per year, of which 140,000 tons is available for export, is controlled by a powerful syndicate. Early this year the Government agreed to guarantee 20,000,000 marks (roughly, \$5,000,000), to be used through the Reichskredit Gesellschaft for the purpose of extending farmer notes held by this syndicate.

These several different forms of Government aid to farmers have been elaborated one by one, but now form part of a unified program. There are a few others of minor importance, but their effect is sporadic.

Despite the undoubtedly beneficent effect of such aids German farmers are still dissatisfied. They claim that the Government is run too much in the interests of industry. They claim that their own interests are slighted, notably in line of commercial treaty making. They demand reductions in taxes, increases in tariff duties, and credits, with lower interest and longer terms of payment.

There can be little doubt that German farmers now exercise less influence in Government matters than they did before the war. Their practical representation has been entrusted largely to the Nationalist Party, and it is in the opposition. Their leaders are partly dead and partly regarded with distrust as supporters of the old régime. Their financial resources are strictly limited, for junkers as well as peasants and medium-sized farmers. Their liquid capital was destroyed by the war and inflation as an aftermath of the war. Their mortgages, which also should have been wiped out, have been revalorized to the extent of 25 per cent. Their taxes are high. They have many problems to struggle with, both new and old, and seem less assured of a profit on their output than most other kinds of producers.

THE PRESENT SITUATION OF FRENCH FARMERS

High prices being received for farm products have placed French farmers in an enviable position, at least, as compared to native urban dwellers. Their position is safeguarded through the power they exercise as a group over parliament, most of the members of which represent districts predominately agricultural.

Most urban newspapers, as well as commercial periodicals, lose no opportunity to complain against what they allege to be fiscal discrimination in favor of agricultural taxpayers. Their claims that the farmer is not called on to meet his rightful portion of the tax burden are supported by official statistics of tax yields which, for agricultural taxes, show very small returns.

Not many years ago the French farmer was known generally for his comparative disinterest in events and conditions of international or even national importance. To-day the French farmer, while still little interested in political events, can almost invariably quote the previous day's Paris Bourse rate on the dollar. The doctrine of covering replacement costs has been disseminated to even the smallest hamlet, at least such is the deduction to be drawn from the quick reaction of prices on farm products to the latest drop in franc exchange.

It is true that rural classes are large holders of Government securities, the dividends on which have lost a good portion of their commodity purchasing power of three years ago. It can now be said, however, that they are switching rapidly from the purchase of Government securities to the purchase of farm equipment. During the last two months, which have witnessed a very sharp rise in the national commodity wholesale price index, most farmers are said to have followed the practice of converting into farm equipment, fertilizers, etc., all funds received from sales of produce. This belief is borne out by the abnormal strengthening which has occurred in agricultural implements and fertilizer markets.

The hostile press campaign directed at farmers by newspapers in Paris and other large commercial centers is becoming more and more intense. The most popular accusation at present is that farmers are withholding delivery of farm produce, especially cereals, in the hope of securing better prices at a later date. The best answer which has yet appeared to this violent attack of the commercial press is contained in a long article in the July issue of the Bulletin of the Society of French Farmers, "Société des Agriculteurs de France." Certain arguments presented in this article are translated literally below:

"In the official national wholesale price index 100 represents prices in July, 1914. From a figure of 468 at the end of 1923, this index has risen to 646 at the end of 1925, and 754 at the close of June, 1926. This last figure was made up of subtotals of 848 for 25 industrial articles and 646 for 20 foodstuffs. As compared to figures of only 533 for 8 forms of meat and 731 for 8 vegetable foodstuffs, the index for 7 metals and minerals reached the high figure of 837, and for 6 textiles an even higher one of 974. It should be noted that these are wholesale prices. Comparison of indices—which, unfortunately, are lacking—for the prices received for their produce by farmers and by manufacturers would be even more striking.

"The value of agricultural lands has increased much less than one actually supposes. Pre-war values have hardly doubled. According to a report to the Paris Statistical Society by Mr. M. L. Michel, research expert of the Credit Foncier, the value of rural properties, buildings included, had only risen from 72,000,000,000 francs in 1914 to 180,000,000,000 francs in June, 1925.

"It would be impossible to determine exactly the cost of production of the principal products of agriculture. These costs vary too greatly, not only between two regions, but between two adjoining farms, and even between two years of exploitation on the same farm. It is impossible, however, to form an idea of the rapid rise in foodstuffs production costs from the tabulation below indicating the trend of factory prices on certain articles essential to farmers.

Average factory sales price (in francs)

Per unit	(1) 1913	(2) Second half of 1925	(3) Coefficient of increase (2) over (1)
Plow.....	312	1,407	4.51
Drill.....	603	2,706	4.48
Spreader.....	425	1,892	4.45
Mower.....	265	1,650	6.22
Thresher.....	2,900	15,361	5.29
Per 100 kilograms:			
Nitrate of soda.....	25.45	122-165	4.79-6.48
Superphosphate.....	5.65	20.75-24.25	3.71-4.33
Scories.....	4.45	15.66-18.00	3.52-4.04
Sulphate of copper.....	59.00	216-270	3.66-4.71
Sulphur.....	17.00	81-104	4.76-8.12

"Farm-hand wages are now, in plenty of cases, more than five times those paid before the war. Where farm laborers are fed and lodged, they enjoy meals much more abundant and varied, and their quarters are greatly improved. They are often enough heated and well lighted.

The extension of certain social laws to agriculture has required the farmers to meet the expense of accident-insurance premiums. Unfortunately these concessions to betterment of working and living conditions of farm hands are not as great as those offered by most manufacturers. As a consequence industries are luring away the best classes of labor.

"Very few Frenchmen have forgotten the deplorable consequences of the war-time régime of Government control over output and sales, high rates of taxation, and Government threats to prosecute companies acting in restraint of free trade. Taxation during the war resulted in a sharp falling off in sowings and in the establishment of clandestine markets. On the other hand, few people realize that this Government control still exists, at least partially. The price of industrial alcohol, for example, is fixed by the Minister of Finance and the price of milk in Paris by the local chief of police. Is it unreasonable that farmers should clamor for commercial liberty such as is enjoyed by merchants who sell them their fertilizers, their clothing, and their household articles?

"It is often claimed that farmers' organizations are asking for tariff protection so high as to really constitute prohibitive duty rates. This erroneous opinion must be corrected. All the farmers ask for is a fair share of customs protection. Since the war agriculture is the least protected of all French industries. On certain very important foodstuffs no protection is offered at all. On foodstuffs which, if imported, compete with these raised within the country, import duty rates have either been abolished or maintained at the pre-war figure, or doubled, or in very few exceptional cases increased by a maximum coefficient of 3. On manufacturing articles, the coefficients applied on pre-war duty rates are rarely less than 2, are generally from 3 to 5, and often enough reach a figure of from 7 to 9. Until very recently, live animals, certain fresh, salted, or frozen meats, potatoes, and certain other vegetables, were imported without payment of any duty.

"The export of a long list of foodstuffs is either prohibited or allowed only within the limits of a small annual amount fixed by law. Among these articles, can be cited wheat and wheat flour, alimentary paste, rye, buckwheat, oats, barley, live animals, fresh meats, milk, butter, potatoes, and certain dried vegetables, sugar, malt, rawhides, and sheep skins.

"Export prohibitions on manufactured articles are very rare and of little real importance, save perhaps, in the case of seedcake, sulphate of ammonia, and scrap iron.

"On another list of foodstuffs, the export is permitted, but only on payment of export duty rates, ad valorem, that is to say, increasing in amount with each increase in the quoted price for the article. These include:

Export duty rate	
Per cent	Per cent
Horses for butchering.....	15
Salted meats.....	15
Live poultry and pigeons.....	30
Live rabbits.....	20
Dead poultry and rabbits.....	30
Animal fats.....	10
Hens' eggs.....	40
Fresh milk.....	10
Condensed milk.....	3
Most kinds of cheese.....	25
Butter.....	25
Fresh vegetables.....	5
Wood for pulp.....	10
Chestnut wood.....	25

"The only important agricultural products which are permitted to leave the country without Government impediment are wines and fresh fruits. Unfortunately this consideration on the part of our Government is often rendered null by individual commercial treaties placed in effect with other countries, by the terms of which these two articles are prohibited entry into other countries.

"In connection with the export of foodstuffs there are directed at the farmers two criticisms which could not be more contradictory. One criticism is that we did not export enough, that we import more foodstuffs than we export, and that owing to negligence on the part of French farmers the foodstuffs trade balance in France is unfavorable. The other criticism is that France exports too much foodstuffs. Exponents of this theory claim that all French foodstuffs should be reserved for the local market in order to keep internal prices at the lowest possible figure.

"To the first criticism one can reply that it is very unreasonable in view of the fact that farmers are not allowed to export freely, and that it is based on customs statistics which give an unfair picture of actual trade. Among the foodstuffs which France imports can be cited: Rice, tea, coffee, spices, bananas, and oranges, which obviously can not be grown in France. Furthermore, customs statistics class as industrial raw materials such products of agriculture as hides, alcohol, and textile fibers.

"In reply to the second criticism attention can be called to the fact that our exports of foodstuffs represent only a very small part of our production, much smaller even in 1925 than in 1913. It is hardly just, furthermore, to consider that the one class—farmers—should be deprived of the right enjoyed by other classes of marketing their products at the most remunerative figure."

The brief of the farmers' society summarized above, while well presented, is far from conclusive. There remains to be explained the fact that the farmers' standard of living has risen markedly during the past decade, and that it fails to show the pinch which is now general in urban districts. Agricultural journalists state that profits from crops

of this year have been sufficient to permit the paying off of an important amount of farm mortgages without calls on Government bond holdings or on hoarded gold, rural holdings of which are estimated by economists at not far below 2,000,000,000 francs. These mortgage payments have been postponed, however, in most cases, owing to the belief that the purchasing power of the franc has not reached the end of its downward course and that the purchase of farm equipment is more expedient at this time.

In 1925 returns from all forms of direct Government taxes amounted to almost 5.7 billion francs. Of this total the tax on commercial and industrial profits contributed over 2,000,000,000 francs, while that on agricultural profits figured for only 70,000,000 francs.

ORDER OF BUSINESS

The SPEAKER. Under the order of the House the gentleman from New Jersey [Mr. EATON] is recognized for 20 minutes.

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the conference report on the rivers and harbors bill may be considered before the gentleman from New Jersey makes his remarks.

The SPEAKER. The Chair thinks the conference report would have the right of way if called up.

Mr. TILSON. If that is true, there is no need of asking for unanimous consent.

RIVERS AND HARBORS

Mr. DEMPSEY. Mr. Speaker, I call up the conference report on House bill 11616.

The SPEAKER. The gentleman from New York calls up the conference report on H. R. 11616, the rivers and harbors bill, which the Clerk will report.

The Clerk read the conference report.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11616) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to all of said amendments.

S. WALLACE DEMPSEY,
RICHARD P. FREEMAN,
J. J. MANSFIELD,

Managers on the part of the House.

W. L. JONES,
CHAS. L. McNARY,
DUNCAN U. FLETCHER,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11616) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed upon:

The river and harbor bill as it passed the House authorized new work, the total estimated cost of which was \$83,854,500. The Senate amendments made to the bill have reduced the amount authorized to \$71,871,900.

The authorizations for new work made by the Senate amendments are as follows:

On No.—		
2. Hackensack River, N. J.	-----	\$1,655,000
3. Mulberry Creek, Va.	-----	2,500
4. Intracoastal waterway from Beaufort Inlet to Cape Fear River, N. C.	-----	5,800,000
7. Little Calhoun Bayou, La.	-----	85,000
9. Galveston Channel, Tex.	-----	621,000
13. Sheboygan Harbor, Wis.	-----	122,500
On No.—		
15. Sandusky Harbor, Ohio.	-----	\$605,000
16. Fairport Harbor, Ohio.	-----	411,000
18. Crescent City Harbor, Calif.	-----	710,000
21. Grays Harbor, Wash.	-----	250,000
22. Green Bay Harbor, Wis.	-----	410,000
6. Intracoastal waterway, Jacksonville to Miami, Fla.	-----	4,221,000
10. Mississippi River, from Minneapolis to Lake Pepin.	-----	3,780,000
53. Anclote River, Fla.	-----	22,000
24. Surveys, navigation, water power, etc.	-----	7,322,400
Total of additions.	-----	26,017,400

The following reduction was made from an authorization adopted by the House:

On No. 12. Missouri River, Kansas City to Sioux City.	-----	38,000,000
Net reduction effected by Senate amendments.	-----	11,982,600

In addition to the amendments cited above, the following provisions were added to the bill by the Senate:

On No. 1: Modifies the existing project for Hudson River Channel, N. Y., by eliminating a condition precedent to the prosecution of the project, which required municipalities bordering the section to be improved to provide landings open to the public at intervals not exceeding a mile, with piers extending to within 50 feet of the established pierhead lines, and to dredge and maintain on each side of the piers berths with depth at least equal to the channel depth and with length of 400 feet or over.

On No. 5: Authorizes a survey to be made of a section of the Waccamaw River near Conway, S. C.

On No. 8: Modifies the existing project for the Mississippi River between the Ohio River and St. Louis, which provides for the securing of a channel 8 feet deep and 200 feet wide, by providing for a depth of 9 feet and width of 300, with no change in the cost authorized for the existing project.

On Nos. 11-12: Amends House provision for the Missouri River, between Kansas City and Sioux City, by specifying that the channel authorized shall be 6 feet in depth, and limits the amount authorized to be expended to \$12,000,000.

On No. 14: Amends House provision for the Illinois River by eliminating reference to the project document and in lieu thereof specifying the work to be done and the conditions precedent to its prosecution; provides that nothing in the provision shall be construed as authorizing any diversion of water from Lake Michigan; and authorizes the specific sum of \$3,500,000 to be appropriated for the improvement work adopted.

On No. 17: Amends House provision for San Joaquin and Stockton Channel, Calif., by providing that channel leading to the locality mentioned through Suisun Bay shall be improved to a depth of 26 feet and width of 300 feet.

On No. 19: Modifies existing project for Coos Bay Harbor, Oreg., by providing for an extension of the jetties to such length as can be secured within the limit of cost heretofore established by law.

On No. 20: Modifies existing project for Willapa Harbor, Wash., by authorizing maintenance work over the bar at the mouth of Willapa Bay such as to provide a depth of 23 feet and such width as is economically obtainable at whatever location is dictated from time to time by existing conditions on the bar. Estimated that this authorization will increase annual maintenance cost by \$20,000.

On No. 23: Authorizes an opening in the breakwater of the Harbor of Refuge at Harbor Beach, Mich., if necessary in the interest of sanitation and not detrimental to navigation.

On Nos. 25, 26, 27, and 28: Amends House provision for the Cape Cod Canal by providing that the canal company shall file with the Secretary of War its consent in writing that the contract heretofore made be modified so as to provide that the United States shall assume the payment of interest on the bonds from the date upon which the property passes to the United States.

On Nos. 29 and 30: Amends House provision relative to cost of surveys authorized in the bill, by providing that funds heretofore or hereafter appropriated for such purposes shall be available for making the surveys authorized in this bill.

SURVEY ITEMS

- On No. 31: Channel way of Moosebec Reach, Me.
- On No. 32: Camden Harbor, Me.
- On No. 33: Hendricks Harbor, Me.
- On No. 34: New Bedford Harbor, Mass.
- On No. 35: Nantucket Harbor, Mass.
- On No. 36: Maspeth Creek, N. Y.
- On No. 37: Waddington Harbor, N. Y.
- On No. 38: Port Jefferson Harbor, N. Y.
- On No. 39: Raritan River, N. J.
- On No. 40: Washington Canal and South River, N. J.
- On No. 41: Woodbridge Creek, N. J.
- On No. 42: Jenkins Creek, Md.
- On No. 43: Chuckatuck River, Va.
- On No. 44: Intracoastal waterway from Cape Fear River, N. C., to St. Johns River, Fla.
- On No. 45: Amendment to House provision for survey of channel from the inland waterway between Charleston, S. C., and St. Johns River, Fla., to Bluffton, S. C., by inserting the following: "From the headwaters of the Wando River through Wambaw Creek to the Santee River."
- On No. 46: Shem Creek, S. C.
- On No. 47: East River Channel, Brunswick, Ga.
- On No. 48: St. Marys and Satilla Rivers, Ga., and canal connecting said rivers.
- On No. 49: Clearwater Harbor, Fla.

On No. 50: Channel from Clearwater Harbor to Tampa Bay, Fla.

On No. 51: Channel connecting the St. Johns and Indian Rivers, Fla.

On No. 52: Channel from the Gulf through Passage Key Inlet to Anna Maria Key and Sarasota Bay, Fla.

On No. 54: Channel from Florida East Coast Canal at Miami into Florida Bay.

On No. 55: St. Andrews Bay, Fla.

On No. 56: East Pass Channel, Fla.

On No. 57: Lake Okechobee, Fla., with a view to flood control.

On No. 58: Tombigbee River, Miss.

On No. 59: Three Mile Creek from Mobile River to the Industrial Canal, Ala.

On No. 60: Fowl River, Ala.

On No. 61: Kishkinitas and Conemaugh Rivers, Pa.

On No. 62: Guyandotte River at Barboursville, W. Va.

On No. 63: Port Crescent Harbor, Mich.

On No. 64: Harlem River, N. Y.

On No. 65: Senate strikes out House provision for a further study of a deeper waterway connecting the Great Lakes with the Hudson River.

On No. 67: Umpqua River and entrance, Oregon.

On No. 68: Columbia River at Ilwaco, Wash.

On No. 69: Columbia River, between Ilwaco and Chinook, Wash.

On No. 70: Stillaguamish River, Wash.

On No. 66: Amendment has the effect of modifying House provision on page 12, lines 17, 18, 19, and 20 of bill, adopting a new project for Umpqua Harbor and River, Oreg., by providing that if, in the opinion of the Chief of Engineers, dredging shall be considered desirable, such work may be done.

On No. 71: Amendment authorizes the expenditure of \$100,000 annually by the Reclamation Bureau to defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California.

On No. 72: Strikes out House provision for surveys for combining navigation improvements with water power, flood control, and irrigation. (Substitute provision inserted as amendment No. 24.)

On No. 73: Provides as follows:

"SEC. 5. (a) That all agreements heretofore made by district engineers for the employment of experts and specialists in the several arts and sciences, upon terms and rates of compensation for services and incidental expenses in excess of the maximum of the salaries authorized by the classification act of March 4, 1923, and all payments made thereunder, are hereby validated.

"(b) Funds heretofore or hereafter appropriated for rivers and harbors to be expended under the supervision of the Secretary of War shall be available for expenditure in the purchase of such personal equipment for employees as in the opinion of the Chief of Engineers are essential for the efficient prosecution of the works.

"(c) All payments heretofore made by disbursing officers of the Corps of Engineers, as reimbursement of subsistence expenses incurred on journeys on official business under proper orders, commencing after 8 o'clock antemeridian and completed not later than 6 o'clock postmeridian of any day, when said expenses are not in excess of those authorized by existing Army Regulations, shall be allowed and credited by the General Accounting Office.

"(d) Actual expenses heretofore and hereafter incurred by civilian employees on river and harbor works for packing, crating, hauling, and transporting household effects, within the weight limits as prescribed in Army Regulations, when making permanent change of station under competent orders, may, on approval of the Chief of Engineers, be paid or reimbursed from funds pertaining to river and harbor works."

S. WALLACE DEMPSEY,

RICHARD P. FREEMAN,

J. J. MANSFIELD,

Managers on the part of the House.

Mr. MAPES. Mr. Speaker, I desire to reserve a point of order against the conference report.

Mr. DEMPSEY. May I be told what the point of order is that is reserved?

Mr. MAPES. Mr. Speaker, I desire, of course, to state the reason for reserving the point of order. The House asked for the conference with the Senate on this bill, disagreeing to the Senate amendments. The rules of the House provide that the papers shall be left with the House which consents to the conference and agrees to the request of the other House, and that

the conference report shall be first acted upon by the body agreeing to the conference. In such case ordinarily the regular procedure would be that the Senate should act upon this conference report first. Speaker Clark, however, held that if the House agreeing to the request for a conference surrendered the papers, that the other House might act upon the conference report first. When this bill went to conference it was stated on the floor of the House what would probably happen, and what was predicted would probably happen has happened. The conferees have agreed to all of the Senate amendments.

There are some amendments of the Senate, without reference to their merits, which seem to me should have been considered and corrected by the conferees. For example, the very first amendment put into the bill by the Senate, on page 2 of the bill, refers to House Document No. 313, without naming any Congress or any session of Congress. It would seem to me to make that amendment intelligible the conferees should have corrected the amendment and told what Congress the document was in. Amendment No. 8 of the Senate on page 6 refers to the improvement of the Mississippi River from the northern boundary of the city of St. Louis to the mouth of the Ohio and authorizes that improvement according to a report contained in House Document No. 9, Sixty-ninth Congress, second session. I have been unable to find a House Document No. 9 of the Sixty-ninth Congress, and have been told that there is no such document but there is a committee document No. 9 of the Sixty-ninth Congress, second session, which refers to and adopts a project on the Mississippi River from the northern boundary of the city of St. Louis to the mouth of the Ohio. That committee document provides for changing the channel from 8 to 9 feet. It seems to me that this mistaken reference should have been corrected by the conferees so that the proper document would be mentioned. In the statement of the managers on the part of the House, as shown on page 1454 of the Record, reference is made to amendment No. 53, the Anclote River, Fla., improvement at an estimated cost of \$22,000, the amendment providing for that improvement is put in the report along with other items for improvements which the report says the bill has authorized. In the bill Senate amendment No. 53 appears away over in the bill in the section providing for surveys. That section does not authorize any improvements at all but surveys and I wonder why the conferees did not correct that. There is another place in the bill where an improvement is authorized and then further, under the section authorizing surveys, a survey is to be made of the same river. I have wondered why that situation was not corrected.

Now, Mr. Speaker, in view of the action of the conferees, and in view of the fact that in not correcting these obvious errors in the Senate amendments, they have brought the conference report back to the House for action in this body before having it acted upon in the Senate, where according to the better practice it should have been acted upon first, the query has been raised in my mind whether or not the managers on the part of the House considered it would be unnecessary for the Senate to act upon this conference report at all if the report is adopted by the House, all of the Senate amendments having been agreed to.

I would be pleased to have the gentleman from New York enlighten us upon that query.

Mr. DEMPSEY. I will be glad to cover that when I answer the gentleman's point of order.

Mr. MAPES. I would further ask the gentleman from New York if he does not think the conferees ought to ask to have the conference report rereferred to them so that these obvious mistakes can be corrected?

WAR DEPARTMENT APPROPRIATION BILL

Mr. BARBOUR, from the Committee on Appropriations, by direction of that committee, presented a privileged report on the bill (H. R. 16249) making appropriations for military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes (Report No. 1753), which, with the accompanying papers, was referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. BLAND reserved all points of order.

RIVERS AND HARBORS

Mr. DEMPSEY. Mr. Speaker, as I understand the gentleman's argument it is twofold. First, he says the House having asked for the conference, the Senate is entitled first to act on the conference report. There has been only one decision upon that question and that is the decision of Speaker Clark. On August 12, 1911, just such a situation arose as is presented here. Mr. UNDERWOOD presented a tariff bill. The House had receded and concurred in the Senate amendment. The Senate, following

Jefferson's Manual and under the practice of this House, was entitled, unless the House had the papers, to act first.

Mr. MAPES. Mr. Speaker, I may say to the gentleman from New York, in order to save time, if he will permit an interruption—

Mr. DEMPSEY. Surely.

Mr. MAPES. I have not made the point of order. I referred to the decision of Speaker Clark and I reserved a point of order for the purpose of obtaining some information from the gentleman from New York.

The SPEAKER. Does the Chair understand that the gentleman from Michigan withdraws his reservation?

Mr. MAPES. No, Mr. Speaker. I reserve a point of order for the purpose of getting some information.

Mr. DEMPSEY. I will answer the gentleman. The gentleman asked whether two apparently clerical errors should be corrected by the conference. I will say to him no. He asked as to the Anclote River in Florida. That was purely a clerical matter which has been corrected by the clerks of the two Houses. It was a matter for them to correct and was not a matter for the conferees at all.

The second matter to which the gentleman refers—

Mr. MAPES. Will the gentleman yield on that point?

Mr. DEMPSEY. Let me first answer fully and then I will yield.

The second matter to which the gentleman refers is the deepening of the Mississippi River for a portion of its length. The gentleman thinks that the description of the document is not complete. I say that the description of the document is ample to furnish the Chief of Engineers with the document prepared by him and emanating from him, which controls in the case. It is the only document of the Sixty-ninth Congress upon the subject. It is the only document that refers to the subject. It could not mean any other document, because of the fact it is the only document of the Sixty-ninth Congress upon the subject. It does deal with this precise subject; and if there were no reference to the number of the document at all, the identification would be complete.

Let us now take up the river. The gentleman says that the improvement of a river in Florida, the Anclote River, at an expense of \$22,500, is put in the wrong place in the bill. Suppose it is. Let us assume it has not been corrected by the clerk. Let us assume it is a matter that is not within the duties of the clerk to correct. Let us assume it is a matter which the conferees should have corrected. The utmost that could happen from either one of these mistakes is that these two matters would go out of the bill. They have no reference whatever to the parliamentary standing of the bill. If they were fatal, they would be fatal only to those items, and those items by reason of the fact that the error was fatal would fail in this bill.

I do not think there is any such situation. I do not think there is any possibility of either one of them being in a condition where they would not remain in the bill; but at the utmost the only result which could possibly follow would be that the items, if the objections to them were fatal, would disappear from the bill.

Mr. MAPES. Mr. Speaker, the gentleman from New York has failed to answer the query which I propounded.

It occurred to me that because of the failure of the managers to make these obvious corrections and because of the fact that the managers did not follow the better practice of the House in bringing the papers back to the House for action here before they were acted upon in the Senate, that they might have had in mind that it was unnecessary for the Senate to act upon this conference report at all, inasmuch as the managers have agreed to all the Senate amendments; and my query was, Does the gentleman from New York have in mind asking the presiding officers of the two bodies to sign the act without action by the Senate upon this conference report?

Mr. DEMPSEY. The gentleman from New York thinks that the present question propounded by the gentleman is not a question to be answered at this time. The question of signing the bill is one that is subsequent in point of time and in action to what we are discussing now, which is the consideration of the conference report.

We are not yet in a position to ask the Speaker of the House or the Vice President to sign the bill. I do not care to take up a discussion of when and under what circumstances the gentleman from New York will do that if he happens to have anything to do with a request to sign the bill, which he probably will not have. It will probably be unnecessary for him to do so. He never yet has been obliged to go to the Speaker or the Vice President to ask that a bill be signed, and he probably will not have to in this case, and what he might do in that respect can have no possible bearing upon the question now

under consideration. That is a parliamentary question for the Senate. Will the Senate be persuaded, if we adopt the conference report, that no further action upon its part is necessary?

I imagine that the Senate will deal with that without any reference to us. It is their question; it is not our question. They will decide that question and decide it when it arises. They will not pay any attention to what the chairman of the Committee on Rivers and Harbors in the House has said on that subject. They have jurisdiction over there. They know the rules and they know whether or not it is necessary for them to take any action, and they will not be controlled by the chairman of the Committee on Rivers and Harbors, or any other Member of the House. They will act for themselves without reference to what I may say about what I deem to be their proper course of action. I think it would be impertinent for me at this time to tell the Senate what they should do or fail to do, or whether it is necessary for them to act.

Mr. SNELL. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. SNELL. As I understand, under the general rules and practice of the House, this report would come up in the Senate first?

Mr. DEMPSEY. If the Senate had control of the papers.

Mr. SNELL. How did the House get control of the papers?

Mr. DEMPSEY. That question has been up before and, as I understand, it is not proper for me to discuss how we got control of the papers. Speaker Clark held in a well-considered decision that the question was who had control of the papers. The Senate had a perfect right to yield possession, and the fact that they have done so is the only point to be considered, and it would not be proper for me to discuss what actuated the Senate or why they gave us control of the papers.

Mr. SNELL. I accept the gentleman's explanation, but along another line, as far as I am personally concerned, I am in favor of considering conference reports according to the precedents established in the House and the Senate. This is a new practice in the House.

Mr. DEMPSEY. The gentleman is absolutely wrong. The only decision holds that where the House has the papers it has the right to act first; and it will be assumed that it had the papers properly.

Mr. SNELL. I accept the gentleman's statement, but the statement I made is that the House that asked for the conference does not act first on the conference report. That is the usual practice.

Mr. DEMPSEY. It does not act first unless it has the papers.

Mr. SNELL. But the gentleman is evading the question.

Mr. DEMPSEY. No; I am not evading the question; I am stating the facts that the controlling factor is the possession of the papers in a case of this kind. It is not which House asked for the conference, but which House has control of the papers.

Mr. SNELL. The rule says the other thing. I accept the gentleman's statement as to how he got the papers, but I say that the usual custom is just the opposite to what the gentleman is doing, and I make that statement as an absolute fact, and the gentleman can not dispute it.

Mr. DEMPSEY. I say that the House that has control of the papers acts first on the conference report.

Mr. SNELL. That is not in accordance with the rule.

Mr. DEMPSEY. We are talking about opposite cases. The gentleman is talking about a case where the Senate has possession of the papers and I am talking about a case where we have the papers. We are talking about different cases. The gentleman insists upon stating a case different from the case presented here.

Mr. MAPES. Mr. Speaker, still reserving the point of order, I am glad to see that the gentleman from New York is so sensitive about the propriety of discussing what should be done by the Senate. I did not go into that; I asked if it was the gentleman's hope, inasmuch as the managers did not follow the usual procedure, as the gentleman from New York [Mr. SNELL] has pointed out, and inasmuch as they did not correct the obvious mistakes in the Senate amendments, if it was the gentleman's hope that the presiding officers of the two bodies would sign the act without any action by the Senate on the conference report, if the House adopts it. I do not know that I shall press the question any further, but I wanted to bring the matter before the House for the consideration of the House and the Speaker. I realize that that, perhaps, does not raise a point of order against the report, but it seems to me that it does raise a question of orderly procedure, and one that should be seriously considered. I hoped, too, that if these things were called to the attention of the gentleman he would ask unanimous consent to withdraw the conference re-

port to make the corrections that have been referred to. I withdraw my reservation of the point of order.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a short statement?

Mr. DEMPSEY. Yes.

Mr. SNELL. I want to read to the gentleman from New York, my esteemed colleague, and to Members of the House, the rule that I had in mind which is exactly the point I stated. I refer to paragraph 548 of Jefferson's Manual, with reference to conference reports:

And in all cases of conference asked after a vote of disagreement, etc., the conferees of the House asking it are to leave the papers with the conferees of the other.

That is exactly what I stated, and that is something that has not been done, and that is the orderly procedure of the House.

Mr. DEMPSEY. Mr. Speaker, all I said in answer to the gentleman was—

Mr. SNELL. Oh, the gentleman said that I did not know what I ought to have known, and I want to say that I did know it, and that I do know it. [Laughter.]

Mr. DEMPSEY. All I said to the gentleman was that that had been interpreted, and that there was only one decision upon the question.

Mr. Speaker, it will be remembered that when the question of sending the bill to conference was under consideration by the House there was an agreement made that there should be four hours of debate, to be divided equally between those opposed to the conference report and those favoring it. I understand that the gentleman from Ohio [Mr. CHALMERS] is to have control of the time for those who are opposed to the conference report. I ask unanimous consent that half the time be controlled by the gentleman from Ohio [Mr. CHALMERS] and half the time by the chairman of the committee, and that the debate be not to exceed four hours; that the chairman have the right to open for not to exceed 20 minutes, and the right to close.

The SPEAKER. The gentleman from New York asks unanimous consent that debate upon this conference report be limited to four hours, one-half to be controlled by himself and one-half to be controlled by the gentleman from Ohio [Mr. CHALMERS]. Is there objection?

There was no objection.

Mr. CHINDBLOM. Mr. Speaker, before the gentleman from New York proceeds will he yield to me for a moment?

Mr. DEMPSEY. I yield to the gentleman from Illinois.

Mr. CHINDBLOM. Mr. Speaker, an attempt has been made to make it appear that this matter comes up under very extraordinary circumstances. I want to make it clear that, inasmuch as the House conferees have agreed to all of the Senate amendments, the Senate conferees, in turning over the papers to the House conferees, did the proper thing, because, the House conferees having accepted the Senate amendments, there would be nothing for the Senate to act upon, practically, and the Senate would really have nothing further to do. It was very proper that the Senate should have the chance first to know whether the House had agreed to the work of its own conferees in accepting all of the Senate amendments. There is precedent to the effect that the conferees of one body may surrender the papers to the conferees of the other body in order to facilitate orderly and expeditious procedure in a case of this kind.

Mr. MAPES. Mr. Speaker, will the gentleman yield to me?

Mr. CHINDBLOM. I have not the floor.

Mr. MAPES. Mr. Speaker, will the gentleman from New York yield to me in order that I may ask a question of the gentleman from Illinois?

Mr. DEMPSEY. Mr. Speaker, I shall yield to the gentleman from Michigan if he feels it necessary after I have made my opening statement. The gentleman from Michigan [Mr. MAPES], by reserving a point of order raised a question as to the manner in which this conference report comes before the House. The Senate passed its amendments before we adjourned for the recess. Soon after the Senate had completed the passage of the bill and adopted its amendments the Committee on Rivers and Harbors of the House was called together. We had a long and careful session. We considered the Senate amendments, and as a result of the consideration of the Senate amendments the Committee on Rivers and Harbors, by unanimous vote of all of the members who were present, instructed the chairman to take such steps as were necessary to accept the Senate amendments. So that what was done by the conferees was not done simply with ordinary care, it was not done by the conferees relying alone upon themselves as is ordinarily the case, it was not done through the action of three men, the conferees, but it was done through the action of the Committee on Rivers and Harbors, having jurisdiction of that

subject in the House, and by unanimous action on their part. So that the procedure here is not alone regular but at every step every precaution has been taken to insure a careful consideration of the Senate amendments.

Let us come now to a consideration, first, very briefly, of this bill itself, and, second, in a little more detail of the Senate amendments. This bill carries \$71,000,000 in authorizations. The gentleman from Michigan [Mr. MAPES] the other day made an argument twofold in its nature. First he said this bill carried \$110,000,000, and the only inference from his argument was that the \$110,000,000 was to be taken bodily from the Treasury the instant the bill was passed. Let us take his argument as to its carrying \$110,000,000. His argument briefly was this, that we authorized the expenditure of \$12,000,000 on the Missouri River, that he estimated that the improvement of the Missouri River for some length of it, which he does not specify, will carry \$40,000,000 or \$50,000,000 or \$60,000,000 and that because we have appropriated \$12,000,000, some future Congress will appropriate the balance of the \$50,000,000, and, therefore, that we must add to the present bill something that some other House at some distant day in the future may in the farseeing opinion of the gentleman from Michigan do.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Surely.

Mr. MAPES. Of course the gentleman would not carry the impression to the House that this bill actually appropriates any money.

Mr. DEMPSEY. Oh, no. I have not used the word "appropriates" once. In each statement that I have made I have very carefully used the word "authorizes," and what I have said is that the gentleman argued that because to-day we authorize the expenditure of \$12,000,000 it is certain that some future Congress at some uncertain date in the future will appropriate \$38,000,000, and, therefore, that we must add the \$38,000,000 to the \$12,000,000 and that then we must be of the opinion and hold that the \$50,000,000 is immediately taken from the Treasury, and that all of the savings of this Congress are gone, because some future Congress at some future date will follow a certain course.

Mr. MAPES. Now, will the gentleman yield for a question?

Mr. DEMPSEY. I will yield.

Mr. MAPES. The gentleman will not deny, will he, that the bill authorizes the improvement of the Missouri River according to House Document No. 1120, Sixtieth Congress, second session, and that to make that improvement the engineers estimate the cost will be \$46,000,000, and General Taylor testified it would cost at least \$50,000,000? Does the gentleman see any inconsistency in the Senate authorizing this improvement, which will cost at the lowest \$46,000,000, and then turn around and authorize an expenditure of \$12,000,000 only to make the improvement, and does not the gentleman hope and expect that as soon as Congress appropriates this \$12,000,000, and it is expended by the Board of Engineers, that it will continue to appropriate enough to make the entire improvement upon the Missouri River as outlined by this House document?

Mr. DEMPSEY. The gentleman's question is rather a broad one and involves the whole question of the policy of improving the Missouri River. I am going to discuss that question, which is totally different from that as propounded by the gentleman the other day when I come to a discussion of the Missouri River, which is where it belongs. It does not apply here. But I want to try to point out the fact that this bill carries only \$71,000,000, which will be examined, in all human probability, in the course of 10 years to come, which will add \$7,000,000 annually, and not to exceed \$7,000,000, to the expenditures for rivers and harbors, and which will not be \$110,000,000, as the gentleman stated the other day; and I think that before we get through the debate the gentleman ought to explain to the House that it was ill considered, was bad mathematics, was bad prognostication, was a bad guess, and that it was not justified by anything which was before the House.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. CHINDBLOM. The gentleman from Michigan referred to a document from the Sixtieth Congress upon which this authorization is based. If the Congress should travel as rapidly in the future as it has in the past, it will be another 12 years before something is done. I hope not, but the gentleman is judging the future by the past, I presume.

Mr. DEMPSEY. This improvement of the Mississippi River is not based on that document in any way. First, we have the fact this bill authorized an expenditure of \$71,000,000; and, next, we come to the question as compared with other bills and as compared with expenditures for the other means of transportation in this country—that is, by railroad—whether or not the amount is inordinate, extravagant, excessive, or

exceedingly reasonable, and I say it is the last and clearly so. I call the attention of the gentleman from Ohio, the former distinguished chairman of this committee, to the fact that in 1910 he piloted through this House a bill which carried \$263,000,000 and which with the increased expenditures, owing to the fact that the dollar is not worth as much as it used to be, will carry over \$300,000,000, over four times what the present bill carries. Next I call the attention again of the distinguished gentleman from Ohio to the fact that in 1907 he again piloted through this House a bill carrying \$89,000,000, a sum greatly in excess of the present bill. Now, I come to a contrast of the carrying of freight by the railways in this country and by our waterways and the expenditures relatively for this purpose. In the year 1924 the railroads of this country carried 1,247,000,000 tons of freight. In the same year the waterways of this country carried 483,400,000 tons of freight. In other words, the waterways of this country in that year carried 38 per cent as much freight as the railroads.

Now what was expended by the railroads in that year? We find that they expended the enormous sum of \$579,000,000, and yet in this House, in spite of the fact on the same basis we should expend annually in the maintenance and improvement of our waterways at least \$200,000,000 we think we are doing a magnificent thing when we expend, as we do annually as an outside figure, \$50,000,000 a year. So I say in the history of the past in river and harbor legislation this bill is indeed a moderate, small, and insignificant bill. And in considering that you must recollect another thing, that since the year 1910, when \$263,000,000 was appropriated and authorized for the improvement of rivers and harbors in this country, this country has been developing by leaps and bounds. At that time I venture the assertion that the total wealth of this country did not reach \$150,000,000,000, and to-day it is over \$350,000,000,000. The wealth of this country has more than doubled in the period since Chairman Burton put through the House that bill. Next I say in a comparison of the actual carrying by water, which is 38 per cent of the carrying by rail, and the fact that the railroads spent \$579,000,000 net, and we only spend \$50,000,000—I say our appropriations for rivers and harbors in this country are small and must be larger.

I say they must be larger, and why? They must be larger because in this country, at the peak to-day, we are unable with our present transportation facilities to carry the commerce of the United States. In 25 years we shall have 40,000,000 more people. We have no carrying facilities for them. We must provide those facilities. We can provide them more cheaply by water than by rail, and when once provided, the facilities by water will carry the freight at a fraction of the cost of carrying it by rail. So I say, looking to the future, looking to the necessities of carrying commerce, in order that our people may be supplied with food and fuel, it will be necessary not that we have bills of the size of this present bill, but bills that will provide adequate transportation facilities in the United States.

Now, let us come to this bill in particular, and I am going to call attention at this time to the outstanding facts, to the peaks, to the things that tower, as being of superlative importance in the bill; and first I am going to call attention to what is done for the Great Lakes system in this bill. Most unfortunately the Great Lakes system has suffered a shallowing of 40 inches in their channels, which means a great loss in the carrying capacity of the Great Lakes freighters. We have talked about the fact that there was this shallowing, but nothing has been done to meet the situation until this bill was presented, and in this bill we provide for remedying that defect in two ways: First, by starting a survey for the deepening of the channels in the Great Lakes; and, second, by construction of regulatory works which will raise the level of the Great Lakes, it is estimated, at least 18 to 24 inches.

Now, I say if there was nothing else in the bill, if the bill did not contain any other provision, that alone amply and fully justifies it, and makes it one of the most important bills ever presented to Congress, because the Great Lakes system is the greatest transportation system in the world, carrying the greatest volume of freight and at the lowest rate known in the history of the world.

Next we come to another item for the Great Lakes, and that is for increasing the facilities at the St. Marys River so that there the transportation will be safe. Up in the State of Michigan, which is more interested in water transportation than any other place in the United States, if not in the world, we provide for the deepening of the Great Lakes, and we provide for the remedying of the present troubles by the creation of a new channel in the St. Marys River at an expense of about \$5,000,000.

Now, how the gentlemen from Michigan can possibly be against a measure which will be a benefit—an untold, an immeasurable, an incalculable benefit—to the Great Lakes system and to that vicinity in which the gentlemen reside, is beyond my conception, speculate and guess as much as I may about the matter.

In the House there was an objection to the bill with respect to the Illinois River item on the ground that the Illinois River was deemed by certain gentlemen of the House to be a menace to the Great Lakes. Happily, when the bill went to the Senate a remedy, a safeguard, was introduced, which met the views of every one, and that measure passed the Senate without opposition and without a single vote against it, as I remember, because I was present. There is no question but that that amendment is satisfactory to everybody who has the interests of the Great Lakes at heart.

Then in the House a new measure was added, and I want to call the attention of the House to the way that amendment was added. There was an amendment added as to the Missouri River. That amendment was carried at a late hour, and it was carried by the united vote of the gentlemen who are opposing the bill. I do not think that one of them, from the honorable former chairman of the committee—

Mr. BUTLER. Mr. Speaker, may I ask the gentleman a question?

Mr. DEMPSEY. Yes.

Mr. BUTLER. I will say to the gentleman that I voted against the bill originally, because I feared that in the end it would tend to lower the level of the water of all the Great Lakes. Now, I see in your report that you have provided against that.

Mr. DEMPSEY. Yes. Now, I would like to have the attention of the gentlemen who are opposed to the bill. Let me call attention to the way the Missouri River item came into the bill. The chairman of the committee resisted the amendment. The gentlemen opposed to the bill unanimously, I think, without the exception of a single man, voted for the Missouri River as it was proposed here. The gentlemen from Michigan, as I understand it, voted for that amendment, which would have been carried—

Mr. MAPES. If the gentleman refers to me, I will say to him that I voted distinctly against the Missouri River item.

Mr. CRAMTON. I voted likewise. If the gentleman from New York is on a fishing expedition, he is not having good luck.

Mr. DEMPSEY. My point is that practically every man opposed to the bill voted for the Missouri River amendment.

Mr. MAPES. If the gentleman is drawing a general conclusion he is mistaken, so far as this gentleman from Michigan is concerned. I distinctly opposed it and voted against it.

Mr. DEMPSEY. I thought the gentleman had voted for \$46,000,000. But I accept the gentleman's statement as correct.

Mr. SEARS of Nebraska. But it was carried by practically a two-thirds vote of the House?

Mr. DEMPSEY. Yes.

Mr. CRAMTON. I suppose that some gentlemen opposed to the bill might have voted for the Missouri River amendment in the House on the theory that that amendment might overload the bill so that it might be defeated. I will say to the gentleman that I have never had any confidence in that theory. I knew very well that this bill could not be overloaded to such an extent that it would cease to have the support of the gentleman from New York and others.

Mr. DEMPSEY. I do not yield further to the gentleman. I want to answer the gentleman from Michigan. The gentleman spoke the other day against the bill, and I want to call attention to what he said. The gentleman was speaking against the Yuma project, and the gentleman's statement about the Yuma project was that it was uncertain whether, under the Yuma project, we have authorized the annual expenditure of \$135,000 a year or \$100,000; that it was quite susceptible of the interpretation that we authorize \$135,000. It just shows—absorbed as the gentleman is in his own occupations, unable as he is to pay any attention to rivers and harbors items, and expecting no doubt, none the less, to speak upon this item—that the gentleman had not been able to find the time to read the item and see that the \$35,000 had been repealed by the very provision which he was attacking. I say that the gentlemen who are advising the House what to do should find time to know something as to the facts; or, if they do not find any time to learn the facts, then they should not take the position of being the advisers of the House upon important subjects.

Let us come to the next question of the Missouri River. The Missouri River left the House as a general authorization; it went to the Senate and there it became an authorization

for the expenditure of \$12,000,000; and my understanding is that the gentlemen who now oppose this bill are basing their opposition upon the Missouri River item. So I want to address myself for a few minutes to that item; and I want to say that if these gentlemen will listen—they have time now and they are here—to what the facts are, I believe they will become converted and become advocates of the Missouri items. [Applause.]

Now, first. The gentleman from Ohio has stated at various times that he did not like the way these Senate amendments were passed, based, as he said they were, upon a rushing of the reports through the various channels through which they came to us. It is so very easy to assume things against the bill in ignorance of the facts. I happen to know the facts. I happen to know that instead of these various reports being expedited and rushed through, as the gentleman from Ohio has charged, the effort of the Chief of Engineers was to hold back these reports; and it was only because the reports had been had for a long time because they came to the desk of the Chief of Engineers in the regular order and because they could not be held back longer that these reports were, in fact, forwarded as they were.

Now, let us come to the Missouri River. At the time the Missouri River item was placed in the House bill there was no recent report upon which to base advocacy of that item, but happily since that time, by a report dated as late as the 16th of December, 1926, all doubt, all obscurity, and all question upon this item has disappeared in a clear report.

Let us see what the Chief of Engineers says upon the question, and I call the attention of the House particularly to this language. I apologize for reading, but I do not want this to stand upon what any Member of the House says; I want it to stand upon the statement of these engineers and I can get that to you only by reading. I am reading now from page 2 of the report and paragraph No. 5:

The district engineer estimates that improvement of the river with the resulting protection to riparian property would increase land values to the extent of \$6,400,000 along the river between Kansas City and Yankton. In addition, some 40,000 acres, valued at \$1,200,000, would be reclaimed.

There is \$8,000,000 in land reclamation alone and all we are authorizing is the expenditure of \$12,000,000.

He invites attention to certain other benefits, such as reduction in the cost of maintenance of railroad lines and highways, reduction in the amount of eroded material carried downstream, rendering secure the levees constructed by local interests, reduction or elimination of seasonal congestion on the railroads, and increase in the unit value of the total production of any commodity on account of lower transportation costs.

The chief says that is what the resident engineer, the district engineer, and the Board of Engineers have all found, but he says there is something in addition to all of that. He says this in paragraph No. 10:

The Missouri Valley, one of our most important food-producing sections, is evidently handicapped by high transportation costs. While this condition has existed for many years, it is understood to have been aggravated relatively to the coastal areas by the construction of the Panama Canal. Basically, therefore, it may be said that this important section of the country will profit by any transportation facilities which can be made available on the river.

Now, here is the interpretation of the chief of the effect of the various bodies below him:

The district engineer concludes that the river from Yankton to Sioux City is not worthy of improvement but recommends—

And that is all we are doing here—

that the section between Sioux City and Kansas City be systematically improved with a view to securing a channel 6 feet deep and not less than 200 feet wide. The division engineer—

The second man next higher up—

concurs in general with the district engineer but recommends that the present improvement be limited to the section between Kansas City and Omaha.

That is, only the present improvement, not the ultimate improvement; not what you are going to do in the end but simply the present improvement.

These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its report herewith. On the basis of an independent economic study made by the personnel of the board—

And I call the attention of the House to this language and particularly to the gentleman from Ohio that there was no haste, there was no rushing of these matters—

It concludes that the improvement between Kansas City and Omaha is justified.

Mr. CHALMERS. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. CHALMERS. I will say to the chairman that I think he will find the date of the report from the division engineer to be December 3, 1926; I think the report from the Board of Engineers was signed on the 14th or 15th of December and the report made by the Chief of Engineers was signed on the 17th day of December, and it seems to me those dates would show a hurried report.

Mr. DEMPSEY. Oh, I do not think so at all. These gentlemen have been studying the Missouri River ever since they have been members of the engineering force. They know every point along the Missouri River as well as we know the pathway between the House and the House Office Building. They brought to their study of this question, first, their original training as engineers; second, the fact they had studied the particular project; and, third, they had a fresh and complete and new report before them at the time they were studying the project. I think what the Chief of Engineers said is true, that they made an independent economic study in addition to the facts they had at hand. They had their preknowledge and in addition they had these reports before them.

Mr. ELLIS. Will the gentleman yield?

Mr. DEMPSEY. I yield to the gentleman.

Mr. ELLIS. In line with the gentleman's argument that there was no undue haste, I call the chairman's attention to the fact that the report came up from the local engineer last year while this bill was in progress. It was considered by the Board of Engineers then and sent back to him for further examination during the present year. Then it came back and was given full consideration again this fall, in November and December, and further hearings were accorded the people of the valley. Then the Board of Engineers found, as is recited there, in favor of the project, limiting it only on the north to Omaha. So there never has been a more carefully prepared action by the Board of Engineers on any project in the 20 years I have been in Congress than in relation to this stretch of the Missouri River.

Mr. DEMPSEY. Now that the gentleman calls my attention to it, I recollect full well that previous study. I remember that study was in progress when we had our hearings on this bill a year ago. I remember the Chief of Engineers bringing the matter to my attention repeatedly—and I call the attention of the gentleman from Ohio to this—and so instead of having 10 days, as the gentleman charges, the various engineering boards took more than a year in the consideration of this question and in the reaching of its conclusion.

It will pay the Members of the House to have this report on the Missouri River, if they will only study the very last page of the report, because they will find there that the district engineer reports as the conclusion of a very elaborate investigation that this river will pay a return of 10 per cent upon a large section of the river which is to be improved.

I come now to one other very highly important part of the Senate amendment. We provide by a Senate amendment something larger in the way of surveys of rivers than was provided by the House bill.

In the House a few years ago you gentlemen will all remember we provided for a survey of the Tennessee River and its tributaries. None of us knew what a tremendous thing we were doing for our country when we provided for that survey. We believed there was some water power down there, as well as navigation, but none of us even dreamed that the enormous water power which can be produced at a most moderate cost existed upon that river and its tributaries. We found, as a result of an expenditure of about \$700,000, that that river has on its main stream and on its tributaries 3,000,000 horsepower, which can be produced at so low a cost that it can be placed on the market at \$15 per horsepower, one of the outstanding, if not the greatest, discovery in the United States in the last quarter of a century.

So, having a vision of what can be accomplished throughout this broad country of ours by this lesson as to what has been done on one river and its tributaries, we provide in this bill for a survey of all the principal streams of this country for navigation, for power, and all kindred purposes, making one survey answer for all, having no duplication, learning at once what we

have in the way of these natural resources throughout this broad land of ours.

These are the outstanding features of the bill. Let me close what I am saying at present by just this observation. When this bill came before the House it came with a minority report of three Members. That minority report was directed to two things—opposition to the all-American route, and that has disappeared from the bill; to opposition to the Illinois River, and all opposition to that has been compromised and met. So that so far as the committee is concerned there is nothing which has not been met and fully answered.

Then, after the Senate had adopted its amendments, as I have said to you before, a meeting of the full Committee on Rivers and Harbors was held and, after a careful consideration of them, the chairman was instructed to take such measures as would bring about our accepting all of the amendments. Therefore the bill comes before you in the regular way. It carries only a reasonable and small amount. The improvements which it carries are of greater importance to this country than those carried in any other bill up to this time.

The single thing which is in dispute here, so far as I understand the situation, is the Missouri River, and the Missouri River is based upon the report of the resident engineer, of the division engineer, of the Board of Engineers for Rivers and Harbors, and upon the recommendation of the Chief of Engineers, that \$6,000,000 should be authorized at the present time. The only way we differ from him is in the amount, and the amount which is authorized is small for the good which is to be accomplished, for the work which is to be undertaken, and for the vast and splendid producing country which is to be served. [Applause.]

Mr. DALLINGER. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. DALLINGER. I would like to ask the chairman of the committee if the statement in the printed report of the conferees that there is a reduction of \$38,000,000 in the amount authorized for the Missouri River is correct?

Mr. DEMPSEY. Absolutely correct.

Mr. DALLINGER. What was the original appropriation or authorization?

Mr. DEMPSEY. We authorized the improvement of the Missouri River in accordance with a document, and now we simply authorize the expenditure of \$12,000,000 on the Missouri River. It was estimated by the engineers that the total improvement, if made, would carry \$50,000,000, and the difference between \$12,000,000 and \$50,000,000 is \$38,000,000. However, let me say this to the gentleman, that all of these river and harbor items are based on reports of the engineers. The need for improvements of our waterways is constantly growing. Personally I believe, I am thoroughly persuaded, that when we have expended the \$12,000,000, at the end of five or seven years we will find the benefits so great, the returns so splendid, the future prospects so alluring that we will be persuaded to act, and, of course, we will only be persuaded through success; but I believe success will be so great and splendid and will promise so much for the future that we will not abandon the Missouri, but when the time comes to appropriate again the House, in view of what has been accomplished, will continue that splendid work. [Applause.]

Mr. CHALMERS. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BURTON].

Mr. BURTON. Mr. Speaker and gentlemen of the House, I am reluctant to oppose the adoption of this conference report for several reasons. In the first place, I recognize that any opposition will probably be futile. This bill is comprehensive, pervasive, all embracing, and perhaps irresistible. There is hardly a State but what is represented, hardly a district but what is interested. There are included in it minor channels and little creeks which are the object of tender solicitude.

The next reason is that I believe in river and harbor improvements, and this bill includes a number of commendable items. I do not quarrel so much in regard to the amount, but I wish to correct a very grave error made by the gentleman from New York [Mr. DEMPSEY] when he said that I, as chairman of the Rivers and Harbors Committee, brought in, in 1910, a bill carrying \$263,000,000. I was not in the House at that time. I do not think the bill carried \$263,000,000, but at any rate it contained many items of which I myself disapproved.

I will admit bringing in a bill in 1907 with appropriations and authorizations to the amount of \$89,000,000, and that was a real river and harbor bill, because it made provisions for the great harbors and channels of the country; it made provisions for Boston Harbor, for New York Harbor, providing for the completion of the 40-foot waterway known as the Ambrose Channel, the finest entrance channel in the world, and I am

proud to say that I drew the provision for that with my own hand.

It provided for the harbors of Baltimore, Norfolk, and Savannah. Such worthy projects as the Mississippi River from the mouth to New Orleans, St. Johns River, the Black Warrior, the Cumberland River in Tennessee, the Ohio, St. Marys River, and the Columbia River in Washington were included.

It provided an additional lock at the Soo, for the alternative channel in the Detroit River, and I say to you that there was no pork in that bill, although it ran up to the amount of \$89,000,000.

Again I am reluctant, because while we had a heated controversy about the diversion of water from the Great Lakes, when we came to sit around the table, the gentleman from New York, Mr. DEMPSEY, the gentlemen from Illinois, Mr. MADDEN and Mr. HULL, supported by Senator DENEEN, agreed upon a provision which as far as possible protects the level of the Great Lakes.

Again I am reluctant, because I know well the bitter antagonism I shall arouse by criticizing this bill. But, my colleagues, I say to you that I regard it as a matter of plain duty to oppose it. I was associated long with river and harbor improvement—14 years as a member of the committee and 10 years as its chairman—I believe in the improvement of our harbors and rivers which promise a favorable return. My criticisms of the bill I will take up in order, and I ask unanimous consent to extend and revise my remarks, because there are tables and other things that I wish to insert.

The SPEAKER pro tempore (Mr. STOBBS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BURTON. First I object to the method; the bill carried when reported to the House the sum of \$33,558,000. At midnight the Missouri River was added, carrying, according to the report, some \$20,000,000 or \$30,000,000, with a later estimate of \$50,000,000. It went to the Senate. The Senate Committee on Commerce recommended an additional amount of \$7,362,000, but the bill as passed there contained the addition as figured in the conference report at \$26,073,400. That does not include all by any means. For instance, for the Mississippi River between St. Louis and Cairo there is an increase in annual expense of maintenance of from \$600,000 to \$900,000, placing on the Government a burden of \$300,000 annually in the future, and there are other improvements and additions to the cost of maintenance aggregating perhaps \$2,000,000 a year. This additional maintenance in the Mississippi River is to go for dredging, which will provide a channel 9 feet deep and 300 feet wide. Now, anyone can see that after such an increase is made there will necessarily follow a comprehensive system of works to maintain this new channel. This will then take a further sum of \$10,000,000, as estimated in the Chief of Engineers' report.

I have been somewhat surprised to note that in the rather extended statement made by the gentleman from New York [Mr. DEMPSEY] in dwelling upon the Senate amendments, he mentioned only that for a survey of the waterways of the country with reference to waterpower. For these other amendments that are placed here he uttered no word of defense. If there is any rule to be observed it should be that we follow the Engineers' report. Let me call attention to some of the conditions that we meet. The intracoastal waterway in North Carolina had a recommendation by the Board of Engineers for \$3,200,000. The Senate amendment carries \$5,800,000—\$2,600,000 additional. And we are asked to accept this bill, body and breeches, with its \$26,000,000 and more of additions to a bill that the committee reported with only about \$33,000,000.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. BURTON. I must ask to be permitted to proceed without interruption for a while. Later, I shall yield. That is absolutely unprecedented in the record of the relations between the House and the Senate on appropriations or authorizations. In the old days the Senate would put on a number of amendments. I remember they put on \$125,000,000 for the Nicaraguan Canal in the first bill of which I had charge in 1899, but we struck it off. The accepted additions made by the Senate in the various bills were limited to one to three million dollars in amount. Here you have an addition of \$26,000,000 or \$27,000,000, about three-fourth as much as the amount recommended by the House committee. What is the function of this House? Is it to pass a tentative bill and send it over to the Senate and allow them to add on nearly as much? Is this House ready to accept this bill as a precedent in that regard? I think it is a decided reflection upon the prestige of the House. These amendments, in many instances, are based on reports which had not passed beyond the stage of "proof." There

was so much anxiety to add particular items that the gentlemen were not content to let the printer's ink dry on the Engineers' reports. How could sufficient time be given for deliberation and honestly weighing the merits of one project against another?

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. BURTON. Yes.

Mr. DEMPSEY. I call attention to something in connection with the project of which the gentleman has just spoken. The resident engineer recommends, as the gentleman will see on reading the report, a depth of 12 feet, based on the necessities and the business and on the fact that we are standardizing those Atlantic waterways at 12 feet. The Chief of Engineers recommends 8 feet, but says that we can get 12 feet if necessary at a future time, at any time that Congress may authorize it. In other words, the chief really says, let us in the interest of economy get 8 feet now and 12 feet later, although he knows that it will cost a great deal more money to do the two projects than to do it as one project.

Mr. BURTON. We must adopt a standard. We must not accept the district engineer, who is no doubt under local influences, nor must we accept the division engineer, nor even the Board of Engineers for Rivers and Harbors. The final word is spoken by the Chief of Engineers, and it is his recommendation that we should adopt.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. BURTON. I can not yield further. I will later.

Mr. ABERNETHY. This is a matter that concerns me very vitally.

Mr. BURTON. I shall be glad to yield to the gentleman later. A conference report attempts to show that there is a decrease in the amount for the Missouri River from Kansas City to Sioux City. The provision inserted in the Senate is a grave violation of the report of the Chief of Engineers, and there is an attempt to deduct \$38,000,000 of the \$50,000,000 implied in the House provision; but, gentlemen, the moment you appropriate \$12,000,000, or even a less sum than that, you commit yourselves to that project unless the House, as it may, should reverse its action. If you say that \$12,000,000 is all that you are giving the people bordering on the Missouri River between Kansas City and Sioux City, then you are giving them a gold brick, pure and simple.

You are keeping the word of promise to the ear and breaking it to the hope. That either means \$50,000,000 or it means that the money will be wasted and no results come. I should like to go through these items in detail, but as much attention has been paid to the Missouri River—and I have some decided views in regard to that—I shall first dwell upon that.

First, the Chairman, perhaps by reason of lack of time, did not read the vital provisions in regard to the Missouri River. Later I shall show that the prospects for commerce there are very poor. I shall endeavor to prove this by the poverty-stricken results of the lower Missouri between Kansas City and the mouth, and by certain facts relating to transportation which I think the people of that locality have not taken into account. Let us see, first, how far the action of the Senate varied from the report of the Chief of Engineers. The gentleman from New York [Mr. DEMPSEY] gave certain quotations on page 2. The Board of Engineers, as well as the local engineers, have always recognized that this project is very largely a land reclamation project. Land now overflowed by the waters of the river would be reclaimed and made valuable, that which is worthless made worth two or three hundred dollars an acre, that occasionally overflowed doubled in value; and thus they have recommended that there be participation by the owners of abutting property or by communities benefited. I have not opposed the improvement of the Missouri River at any time if the plan be honest. If those whose lands are to be made of great value without, as I think, addition to navigation facilities, would pay their proper share, I would not object. Thus in the lower portion between Kansas City and the mouth, something like \$1,220,000 has been expended by local participation, an amount much less than the benefit conferred. Let me read a little further than the chairman of the committee read. On page 2 of the report on the Missouri River above Kansas City I find the following:

In connection with the improvement of the lower Missouri, many local interests have contributed part of the cost where the work serves to protect their property. The district engineer recommends the extension of this policy to the upper river. He estimates that a total of \$8,650,000 in cooperative funds might be expected for the Kansas City to Yankton section.

There is no provision whatever made in this bill before us for any participation. The total amount to be paid is to be paid

out of the Federal Treasury. Let me again read a little farther on page 4, in addition to what the chairman read.

This is what the Chief of Engineers says on the subject of this improvement:

14. My present views and recommendations may be briefly summarized as follows: The economic situation will become much clearer and more definite in a few years, especially when the section below Kansas City shall have been improved sufficiently to permit economical navigation and shall have had an opportunity to demonstrate that commerce on that section will develop to an amount adequate to justify its large cost of improvement. The Government will, in my opinion, be embarking on a doubtful business venture if it adopts a comprehensive project now for the river from Kansas City to Omaha. Under these circumstances, I do not feel justified in recommending the adoption at the present time of the project from the standpoint of navigation, although my belief is that it can, in the course of time, be shown to be an investment of public funds which will be sound beyond a reasonable doubt. On the other hand, it appears that the protection of banks and the stabilization of channels will be of great value to the owners of riparian property and that the work thus done will later reduce correspondingly the cost to the United States of a comprehensive project for navigation, if such a project be adopted. It would appear from available information that the benefits that will accrue to riparian owners will be such as to warrant local cooperation to the extent of over \$4,000,000 on the section of the river between Kansas City and Omaha. If the Federal Government matches this amount and supervises this bank-protection work, so as to insure that it is sufficient in extent and character to warrant the belief that it will be of a fairly permanent nature, such work would be beneficial to a comprehensive navigation project if later adopted. This might require \$6,000,000 of Federal funds. I feel, therefore, that the probable benefits to the United States from the standpoint of navigation may be sufficient to warrant authorizing the expenditure at this time of not to exceed \$6,000,000 for this purpose.

He recommends, not \$12,000,000, as in the Senate amendment which we are asked to adopt, but \$6,000,000.

Nor is there any word in the Chief of Engineers' recommendation as to improvement above Omaha and to Sioux City. This amounts to a reiteration of the statement of the division engineer who recommends that the improvement be limited to the section between Kansas City and Omaha.

The Chief of Engineers further says:

If Congress feels that the amount of local cooperation that might be secured by authorizing this expenditure now would be of sufficient benefit from the viewpoint of eventual saving on a possible future navigation project or from the viewpoint of land preservation, any authorization should, in my opinion, be subject to the following conditions: That the works constructed shall conform to a plan for the general improvement of the river in the interests of navigation, that each section shall be of such character and extent as to warrant the belief that it will be of a permanent nature, and that no expenditure shall be made save on the basis that local interests shall contribute at least 40 per cent to the cost of any works installed, such maintenance work as may be necessary to be undertaken by the United States.

That is the recommendation of the Chief of Engineers. Perfectly plain. It is distinctly against any improvement unless 40 per cent of the cost is to be paid by the abutting property which is most interested in this expenditure.

Now, I will take up as an object lesson what we have accomplished in the improvement of the lower Missouri from Kansas City to the mouth. Why, at one time it was facetiously said that no one could keep a straight face in advocating that improvement. We have spent on that stretch of 400 miles a little over \$21,000,000. The cost of maintenance in the year 1925 was \$477,000. In 1910, after I left the House, a project was adopted for the improvement. It was estimated that it would cost \$20,000,000 and could be finished in 10 years. Ten years have passed and gone and six years more. We have had an expenditure since that time of \$13,339,000, and the report was made in 1925 that the work was only one-third completed. Now, what has been the commerce on that section from the mouth to Kansas City? A certain amount of sand and gravel hauled for a very few miles and not requiring any improvements, considerable tonnage made up of material for the improvements on the river, but less than 3,000 tons of yearly commercial traffic.

The most considerable item in the 1925 statistics, exclusive of sand and gravel, is 1,824 tons of coal. On examining the more valuable traffic we find such items as grain, 127 tons; livestock, 23 tons; poultry and eggs, 3 tons; fruit, 2 tons; hay, 1 ton; textiles, 12 tons; cement, 5 tons; oil, 1 ton; machinery, 32 tons; manufactures of iron and steel, 1 ton; and lumber, 25 tons.

The largest mileage for which any of these products was conveyed was 31 miles—no through traffic whatever. Now let us make a contrast. I want to call attention, gentlemen, to the fact that 70 years ago there were boats running out from St. Louis all along on this river up as far as St. Joseph. There was a regular passenger line by train to Jefferson City and the rest of the way up to Kansas City by boat. That was before anything had been done with the river. At that time the river was a great carrier and if there were no other means of transportation more convenient and readily available it would be used still, both for passengers and freight. All during the years from 1891 down to date the traffic, aside from sand and gravel, has been comparatively small, and since 1910, has suffered a general decrease. The maximum was reached in the years 1903, 1907, and 1910. In those years the total tonnage on the river was 750,291 tons in 1903, 843,863 tons in 1907, and 875,687 tons in 1910. But in these years the amount of sand and gravel was 695,017 tons, 807,780 tons, and 831,558 tons, respectively. In the first 20 years of this century the tonnage classed as farm products reached a maximum of 43,035 tons in 1903, and a minimum of 3,480 tons in 1919.

I shall file with my speech a table showing that the amount of the traffic has been steadily dropping:

Freight on the Missouri River (entire river)

	Sand, gravel, etc. ¹	Farm products	Timber	General merchandise, miscellaneous	Total of columns 2, 3, and 4
	Tons	Tons	Tons	Tons	Tons
1890					
1891					
1892					
1893					
1894					
1895					
1896					
1897	332,558	29,348	37,354	8,872	75,574
1898	255,593	20,784	48,647	10,914	89,345
1899					
1900	220,380	29,595	38,563	9,947	78,105
1901	497,878	38,829	53,939	16,472	109,240
1902	354,427	40,125	31,462	15,547	87,171
1903	698,986	58,515	13,162	17,622	89,299
1904	442,740	19,542	12,668	6,922	39,212
1905	350,514	23,607	11,075	11,195	45,877
1906	551,938	31,662	21,792	11,943	65,397
1907	818,790	33,869	29,921	6,406	70,196
1908	502,093	36,103	15,049	10,801	62,013
1909	521,664	29,000	21,890	9,469	60,347
1910	831,658	20,399	16,447	7,283	44,129
1911	339,751	11,878	12,714	6,668	31,260
1912	222,722	18,871	16,226	7,603	42,700
1913	438,458	32,066	21,438	21,039	74,543
1914	310,227	29,814	8,518	9,191	47,523
1915	282,675	21,514	18,344	17,161	57,019
1916	201,511	25,432	2,341	19,525	47,298
1917	203,370	6,457	2,587	11,487	20,531
1918	180,309	7,926	3,523	5,435	16,884
1919	199,867	3,480	2,736	524	6,740
1920	315,094	3,633	33,202	3,760	40,565
1921	246,595	2,558	1,403	8,654	12,615
1922	272,207	5,720	859	1,009	7,585
1923	379,937	5,469	1,153	2,092	8,714
1924	457,579	6,503	5,288	1,618	13,409
1925	512,773	11,191	4,236	3,014	18,441

¹ This includes materials used in the improvement of the river.

It will be noted that these figures show the traffic on the entire river. The large bulk of the farm produce in the later years has been carried on the upper part between Sioux City and Fort Benton, on which about \$3,000,000 has been spent. Thus, for the year 1925, the amount of farm produce carried on the section from Sioux City to Fort Benton was 11,023 tons, while only 168 tons were hauled on the stretch from Kansas City to the mouth.

Now, I wish to lay down to you, my friends, this axiom: If there is a channel in a river that can be used and is available for navigation, there will be traffic upon it in its natural condition.

That there is a sufficient channel on the Missouri between Kansas City and St. Louis for navigation during six months of the year we learn from the Chief of Engineers' report for 1926, page 1079, where we read:

From the opening of navigation, early in March, to the close of August the ruling depth generally fluctuates between 4 and 9 feet above mean low water.

Thus, for a season when traffic would naturally be largest there is a depth greater than that of the proposed project.

Instead of 3,000 tons, as on the Missouri River, the Ohio, before it was improved, carried millions of tons of traffic, and there was traffic on other unimproved rivers as well. Seventy years ago the Missouri River was an artery of commerce, but now it is outclassed. There are railroads on either bank, and the railroads cross it everywhere. If the people of St. Louis

would come to Congress and say, "We wish to do away with the differential rates we have on the railroads," there might possibly be some competition on the waterway, but as long as they take the stand they now take, the utilization of this river on any large scale is hopeless.

Indeed, it may be stated in this connection that Professor Moulton, formerly of the Chicago University, made a computation, some 10 years ago, in which he claimed that if all the freight carried from Kansas City to St. Louis should be diverted to the river, the saving in freight rates which it is claimed by advocates of the project could be obtained would not equal the interest on the cost of improvement and the annual cost of maintenance. Of course, it is impossible to conceive that all the freight would be carried by the river. I shall include a portion of his argument, found in the Journal of Political Economy, volume 23, pages 965-967, December, 1915:

* * * 3,000,000 tons measured the total traffic between Kansas City and St. Louis in both directions during the past fiscal year. Colonel Deakyn's figures of \$500,000 maintenance and \$600,000 interest may be taken as a current basis for considering the economic feasibility of the project. The saving in 1913 was about \$10,000 on a traffic of 37,551 tons. At the same rate the saving on 800,000 tons—the amount of freight which it was claimed would be hauled—would be only about \$200,000 annually. To save \$1,100,000, the amount of the annual maintenance and interest charges, would require more than 4,000,000 tons, or one-third more than the entire traffic passing between Kansas City and St. Louis. Thus, at the present water rates, even if the waterways should succeed in taking all the traffic away from the railroads, it would still be insufficient to meet the annual charges incurred by the Government.

Certainly there will not be any greater development of traffic on the upper Missouri than on the lower. The figures for 1925 showed the startling figure of 2 tons. It is a manifest absurdity, a waste of the most inexcusable nature, to spend a large amount upon the river above Kansas City when the development of the lower portion has proven to be such a disastrous failure. And right in the face of this failure there is in this same bill a provision for a survey for a 9-foot depth on the lower Missouri River. Such an improvement would require the entire or partial abandonment of much of the work already done, as the most feasible plan for a larger depth would require a narrowing of the channel in many places. The late Senator Nelson, of Minnesota, used to say that the most promising part of the Missouri River to improve is that part from Yankton up to the Yellowstone.

I think my good friends who are expecting so much from this improvement are overlooking some very vital points. Suppose you have wheat and corn at Sioux City and want to take it down to Kansas City. The rate from Omaha to Chicago is just as much as it is from Sioux City. If you continue down to Kansas City the rate is 10½ cents a bushel, the same as from Sioux City and Omaha, so that instead of carrying your products to a higher market you are carrying them to one that is on an even keel. Indeed, the advocates of the Illinois River improvement maintain that the best way to ship grain from Sioux City and Omaha would be down the Missouri and up the Mississippi and the Illinois over to Chicago.

But there are railroads. Do you believe, any of you, that they are going to give up that traffic? They have it now, and they are going to hold on to it. We find the same condition on the Mississippi above the mouth of the Missouri which has a depth of 5 feet. Turning again to the Chief of Engineers' report we discover a traffic there of over 900,000 tons, of which sand and gravel alone take the great bulk of over 800,000. The remainder, less than 100,000 can be regarded as commercial freight, of which only about 39,000 tons is vegetable produce. Of this total only about 1,300 tons of wheat were hauled. Conditions on this stretch of the Mississippi are very similar to those on the Missouri above Kansas City. Indeed, the chances for traffic are more favorable on the Mississippi. How, then, can the estimates of prospective traffic on the Missouri be accepted?

Furthermore, this is altogether an ungovernable stream. I will read to you from an article in the American Magazine of 1906-7. It is somewhat humorous, it is true, but nevertheless it carries the truth. Listen to this:

In the old days the Missouri teemed with steamboats. They piled the river in flocks, schools, and droves, doing an enormous business and making such profits that the owner paid for his boat in two trips and watched it sink on the third trip, \$25,000 ahead. Of course, there were awkward little circumstances occasionally. Sometimes a boat would have a big passenger list for a town and wouldn't be able to find it—the river having either removed it or run away from it overnight. And sometimes the river would sneak away from a fine steamer

that had been tied up overnight. But, on the whole, the business prospered until the railroads came. Then the steamers vanished. To-day the river is as lonely as a schoolroom in vacation. From St. Louis to Sioux City its tawny bosom is unscarred by a single paddle wheel except when a Government packet noses its way upstream or the calloped of a venturesome excursion steamer awakes the echoes of the past for a few brief weeks in summer. Occasionally a farmer plowing in his field runs the point of his plow into the buried pilot-house of one of the old fleet of steamers and swears, though not as fluently as the one-time mate of the steamer. Then he knows that the river once ran where he is plowing and that the proud boat that has driven his plowhandle into his ribs once breasted the current where now he raises the lowly potato.

All of these facts have given rise to the statement that the Missouri is no longer navigable. This is a very foolish statement. Of course the Missouri is navigable. The trouble is that those who have tried it have spent too much time trying to change the river to conform to the steamboats when they should have been making over the steamboats to conform to the river. The Missouri River steamboat should be shallow, lithe, deep-chested, and exceedingly strong in the stern wheel. It should be hinged in the middle and should be fitted with a suction dredge so that when it can not climb over a sand bar it can assimilate it. The Missouri River steamboat should be able to make use of the channel, but should not have to depend upon it. A steamer that can not on occasion climb a steep clay bank, go across a cornfield, and corner a river that is trying to get away has little excuse for trying to navigate the Missouri.

It is probably the most ungovernable stream in the United States, and one of the most ungovernable in the world. Its improvement is enormously expensive. Why is it that the engineers' estimates have been discounted? Why is it that when they estimate that with \$20,000,000 to be expended in 10 years—

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. CHALMERS. I yield to the gentleman 10 minutes more.

Mr. BURTON. Why is it? It is because the banks of the stream are so friable. The stream changes its course overnight.

Now, I am perfectly aware that I shall be immolated, perhaps, for the stand I have taken, but I have had too much experience with the facts to take any other view. Journalists and public men have attacked me in public prints and at meetings, and yet have admitted to me privately that I am right. I have spoken at St. Louis and Kansas City on this subject, taking ground similar to that which I take at present. I would like to see people of that country relieved from the depths of discouragement in which they now are, but this project will not aid them. Gentlemen, it would be far cheaper to build a railroad 400 miles from Sioux City to Kansas City and fix the rates without regard to the capital cost than it would be to attempt to harness and control this uncontrollable river. Its course does not correspond with transportation routes, which naturally flow east and west, and not north and south. Three thousand tons of freight and \$21,000,000 spent on the river! In going into the details of freight we find 1 ton of hay; and this, I repeat, was carried but a short distance. Does anyone have the temerity to believe that with \$50,000,000 expended on the upper Missouri above Kansas City you are going to secure the desired results?

Another very grave objection to the project is that it is an open violation of a provision of an act of Congress. There is a provision in the rivers and harbors act of September 22, 1922—House Document 347, Sixty-seventh Congress, second session, section 9—to this effect:

That hereafter no project shall be considered by any committee of Congress with a view to its adoption, except with a view to a survey, if five years have elapsed since a report upon a survey of such project has been submitted to Congress pursuant to law.

Notwithstanding this provision of the law of 1922 and the further fact that the House Committee on Rivers and Harbors recommended no authorization for this portion of the Missouri River, the authorization proposed by the House is based upon House Document 1120, Sixtieth Congress, second session, which was transmitted by the Secretary of War December 7, 1908, more than 17 years ago. In that report the Board of Engineers for Rivers and Harbors stated that the cost of the improvement could be given only approximately; that experience indicated that it would be about \$50,000 per mile. The cost of maintenance would be about \$1,250 per mile. They made no formal recommendation, stating that the question of the advisability of undertaking again the improvement of the Missouri River was one in which their opinion depended upon the future policy in regard to the extent to which waterways were to be improved, and that the solution of the problem should therefore

rest with Congress. The reach of the river is a little more than 400 miles long, and the cost, according to the estimate of 1908, would be about \$20,000,000. But in a recent hearing before the Committee on Commerce in the Senate, General Taylor, Chief of Engineers, said that under present conditions the cost would probably be about \$125,000 per mile, or \$50,000,000.

Now, I can not close this discussion without uttering a word with regard to the relationship of the Engineer Corps to this body. Naturally they think they are the servants of Congress, but I think they are too much the servants of Congressmen and Senators, who bring men from certain localities to consult with them.

The Board of Engineers for Rivers and Harbors was a conception of mine, and was included in the river and harbor bill of 1902. Its object was to secure greater uniformity in recommendations and to obtain the consideration of picked men upon proposed projects. During the time I was chairman of the Committee on Rivers and Harbors, I do not recall that I ever requested them to make a recommendation upon any project, for I regarded their function to be that of a judicial body.

I might feel now, however—not being connected with either of the committees—a greater freedom in going before them, but I have not done it. If we leave them to draw their own conclusions, we shall not have any such reports as this one on the Missouri River. They would turn it down. I remember once that 53 surveys went to them, and 51 of them were reported on unfavorably; and of those 51 I do not believe there is a single project that would be approved at this date.

In those days there was a fitting sentiment of conservatism among them, but I fear that is disappearing. Out in California they reported upon a project and came to the conclusion that provision had been made, so far as navigation was concerned, but in a concluding paragraph they said, "The public demands this kind of improvement."

Now, what kind of a report is that? There was once a very dogmatic railroad president who said, "The public be blanked." Who constitutes the public? The contractors, who make a profit? The boomers, who do not consider the question of whether the expenditures involved are judicious or not, or people who desire the money spent in their locality, regardless of whether it does any good to the Nation or not? If those constitute the public, then there was some extenuation for what the railroad president said. I think their recommendations have been too much based upon pressure brought to bear from this House and the Senate, and that they have, in a measure, lost that independence, that sole regard for the interests of the country they serve, which should be the determining consideration.

I believe in river and harbor improvements. Some of the best years of my life were associated with this branch of public work, though I think the advantages of waterways as compared with railways have been somewhat exaggerated; but, nevertheless, they are very great. They are at least very great where you have deep water, as on the Great Lakes; they are very great in such cases as the Monongahela River, where you have the raw material or coal so near to the furnaces; they are great on the Ohio, which is a waterway leading from producing regions into the consuming regions on the lower river and leading on beyond to the Mississippi.

Years ago I used to say there were two projects that could be profitably improved, if any, in the country. One was the waterway across New York, the barge canal, and the other was the Ohio River. If neither of those succeeded, we should be exceedingly cautious in developing any other scheme for shallow-draft navigation. The barge canal does not seem to have been much of a success; the Ohio River, I think, has been a marked success, though its traffic has perhaps been somewhat exaggerated by its friends.

I am skeptical about framing bills in this way, where the person interested in the appropriation in the locality, without regard to whether it is helpful or not, may dominate the action of this House, where combination is possible, where "pork" can be included. This House, in the exercise of its discretion and sound judgment, ought to reject those things which ought to be rejected.

I do not believe in the form of these bills, which refer to executive documents, and, perhaps, you can not get those executive documents without very considerable difficulty and delay. I believe that every project in this bill should state the cost and not leave you to scurry about and find a lot of documents outside. I trust that this House, exercising that wisdom in which, in the long run, I have confidence, will more carefully scrutinize river and harbor bills in the future. I hope also that when we send a bill over to the Senate and they load it down we shall not again accept it as it comes back to us.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. MAPES. Mr. Speaker, at the request of the gentleman from Ohio [Mr. CHALMERS] I yield the gentleman five additional minutes.

Mr. DEMPSEY. Will the gentleman yield to me for a question?

Mr. BURTON. Certainly.

Mr. DEMPSEY. As I understand the gentleman, he criticizes the fact, as he alleges it to be, that there have been large additions in the Senate?

Mr. BURTON. Yes.

Mr. DEMPSEY. The gentleman took that matter up with the Chief of Engineers on the 5th of this month, and according to the reply which he received from the Chief of Engineers the result of the Senate amendments was a reduction, and a considerable reduction, instead of an addition. Then, when we come to items there is a reduction on the whole of about \$12,000,000 or \$13,000,000. Then, when we come to the question of the additions made by the Senate, I do not understand that there is any item of addition which has been criticized by the gentleman except the one single item of the waterway from Beaufort to Cape Fear.

Mr. BURTON. I criticized it on this ground, but I did not enter into the merits of it, that your only safe guide, if you are to establish a standard, is to follow the report of the Chief of Engineers. The report of the Chief of Engineers recommended \$3,200,000, while the Senate put on \$5,800,000.

The figure of the Chief of Engineers would provide a channel of sufficient depth for the traffic which would utilize the waterway. In discussing the various depths he observes that the barges of deeper draft rarely ply on the lower part of the waterway from Norfolk to Beaufort. While we are speaking of inland waterways, I wish to call attention to the amendment authorizing an appropriation of over \$4,000,000 for the one from Jacksonville to Miami, Fla., over a route of a privately owned canal which has never paid its owners one cent on their investment.

Mr. DEMPSEY. What I wanted to direct attention to was the fact that, first, the gentleman was advised by the Chief of Engineers that the aggregate result of the Senate amendments is a reduction in the amount of the bill instead of an addition.

Mr. BURTON. I have the letter right here before me, and that is not stated in the letter as I examine it.

Mr. DEMPSEY. If the gentleman will look under Note 2 in the addenda to the letter, he will see this:

The bill as passed by the House provided for an estimated expenditure of \$50,000,000 for the Missouri River, whereas the bill as passed by the Senate provided for an expenditure of only \$12,000,000, making a saving of \$38,000,000.

Mr. BURTON. I am very sure that is not in the letter I have here.

Mr. DEMPSEY. I can find it for the gentleman.

Mr. BURTON. Here is what he says about that:

The bill as passed by the House provided for an estimated expenditure—

It does say something like that, but the Chief of Engineers recommended an expenditure of not to exceed \$6,000,000, provided local interests contributed not less than 40 per cent.

Mr. DEMPSEY. The thing I was emphasizing, if the gentleman will permit, was this fact: That the net result of the Senate amendments is a reduction in the amount of the bill by about \$13,000,000; and secondly, that the only item criticized by the gentleman from Ohio was the Senate amendment with regard to the item from Beaufort to Cape Fear, and that constitutes only \$5,800,000.

Mr. BURTON. Oh, Mr. Speaker, it is little less than camouflage to say that the putting in of \$12,000,000 is a reduction. I ask the gentleman from New York right here, does he intend to resist the appropriation of the remaining \$38,000,000 when it comes before his committee? Does the gentleman intend to stop with this \$12,000,000?

Mr. DEMPSEY. Let me answer the gentleman. First, that question can not arise for at least four or five years, and probably six or seven years to come. While we all hope that all of us will be here, it is pretty hard to say what will be done six or seven years from now. Second, the future will depend entirely upon what results are secured by the expenditure of the \$12,000,000, and I take it that the House will act wisely and providently, as it always does, and if it finds that the \$12,000,000 has resulted in great benefit to the country, as personally I believe it will, based on the reports of the several engineers and the engineering bodies, then I should guess—and it can not be anything more than a guess—that probably that House which is

in existence six or seven years from now will follow up the beneficial work which has been done by making adequate appropriations for its continuance.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. MAPES. Mr. Speaker, I yield two minutes more to the gentleman from Ohio.

Mr. BURTON. Postponing for years does not answer the question. The question is, Do you expect to improve the Missouri River or not? When you have expended \$12,000,000 you know very well what will happen. They will come and say that is not sufficient.

Mr. DEMPSEY. I will answer that frankly.

Mr. BURTON. Just one minute. I want to conclude my statement.

Why did not the gentleman do what would be, while not ideal, far more rational, instead of frittering away this \$12,000,000 all the way up to Sioux City, provide that it should be limited to the stretch from Kansas City to St. Joseph, so you could finish something instead of having it expended for protecting the banks? I remember an ex-Senator, a distinguished lawyer from the West, came to me one time and said, "The Chicago, Burlington & Quincy Railroad is in trouble. We have a bridge across the Missouri River and we want an appropriation to protect the approaches to it." He went away sorrowing because he did not get the appropriation. The larger share of this \$12,000,000 will be spent, unless there is some such restriction as limiting it to St. Joseph, in shoring up the banks and not with any permanent or helpful effect on navigation. That is simply inevitable.

Mr. ABERNETHY rose.

Mr. BURTON. Now, my good friend, the gentleman from North Carolina [Mr. ABERNETHY] is very much interested in inland waterways. Does this other item fall to the gentleman's district?

Mr. ABERNETHY. Yes.

Mr. BURTON. Does not the gentleman think \$5,800,000 is a pretty big share for the gentleman to have compared with the other Members of the House?

Mr. ABERNETHY. No, sir; if you will permit me to answer you. I have such a high regard for the gentleman that I usually follow him on matters that are not political, as I did the other day when we saved the Treasury some \$50,000,000 on the cruisers.

Mr. BURTON. Thanks for that.

Mr. ABERNETHY. The gentleman made a wonderful speech and I was very sorry that he should pick out my little item in this bill. [Laughter.] I hope the gentleman was speaking of it only in a Pickwickian sense and not seriously.

Mr. BURTON. One reason I mentioned it alone was because it is a peculiar case, and I did not have time to mention a lot of other projects. [Laughter.] I assure you it was with no idea of discriminating against the gentleman from North Carolina.

Mr. ABERNETHY. I hope the gentleman will think seriously about it and withdraw his opposition, because it is a very worthy project and one that has the backing up of the engineers and has great commercial advantages.

Mr. LOZIER. Mr. Speaker, will the gentleman from New York yield the gentleman from Ohio one-half minute to answer a question for me?

Mr. DEMPSEY. Yes; I yield the gentleman that time.

Mr. LOZIER. The gentleman from Ohio [Mr. BURTON] has stated that the original estimate for completing the project from St. Louis to Kansas City made in 1910 was \$20,000,000, and the gentleman states that was not sufficient. Does the gentleman think he is quite sincere and candid with the House in not telling them that at the time the estimate was made the cost of labor and of construction was very, very much less than it is at the present time; and does the gentleman contend that General Marshall, who, I believe, was the Chief of Engineers at that time, who made that report, and his subordinates, did not make an accurate and dependable estimate as to the cost if that work had been inaugurated and proceeded with in accordance with the plan?

Mr. BURTON. For the larger part of the time from now to then the costs were not higher than in 1910. They had six or seven years of low prices.

Mr. DEMPSEY. Mr. Speaker, I yield 20 minutes to the gentleman from Missouri [Mr. NEWTON]. [Applause.]

Mr. NEWTON of Missouri. Mr. Chairman and gentlemen of the House: I have long since learned from legislative experience that the fellow of whom you have the greatest fear in legislation is the man who pretends to be a friend to a policy of Government and then stabs it.

The gentleman from Ohio [Mr. BURTON] has told us that he is a friend of river and harbor improvement projects, and I will say in support of his contention that I can not recall of an instance during the eight years that I have been a Member of this House where the gentleman opposed a project in the vicinity of Ohio, and, likewise, I can not recall a single instance where he favored a project which provided for the improvement of any river in the Mississippi Valley.

As a member of the Rivers and Harbors Committee, and as a Member of this House, I have avoided all selfish interests and have supported meritorious waterway projects wherever they were found, because I am convinced that waterway transportation in this country affords facilities for cheap freight and furnishes opportunities to add facilities to the carrying equipment of the United States, and I am persuaded that the best interests of the whole country demands the improvement and use of all these facilities.

I regret to note the hostility of the gentleman from Ohio [Mr. BURTON] to the Missouri River project contained in this bill, and it distresses me to be forced to the conclusion that he is not fair in the use of arguments with which he attempts to justify his opposition. The engineers all concede that the improvement of the Missouri River for navigation is entirely feasible and practicable, even farther north than Yankton, S. Dak., and I submit to you that there is no section of this great land where freight conditions or the quantity of commerce more thoroughly justify the improvement.

The most striking instance of bad faith upon the part of Congress in the last half century has been the conduct of this body in connection with the project upon the Missouri River. [Applause.] In 1910 and prior thereto people in the Missouri Valley became distressed by their freight situation. Delegations from Kansas City, Omaha, Sioux City, and other cities and counties in that great valley came to Washington. They went before the Rivers and Harbors Committee of the House and pleaded for the improvement of the Missouri River in order to relieve the desperate transportation situation. The Rivers and Harbors Committee after hearing their arguments and analyzing the facts which they presented said to those gentlemen: "If you will go back home and undertake to raise the money by private subscription with which to build barges, towboats, and docks in order that the Missouri River may be used for navigation, we will adopt your project from Kansas City to the mouth of that river, and we will write it into the law that the \$20,000,000 which the engineers estimate will be the cost of making a 6-foot channel upon this project shall be expended within a period of 10 years, so that in 1920 your project will be completed."

These gentlemen relying in good faith upon this pledge of the Rivers and Harbors Committee, which was followed by the whole Congress enacting this pledge into law, went back to Kansas City and by private subscription raised \$1,250,000, and with this money they constructed barges, towboats, and terminals, and began the navigation of the Missouri in its unimproved state. After they had expended their money and in good faith began operations under trying and difficult circumstances, Congress broke faith with them and failed to appropriate the money with which to make the improvement in conformity with the pledge which they had made both orally and by legislative act, with the result that when the 10 years had elapsed only \$7,000,000 of the \$20,000,000 had been expended and the river was then and still is in a thoroughly unfit condition for navigation.

If a private corporation had done what Congress did, it would have been liable in damages and could have been held to account in the courts, but private citizens can not sue the Government except where the Government consents; and as the result of this bad faith upon the part of Congress this navigation as a whole did not succeed, and has permitted the gentleman from Ohio and others like him to assume an attitude unfriendly to the problems of the people of the Middle West and to constantly point to this failure as an evidence of the impracticability of navigation on the Missouri. As a matter of fact this operation upon the Missouri demonstrated the practicability of the use of that river for navigation, for during those seasons when the quantity of water was sufficient to get the barges and towboats over the sand bars they operated successfully with a handsome profit always.

The Missouri River from Kansas City to St. Louis traverses a distance of 400 miles; 350 miles of that distance has an excellent navigable channel more than 6 feet deep, while the remaining 50 miles is obstructed by sand bars, and since a river is no better for navigation than the shallowest place, successful navigation can not have been carried thereon as long as one shallow crossing remains. If Congress had kept its pledge and the channel had been improved, this navigation which was

successful during the high-water period would have been successful during the entire season; and this, too, in the face of the fact that freight was carried upon the Missouri at less than one-half of the average rail rate of the country.

In the face of these difficulties and in spite of the bad faith of Congress this navigation was carried on, making a profit in the high-water season and losing money during the period of the year when low water brought barges and towboats into contact with the unimproved stretches until after the war began in 1917, when the fleet was commandeered by the Government. The navigation company, which raised the money and constructed the fleet, were paid \$750,000 for this equipment. That money was invested in Liberty bonds and is still held by this Kansas City Navigation Co.; and is awaiting, after 17 years have elapsed, for Congress to fulfill its pledge, redeem its plighted faith, and improve the Missouri, when this money will again be invested in equipment for the renewal of navigation on the Missouri. It seems to me, under these circumstances, that it is about time for Congress to fulfill its pledge and make this improvement.

The gentleman from Ohio in his vitriolic attack upon the Missouri has used his stock-in-trade argument, which I have heard him use so often against unimproved projects except those in the vicinity of Ohio, that there is no navigation upon the Missouri and that commerce last year amounted to only 3,000 tons.

Mr. DEMPSEY. Will the gentleman yield?

Mr. NEWTON of Missouri. I will.

Mr. DEMPSEY. The gentleman will find that the estimated traffic, as given on page 3 of this report, shows that the estimated traffic from Kansas City to Sioux City will be two and three-quarter millions tons, with a saving of \$5,000,000 annually. It shows that the probable annual traffic from Kansas City to Omaha will be 2,000,000 tons, with a saving of \$3,700,000 annually, so that the estimate both as to traffic and as to the saving are such as to justify the regional engineer in the recommendation which he makes for the adoption of the project.

Mr. BURTON. Will the gentleman yield?

Mr. NEWTON of Missouri. I can not yield further.

The SPEAKER. The gentleman declines to yield.

Mr. NEWTON of Missouri. I have never heard the gentleman from Ohio [Mr. BURTON] use this argument against railroad projects. I would be pleased to have him tell us how much freight could be carried upon the Pennsylvania Railroad between New York and St. Louis, or upon the Northern Pacific from Minneapolis and the coast, as long as one rod of track remained unconstructed upon either of these roads; and yet, if the argument that a river should be condemned because it carries no commerce before it is improved, why not condemn a railroad because it does not carry freight before it is completed. Navigation can not be carried on successfully upon the Missouri River as long as one unimproved stretch remains to obstruct the movement of the river fleets.

The gentleman from Ohio bases the bulk of his opposition upon the fact that the Chief of Engineers in his report has stated that for commercial reasons he thinks it might be well to delay this improvement. As a matter of fact, the district engineer, the Board of Engineers of the War Department, and the Chief of Engineers have all agreed that the improvement of the Missouri from Sioux City to the mouth is entirely practicable and feasible. The question as to whether there is sufficient commerce to justify the improvement is not an engineering problem. That is a problem about which we should have the views of the Secretary of Commerce, and Mr. Hoover has spoken in no uncertain terms regarding this problem.

As to the commercial necessity for this improvement, I beg leave to call your attention to the fact that 90 per cent of the farm problem of the United States is located in the region of the Missouri River Valley. Ten States within the territory tributary to the upper Missouri River produce 46.2 per cent of all the food and feed grain in the United States—a total of 2,356,164,000 bushels, or 58,655,466 tons—and ship in interstate commerce 55.8 per cent, or more than half of all grain shipped in the United States—a total of \$93,614,000 bushels, or 23,514,388 tons of grain. Some of this grain moves in directions other than toward the Missouri River. The estimated total movement from the 10 States was 23,514,388 tons, and the known receipts of the primary markets located on the Missouri River for 1924 was 259,832,420 bushels, or 7,161,059 tons. It is estimated upon a conservative basis that over 10,000,000 tons of grain moved in 1924 via the Missouri River crossings. These 10 States furnish 50 per cent of all the food and feed grain that goes into the territory south of the Ohio and east of the Mississippi, including Arkansas, Louisiana, and Texas—a total shipment in 1924 of 52,206,111 bushels, or 1,358,939 tons, which moved to and was consumed in territory tributary to the lower river ports. In other words, 55 per cent of all the grain that

goes into interstate commerce, and 50 per cent of all the grain consumed in the southeastern quarter of the United States, is produced in the upper Missouri Valley. Cheap and efficient transportation of grain is therefore more essential to the welfare of this territory than to any other part of the United States.

The barge line operating between St. Louis and New Orleans upon the Mississippi River has demonstrated the practicability and feasibility of inland river navigation in this country. Though the improvement of that river is far from being completed, yet this Government barge line, under Government operation, without sufficient equipment, without adequate terminals, has operated successfully, yielding a good profit to the Government and carrying freight at one-third the average rail rate of the country. Commerce upon the Great Lakes goes by steamer at one-tenth the average rail rate of the country. It has been demonstrated beyond controversy in Europe that freight upon inland rivers can be carried at one-fifth of the best rate that the railroads can afford to make, and there is no dispute or controversy in the countries of Europe about the improvement and utilization of these cheap facilities for transportation.

As to the saving resulting from water transportation, we listened to some instructive testimony before the Rivers and Harbors Committee not long ago. A representative of the Pittsburgh steel industry, who has made an extensive study of the transportation problem, appeared before the committee and stated that it was necessary to have great quantities of sulphur in the steel industry; that all of their sulphur had to come from the mines in Texas; that they were shipping their sulphur by ocean steamer from Texas to Philadelphia, and then they were hauling it by rail from Philadelphia to Pittsburgh, and that this rail haul alone from Philadelphia to Pittsburgh cost them 27 cents per 100 pounds; and that upon investigation he had found that if the intracoastal canal from Corpus Christi to New Orleans and the Mississippi River to Cairo were completed they could haul this sulphur by barge all the way from the mines at Corpus Christi to the steel mills at Pittsburgh at a total cost of 15 cents per 100 pounds, thus dispensing with the entire cost of the ocean steamer from Corpus Christi to Philadelphia and practically 50 per cent of the cost of the rail haul from Philadelphia to Pittsburgh. This wonderful saving can be applied to all the farm and manufactured products in the interior of the United States, and every dollar saved on the cost of transportation is clear profit.

There are Members of this House who constantly prate about their desire to do something for the American farmer. Is there any sane man who doubts that it would be helpful to the farmer of the upper Missouri Valley if the millions of tons of grain which he produces and which has to be carried from his farm a thousand miles to the southeast quarter of the United States, where it is consumed, could have that grain carried at one-fifth of the rate which the farmer now has to pay? Yet there are those among us, who are loudest in their pretense of affection for the farmers, who are constantly voting against and opposing the improvement of our rivers which offer the only solution to our transportation problem.

We have expended a hundred million dollars for the improvement of the Ohio River from Pittsburgh to Cairo, and that improvement will be completed next year. The upper Missouri Valley is the bread basket of the United States. The Pittsburgh industrial district is one of the greatest bread-consuming districts in the United States. Then, too, the upper Missouri Valley is in great need of the steel and other manufactured products of Pittsburgh. They need great quantities of steel for bridges to enable their highways to span their streams and for buildings in their rapidly growing cities. The steel and other industries along the upper Ohio are expending many millions of dollars in the construction of barges and towboats to carry steel and other manufactured products to the West. Think what it would mean to the farmers of the upper Missouri if barges loaded with steel and other manufactured products at Pittsburgh were not required to stop and unload at Cairo and St. Louis, but could proceed under the steam of their towboats up the Missouri River to Kansas City, Omaha, Sioux City, and Yankton at a freight-carrying cost of one-fifth of the rate which it is necessary for the railroads to charge; and think what it would mean if these same fleets of barges and towboats could load with grain in the upper Missouri district and return to Pittsburgh with food for that great industrial section at one-fifth of the rate which it is necessary for the railroads to charge.

In other words, four-fifths of the 1,500 miles freight distance between Pittsburgh and the upper Missouri Valley would be eliminated, and I can not comprehend how any Member of Congress who pretends to be a friend of the farmer can justify his position in not voting for an improvement which makes this

cheap transportation possible. Then, too, think what it would mean to the farmers of this great Missouri region if the millions of tons of coffee, lumber, sulphur, oil, gasoline, and other necessities which they must have and which come from points beyond New Orleans, could be carried to the great Missouri Valley at one-fifth, or even two-thirds of the freight rate which they are now compelled to pay. Again I assert, without fear of successful contradiction that there is no measure which this Congress could enact which would do so much to relieve the problem of the farmer of the great Missouri Valley territory as the improvement of the Missouri, the Mississippi, and the Ohio Rivers.

Forests are not abundant in Nebraska, eastern Montana, and the Dakotas. The people for their cooking, heating, lighting, and their industrial enterprises find it necessary to bring coal from the coal fields of Illinois, Kentucky, and Pennsylvania. Many of these mines are adjacent to the Mississippi and Ohio Rivers. Think what it would mean to the farmers of this great region if this coal could be loaded into barges at the mines and transported by cheap water rate over the Ohio, Mississippi, and Missouri Rivers and delivered to this great agricultural area of the Missouri Valley.

Another northbound freight of importance to the farmers of the Missouri Valley which is increasing in great volume and growing in importance to the farmers of this section, is the cottonseed cake produced by the cotton farmers of the South and which is needed by the farmers of the great Middle West to fatten the cattle of the upper Missouri Valley; and think, too, what it would mean to have this bulky commodity transported from the cotton fields of the South and to the agricultural regions of the Missouri Valley by cheap water transportation.

The farmers of the Missouri Valley have been blessed with abundant fertility of their soil, but as cultivation continues in the years to come their need for fertilizers will be greatly increased. They will need nitrates and sulphur for the manufacture of this heavy commodity and this comes from points beyond New Orleans, and let us hope that in the near future it may come from Muscle Shoals upon the Tennessee River. In any event, think what it would mean to the farmers of the great Missouri Valley if all these heavy commodities for use in replenishing the fertility of the soil in the great Missouri Valley could be brought to that territory by means of cheap water transportation.

The farmers of the Missouri Valley district are the only producers in the United States who have not recovered from the results of the World War, and this is so because rail rates went up immeasurably as a result of the World War. Eighty per cent of the cost of railroad operation goes to labor, and that cost can not be reduced because the employment of labor upon rail lines is a hazardous employment, and I find no Member of Congress who believes that compensation for railroad labor should be reduced. The prices of farm products are tremendously influenced by the selling price of the surplus in the world market at Liverpool, and prices for this surplus is controlled by the cost of transportation from the farm to Liverpool. The great handicap of the farmer in the Missouri River Valley comes from the fact that the farmers in this region are located a thousand miles inland with the bearer of high rail rates to the coast, while their competitors in Australia, South America, Africa, and India are located near the seashore where they get the benefit of a cheap water haul to Liverpool. The greatest assistance which could be given to the American farmer is to give him cheap transportation from the farm to the seashore in order that he can meet his competitor, and this can only be done by the improvement of our inland rivers.

The Missouri River is larger than the Ohio at low water mark. The flow of the latter, 50 miles below Pittsburgh, where the Tennessee enters, is 17,000 cubic feet per second, while the Missouri River, above Kansas City, has a flow of 23,000 cubic feet per second at low water mark, and the Missouri can be improved without the use of locks and dams which renders its improvement far less expensive than that of the Ohio.

There is no class of producers in the United States who are so thoroughly dependent upon the improvement of our inland rivers as the farmers. The manufacturer can pull up stakes and move to the seashore, the lakes, or the Gulf, but the farmer must stay on his farm and the farm must remain where the good Lord placed it, far in the interior of our continent. He can not go where cheap water transportation exists, and if we are to help him we must utilize these facilities, improve our inland rivers, and bring cheap water transportation to the farm.

The Senator from Ohio talked about the time when steamboats were on the Missouri. They did have steamboats in those early days which loaded at Pittsburgh and unloaded at Great

Falls, Mont., traversing almost the length of our continent from east to west. Some time ago we called before the Rivers and Harbors Committee some of our old captains—and one had piloted steamboats between Pittsburgh and Great Falls, Mont., in those early days. He told us that the river in those days had a good channel all the way across. Nature protected the bank by willows, trees, and driftwood, so that the floods kept the channel open. When civilization came these natural dikes, retards, and revetments, were cleared away. The river was allowed to spread, its banks to corrode, and its channels to fill up with sand bars. All that we are asking now is that the Congress of the United States, by the construction of artificial improvements, restore to the river the channel which it enjoyed in its earlier days. All the engineers tell us this can be done.

Some \$8,000,000 has been expended for the improvement of the Missouri River between Kansas City and its mouth, and it will cost approximately \$15,000,000 to finish the job. Most of these improvements were made prior to the war. Then, for a period of four or five years the Missouri was practically abandoned; even the improvements which had been made were left unprotected. In 1922, after these years of neglect, a body of engineers from the War Department made an inspection trip over the Missouri from Kansas City to the mouth. They took their records and blue prints and examined each improvement that had been made, and they advised me upon their arrival at St. Louis that they had been astounded to find that 95 per cent of these improvements, after years of neglect, were found to be intact and in good condition.

More than 20 years ago an improvement was undertaken upon the Missouri River between St. Louis and Osage, one of the worst stretches of the river. Dikes were constructed at regular intervals, narrowing the channel of the river to 1,200 feet, with a view to producing a 6-foot channel. The greater part of this river was spread out a mile or more in width, its channel being separated at frequent intervals with intervening sand bars. Within a period of three years after these dikes were constructed the silt of the river had deposited sufficient soil between the dikes so that many thousands of acres of the rich and most productive land had been made. At the end of the three-year period soundings were taken, and it was found instead of a 6-foot channel at low-water mark the shallowest depth was 10 feet. After a period of 10 years soundings were taken again and the depth was 11 feet. The improvement which was made upon this stretch of the river can be extended from Kansas City to the mouth and a 9 or 10 foot permanent channel can be produced without dredging and at a reasonable cost.

We are an extravagant and wasteful people. No nation on earth is blest with an inland waterway system such as ours. We have adopted projects consisting of the Ohio, Mississippi, Missouri, and Illinois Rivers, and certain of their tributaries, comprising an inland waterway system of 6,500 miles and penetrating into the very heart of the greatest productive area in the world. We have expended over \$200,000,000 toward the improvement of this system, and this expenditure has extended over more than 20 years; and yet we are getting a very limited return upon this vast expenditure because the continual opposition of Members of this House, like the gentleman from Ohio, has been strong enough to prevent the completion of these projects so that they could be put into general use.

It was a terrific indictment issued by Lloyd-George of England when he visited this country some four or five years ago. He came to St. Louis for a speech before the chamber of commerce. That afternoon, upon his request, he was driven along the banks of the Mississippi River. That evening at the end of a private dinner he was asked to give his impressions of this country and was urged to make a frank expression. He replied:

The thing which impressed me most in this country is your utter extravagance and waste. You have resources but you do not use them.

They asked him to be more explicit, and he replied:

Here you are, the city of St. Louis, located on the bank of the greatest river in the world, a river which flows 2,000 miles through the very heart of this continent from the Canadian border to the sea, and through one of the most productive areas in the world. That river is capable of getting your commerce at from one-third to one-fifth the best rate that the railroads can afford to make; and yet, I have observed this afternoon that with all its possibilities it is not utilized and has continued through all the years to flow idly by your doors, contributing nothing to the Nation's wealth. What do you think would happen to a river like that if it were flowing through

Europe? You people in the United States, by failing to use your resources waste enough every year to feed the entire population of Europe.

Why continue under such an indictment? That the indictment is sound can not be questioned; that money saved upon the cost of transporting our commerce is profit to our people can not be disputed; that the improvement of our inland rivers and their use for navigation is practicable can not be denied. We have an investment in these rivers of more than \$200,000,000, which is yielding little return because they are not finished. Why not provide the other \$70,000,000 and finish the job; and while we are debating the question of price fixing and other theories for the farmer's relief, why not adopt the one helpful solution which we know to be sound by giving him cheap water transportation? [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. CHALMERS. Mr. Speaker, I yield 15 minutes to the gentleman from Wisconsin [Mr. FREAR].

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 15 minutes.

Mr. CHALMERS. I will make that 20 minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 20 minutes.

Mr. FREAR. Mr. Speaker, it is impossible to attempt to discuss this river and harbor bill in 20 minutes. But when I heard the distinguished gentleman from Ohio [Mr. BURTON], the greatest friend of real waterways we have ever had, considering the work he has done in the past, criticized and charged with stabbing waterways in the back, I felt a spirit of resentment, because he is a real friend of the waterways, and he has done more to develop waterways in this country than any other man. [Applause.] There is no doubt but that through his travels abroad and his work here he established a true system of waterways for this country.

That system is being undermined by this objectionable compromise bill. I think I am entitled to make a statement also in a personal way. The chairman of this committee, my personal friend, Mr. DEMPSEY, was next to me at the time I left the Committee on Rivers and Harbors, and I was to be the next chairman, because of the resignation of Mr. Kennedy, if I remained on the Committee on Rivers and Harbors. I did not care to stay there nor have the chairmanship. I had opposed river and harbor projects when they were not worthy, in my judgment, in the House, as the distinguished gentleman from Ohio [Mr. BURTON] has done in the Senate, where he blocked many unworthy projects. When I realized that I was to be placed in opposition to the local projects of practically the entire House I felt that I could not stay there in good conscience, and when I was offered a place on another committee I resigned from the Rivers and Harbors Committee.

Here is the keynote of this bill and of all other bills of similar character that come here for passage—the keynote expressed by the gentleman from North Carolina [Mr. ABERNETHY]. He put his hand on the real problem when he objected to anyone criticizing what he termed "My little item in the bill." Every Member of the House who lives upon any waterway, no matter whether it is worthy or not, has pressure brought to bear upon him by the people of his home locality to do something in behalf of that waterway. The people back home exert pressure, and if he does not "bring back the bacon," as was once the statement of the secretary of the river and harbor congress, they will send to Congress somebody who will.

And right there is the problem that faces Members. For years I have had a forgiving spirit when some Member of this House brings in a waterway project that I knew in my own mind was not worthy, because I felt he was pressed hard by his home constituency. I have never at any time made an unkindly allusion to any gentleman under circumstances of that kind, because I knew he was under pressure by his constituents and trying, therefore, to force through his item, although it involved a riotous pork barrel omnibus bill.

About 550 propositions are now being pressed for waterway improvement by the Government. Perhaps the number may now cover over 550 different harbors and rivers and creeks under "improvement." We have expended about \$1,500,000,000 for these improvements that are in many cases wasted. If they are good improvements no one should question them. If they are not, we ought not to waste money upon them. Hundreds of millions of dollars in the aggregate have been wasted.

Taking up the Missouri River for a moment, which project was covered so admirably about an hour ago by the man who knows more about it than any other man in Congress [Mr. BURTON], I remind you that 10 or 15 years ago in a speech he

called the Missouri River appropriations "bald, unmitigated waste." I want to call your attention to this additional fact which is in the report, although he did not emphasize that point—\$8,650,000 contribution is required by Army engineers from the people of the locality as a condition of the Missouri project improvement. Why? Because the Missouri River, as every man must understand who is familiar with the situation, is primarily a land reclamation proposition; a protection of river banks and reclamation of lands that are adjacent to the river. No man questions but that even such protection may be legitimate, and that the riparian owners should have help. But in this bill we refuse to require any contribution, and the bill makes to the people living along the river a present of \$8,750,000 virtually. The Army engineers emphasize this fact in the report. Here is a waste of many millions. What does this bill contain? Two score of items, many indefensible. It contains predictions for the future that are not well based and old rejected projects that here will be adopted for all time. Remember \$20,000,000 of whatever amount you appropriate for rivers and harbors annually is for maintenance of existing projects, and only the balance goes to improvement. This bill covers proposed future expenditures that may reach \$150,000,000, in addition to hundreds of millions for uncompleted projects yet due.

Of course, if we believe the Missouri River ought to be improved, then it should be improved as the engineers say; and the estimate has been made that it will eventually cost \$50,000,000 practically without developing any commerce. As I said before, that is the way with other items in the bill.

Now, \$50,000,000 has been an estimate for the Cape Cod Canal, while the authorization in this bill is \$11,500,000. The engineer's estimate is that the Cape Cod Canal from its tolls is worth to the United States \$2,500,000 on a 4 per cent basis, and yet in this bill you will find an authorization for \$11,500,000. Of course, that amount only takes it over in its present form as a bankrupt canal. But it will cost several times that amount to enlarge as proposed. The gentleman from New York [Mr. DEMPSEY], chairman of the committee, has aroused the sympathies of this House in the past by speaking of lives lost at sea before the canal was built. I want to say when he speaks of 32 lives that have been lost in the many years gone by before we had the Cape Cod Canal, that is less than half the number of people who lose their lives in Washington by reason of automobile accidents every year. The canal is not justified on any theory, and we are paying that amount to relieve a handful of stockholders of a bankrupt canal.

Mr. DEMPSEY. Will the gentleman yield?

Mr. FREAR. I will yield if the gentleman will get me more time.

Mr. DEMPSEY. I will yield the gentleman a half minute in order to ask this question: Does the gentleman realize, when he says we have expended in the whole history of waterway improvements in the United States \$1,500,000,000, that that is only three times what the railroads expended in 1925 for improvements alone, and that we carry 38 per cent by water of what the railroads carry? Does the gentleman realize, when he says the Missouri River will mean \$50,000,000, that he is attempting to legislate for some other Congress which will not be elected for six years yet to come? Does the gentleman realize, when he says that the Cape Cod Canal means \$50,000,000, that the testimony, and the undisputed testimony and only testimony, is this: First, we pay \$11,500,000 to-day; and second, it will cost about \$11,000,000 to make it a modern, up-to-date and complete canal, meaning \$22,000,000 instead of \$50,000,000? Does not the gentleman think in view of those facts that he ought to modify his position about waterway improvements and support them instead of steadily opposing them?

Mr. FREAR. I admit the gentleman's ability to make a good speech, when he can almost convert the strongest opponent by his arguments, but I do not admit his statements, nor have I the time to expose their weakness. On the contrary, as far as the Missouri River is concerned, it is certain, if we are honest with the people, we will pay every dollar of the fifty millions. The gentleman who spoke a few moments ago, Mr. Newton, the eloquent gentleman from St. Louis, made this statement:

Why not give us this money for the Missouri River, because we are going to develop it and we are going to bring down from the north 46 per cent of all the food products of the country that are tributary to the river.

Everybody familiar with the facts knows that not one bushel of grain will be brought down the Missouri through the expenditure of this \$50,000,000. Why? Because the Government has put from \$37,000,000 to \$40,000,000 in the upper Mississippi River

to deepen and improve the channel. When I was a boy I saw long barges on the upper Mississippi carrying hundreds of thousands of tons of grain down to the markets of the world, but to-day not one bushel is carried on the great upper Mississippi from Minneapolis or St. Paul to St. Louis. The average haul on the upper Mississippi River is 26 miles of only a small actual commerce, without a single real boat line left on the river, and yet a proposal in this bill, by a survey, is to dig to a 9-foot depth, when, as a matter of fact, we have not enough water to fill a 6-foot channel. Even if we had enough water, all the boats under heaven would not carry the grain to market, because the railroads now carry it. I do not say this because I want the railroads to do so, but it is the fact, and no shallow stream in the country paralleled by railroads will show different results. The Missouri will never carry any commerce.

The gentleman from Missouri [Mr. Newton] said that Lloyd-George came to St. Louis and said fine things about the Mississippi River and its possibilities, but he forgot to say that Barnhart, a great waterway engineer from abroad, looking at the Mississippi River at St. Louis, said:

This is the finest river in the world. Why do you not have more commerce on this great southern river?

He also said at that time:

On the Rhine River we have 33,000,000 tons of commerce.

And yet at that time there was and is now practically an insignificant commerce on the Mississippi River, deducting duplications. There is not an important boat line on the upper Mississippi River or on the Missouri River to-day, and the Government has spent \$40,000,000 on the upper Mississippi and over \$30,000,000 on the Missouri. Before a dollar was spent by the Government on these rivers they were covered with hundreds of steamboats. Not 1 per cent of that number now use the river after this enormous expenditure. Yet this bill proposes to give \$50,000,000 more to the Missouri River largely for land reclamation.

That is the situation. I do not say these things for the purpose of criticizing those who may have a little item in the bill, but I do criticize the way the bill is built up. It is a pork barrel, pure and simple. The responsibility rests upon those who are interested. The greatest river in the country flows past my district, but it is boatless and without commerce. Those who have their little items in the bill will have to take the responsibility, and no doubt they will stand for it no matter who speaks against it nor how bad the bill is shown to be. There are a number of items in the bill that can not be justified, but I can not cover them in the time given to me and will leave them for others to expose.

Mr. Speaker, I feel that one further word is due in regard to the Chicago sewage waterway. That has been temporarily settled by the project as placed in the bill, and I hope in a reasonable way. However, I have no hope for any Illinois River commerce eventually, but I want at this time to pay a compliment to the gentleman who has effected the Chicago agreement as to that provision of the bill and who has done more for the real waterways of this country, I believe, than any 10 men on this floor. I say that with a fair knowledge of waterways from my own studies and service on the committee for years. I believe his services to the country ought to be recognized by a word of appreciation at this time as he sits here before us. I refer to Senator BURTON, now a distinguished House Member. I can see him now as I sat beside him all night long in the Senate Chamber, when he was opposing some of the reckless, wasteful items that had been forced in these bills, either in the House or in the Senate, year after year, a dozen years ago. Items forced in the bills by constituents back home who were interested in them—the dredgers, contractors, and others. At about that time I put in the Reconn contributions which were made to lobbyists by these interests. I have that information now and can refer to it if necessary. Senator BURTON spoke in the Senate all night long on more than one occasion trying to defeat items in pending bills, and he did defeat some of the pork barrel bills. He was responsible for cutting the amounts from \$30,000,000 to \$50,000,000 down to \$20,000,000 on more than one occasion, and cut out many worthless items. He did that at a time when the Government needed the money. I do not object, and I am sure he does not, to any legitimate waterway in the United States, but these wasteful items can not be defended.

A great debt, I may add, is owed in this country to the State of Ohio. When I was a boy, sitting up behind that old clock in the gallery, I used to see and hear on this side of the House a great man named James Garfield. He was then the leader on this side; he was one of the ablest orators of that day of orators. He traveled up the political stairway to the other end

of the Avenue and met an untimely death when most needed by the country. Later, from the same gallery I heard another remarkably able man. It was Mr. McKinley, of Ohio, who afterwards, in like manner, became President of the United States, and by a similar fatality he followed President Garfield and met the same sad end. They were both wonderfully able men and an honor to their State and the Nation. I see a gentleman who has just come in the Chamber, and I want to say that Ohio has a gentleman who holds a very high position in the House, that of Speaker. I refer to the distinguished gentleman, Speaker LONGWORTH, who is personally both popular and able. I have differed from him sometimes about legislation, and occasionally on party regularity. That is a privilege and responsibility, but let me say that within the last two weeks I have seen such an exhibition of party irregularity from some of my best friends in the House that I think any alleged weaknesses of my own must be forgotten. [Laughter and applause.] This is only incidental to what I really intended to say.

The gentleman from Ohio [Mr. BURTON] who is now in our midst, I believe occupies the strongest position of any man in national or international affairs, which we ought fully to recognize in this House, and I am sure we do. [Applause.] When we changed the debt refunding bill from the Secretary of the Treasury to a commission—and I had something to do with drawing the amendment in that case—and this commission was empowered by Congress to settle billions of dollars of debts of foreign countries and new questions of international differences were placed before them all the time, the gentleman from Ohio [Mr. BURTON], a member of the commission, was one whose judgment was recognized to be equal to that of any man in the House or in the Senate or of any financier from other countries. As much as any one man he has helped to bring about proper settlements on these foreign debt questions that involved in the aggregate many billions of dollars.

Again, the gentleman from Ohio went to Geneva, representing this country in a national and international capacity. No man possibly is known better throughout the entire world by personal contact representing the United States than our distinguished colleague. Within two weeks he swung this House from the cruiser amendments by a great speech to his views on international peace, and many of the Members here were brought over to his way of thinking because of that speech. There is no man in the House and no man in the Senate who has a better or a wider acquaintance internationally than the gentleman from Ohio who is now with us, and he has always honored us in whatever position placed. That is the unanimous verdict.

When a gentleman to-day arises here and says about this man who knows the waterway question better than any other man in the House that Mr. BURTON "pretends" to be in favor of waterways—I want to say that is without any basis of justification. Debate the question before you, but do not impugn the motives of the other man. If we did that, we could assign personal fear and oftentimes political fear to those who offer many of the projects contained in the bill. I want to say at this time that I have the highest admiration for the distinguished gentleman from Ohio, and I congratulate the House of Representatives for having as one of its Members a man who casts distinction over this body as he once did when he was in the Senate, as now a preeminently able Member of the House of Representatives, ex-Senator BURTON. [Applause.]

On the Missouri River and on the upper Mississippi River, familiar as I am with these rivers, particularly the upper Mississippi River, Streckfus, who owned the Diamond Joe Boat Line, told me some years ago in St. Louis, "I have got to abandon my line, because I can not make anything from it." This was on the Mississippi River and not on the Missouri. He could not compete after 40 years or more of strife with the railways. That was the last line of boats on the upper river on which the Government has spent \$40,000,000 for improvements. On the lower Mississippi River we have spent about \$200,000,000 covering the Mississippi River for jetties, for land reclamation and protection, and for navigation, and only one Government boat line with a few other boats carry freight whereas the river was covered with steamboats 50 years ago.

To give you an illustration of comparative waterway use in my State, on one little harbor, the second harbor in the United States, Superior-Duluth, we have spent less than \$10,000,000, yet it reports in the neighborhood of 45,000,000 to 50,000,000 tons of commerce every year. Its commerce depends almost entirely upon the Lake waterway level that is affected by this bill. My State has 500 miles of Lake frontage. We have many great harbors in the State. We are interested in waterways. The Mississippi River flows nearly a hundred miles past my district.

Mr. DEMPSEY. Will the gentleman yield for a very brief question?

Mr. FREAR. Give me more time and I will.

Mr. DEMPSEY. Would the gentleman—

Mr. FREAR. I have not the time. The gentleman controls all the time and I can not consume time that has been given me unless the gentleman will yield me further time.

As I have said, my State is as much interested in waterways as any State in the country. We are in favor of real waterways, and I have favored every legitimate waterway, but when it is not legitimate, then, gentlemen, I have to oppose it and that is the reason I am opposing this bill. [Applause.]

Mr. DEMPSEY. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. KINDRED].

Mr. KINDRED. Mr. Speaker and gentlemen of the House, in the brief time allotted me I shall discuss very briefly the general policy and general needs involved in the pending river and harbor bill.

We have, or had hoped we have, developed a general policy with reference to the comprehensive, systematic development of the great waterway system of our country, to be carried out by annual appropriations over a period of years for projects recommended by the Board of Engineers. We have the judgment and the authority in this connection of President Coolidge, expressed in his recent messages to the Congress and in other public utterances. We have a similar expression of policy in the messages of the late President Harding. We have the expression of the same policy of the systematic and comprehensive development of our waterways from other constructive statesmen of both political parties.

The present bill, in my opinion, has been maturely considered. Like all great measures, it represents a compromise of conflicting opinions. The proponents and the opponents of this bill have met fairly and ironed out their differences, and I submit they have reported for final passage here to-day a good and sound bill. It is sound with respect to the general policy as laid down by some of the most constructive of our leaders, as stated.

It is particularly sound because the bill includes the Missouri River project, about which some have made such strenuous objection. It is likewise sound because it includes provision for the development of the great Mississippi and other rivers and many other meritorious projects all over the country, representing a comprehensive policy.

If we are to have, not gestures which will lead to nothing but bunk, but a real solution of the farm problem in this country, it lies along the line of providing cheap transportation rates; and the cheapest transportation rates which can be provided are by water transportation. As evidence of this the United States Government has expended since its inauguration in 1789 about \$1,500,000,000, as has been stated here, for waterway development. The shippers and the consumers of this country, according to authoritative figures from the Board of Engineers, are saving as a result of the development of our waterways approximately \$1,000,000,000 each year, representing the difference in the cost of water-borne transportation and railroad-borne transportation.

As to the manner in which the Missouri River has been provided for, that matter has been ably discussed by our distinguished colleague, the gentleman from Ohio [Mr. BURTON], in an able, definite argument, and also discussed in a vague way filled with glaring generalities by others, so far as the general principles of the bill are concerned.

In this connection I have asked myself as one who has been a member of the Committee on Rivers and Harbors for some years, if the combined efforts of the Committee on Commerce of the Senate and the Committee on Rivers and Harbors of the House could at any time report any river and harbor bill which the objectors and opponents of river and harbor legislation would approve of? [Applause.]

Mr. CHALMERS. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, I would not have taken even these few minutes at this time to discuss this bill further after the thorough discussion of it that has been had were it not for the fact that the gentleman from New York [Mr. DEMPSEY] in his opening statement questioned the accuracy of the statement I made the other day when the bill was sent to conference, when I said that to all intents and purposes the bill authorized an expenditure of \$110,000,000, instead of \$70,000,000, as some have said. Those who followed the speech of the gentleman from New York from the beginning to the end will remember that he really answered his own criticism before he took his seat. I made the statement I did after reading the report of the Senate Committee on Commerce, and based what I said

on that report. The Senate committee report calls attention to the fact that the bill as reported by the House committee authorized an expenditure of \$33,558,000.

Let me say here that some of us suspected the bill when reported by the Committee on Rivers and Harbors of the House of Representatives when it carried only \$33,558,000. It has now gone away and beyond that amount. It now carries more than three times that amount, and the gentleman from New York and the other members of the Rivers and Harbors Committee of the House ought to stand with those Members of the House who are resisting what has been added to the bill since it came out of their committee. It would protect the integrity of the work of their Committee on Rivers and Harbors if by our joint efforts we should succeed in defeating the amendments which have been added to the bill since it was reported by their committee.

The report of the Commerce Committee of the Senate goes on to say:

And the project for improvement of the Missouri River above Kansas City to Sioux City, estimated to cost \$50,000,000, making an authorization in the bill as it passed the House of Representatives of \$83,558,000.

The report goes on to say that the committee added over \$13,000,000 to the House bill. The Senate on the floor of the Senate added something over \$13,000,000 additional in improvements, and as the gentleman from Ohio has pointed out, the cost of maintenance is increased over \$2,000,000 more; so that, as a matter of fact, the bill as it now stands authorizes the expenditure of over \$110,000,000.

Now, the committee attempts to answer that by saying there is a limitation put on the item for the Missouri River improvement of \$12,000,000. Of course, the inconsistency of that attempted limitation is apparent on its face. The Senate amendment authorizes an improvement of the Missouri River according to a certain House document or report by the engineers, which the engineers estimate will cost approximately \$50,000,000 to make and then puts on a limitation of expenditure of \$12,000,000.

As has been several times pointed out in this debate, as soon as the \$12,000,000 is expended on the Missouri River the proponents will contend that in order to make that expenditure good or profitable Congress ought to ignore the \$12,000,000 limitation and go on and appropriate the remainder of the \$50,000,000.

The gentleman from New York [Mr. DEMPSEY] wound up his statement by admitting in substance what I am saying—I took a memorandum of what he said at the time. I think I quote substantially what he said, although it is not verbatim—he said, in substance, when we have expended the \$12,000,000 at the end of a few years—four or six years—I believe our success will be so great that we will not abandon what has been done but will continue that splendid work.

So the gentleman from New York himself admits that in substance this bill authorizes an improvement of the Missouri River at an estimated cost of about \$50,000,000. That matter, together with the other provisions of the bill, brings the total authorization in this bill up to more than \$110,000,000. [Applause.]

Mr. DEMPSEY. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker and Members of the House, the present rivers and harbors bill now under consideration is of greatest importance to the country. The bill which is now presented to the House for consideration, and which has the unanimous report of the conference committee, represents the best thought of the engineers of the Army, waterway experts, and a very large majority of both branches of the Congress.

The many controversial questions which at one time threatened to defeat the bill have been successfully ironed out and settled, and the House can adopt the conference report and make this legislation a certainty, and feel in so doing that we are making a great forward step which means much for the development of the whole country, the reestablishment of waterway transportation, and the eventual lowering of freight rates, which is so much desired by the various interests of the United States.

It is a pleasure to note that the bill as it now comes to us for consideration definitely puts before the country a program which means great development for the future.

One of the great constructive things that this bill does is to absolutely insure within a very few years a completed inland waterway from Boston, Mass., down the Atlantic coast, along the Gulf of Mexico to the Rio Grande. It also means the tying up of the great arteries of inland navigation—the Mississippi, Missouri, and Ohio Rivers—with the Great Lakes and

the New York Barge Canal, connecting the Atlantic Ocean at New York via the New York Barge Canal, through the Great Lakes and the Illinois and Mississippi Rivers with the Gulf of Mexico.

This bill also takes care of the waterway development on the Pacific coast, and also takes care of the improvement of a large number of the harbors and provides for surveys to carry on the program of waterway development.

I am vitally interested in the matter in a general way as well as from a standpoint as it affects my section of the country. A provision is made in the bill for an intracoastal waterway from Beaufort, N. C., to the Cape Fear River, a continuation of the present inland waterway, and provides for a 12-foot channel at mean low water and a bottom width of 90 feet. The bill also provides for a survey continuing this waterway to connect from the Cape Fear River, N. C., to Georgetown, S. C., and a survey to connect the said waterway as far south as the St. Johns River, Fla. The bill also provides for an inland waterway in general 75 feet wide and 8 feet deep at local mean low water following the coastal route from Jacksonville, Fla., to Miami, and provides for a continuation of the work on the Louisiana and Texas intracoastal waterway from the Mississippi River at or near New Orleans to Corpus Christi, Tex.

This legislation has the support of a large majority of both parties in Congress, and there is no question but what the House will adopt the conference report, accepting the amendments put on the bill in the Senate, and that the President will sign the measure.

Feeling that the sentiment of the great majority of the House is to accept the conference report, I shall not take up much time in the debate.

In the remarks of my distinguished friend from Ohio [Mr. BURTON], he singles out the waterway from Beaufort to Wilmington for an attack. The continuation of a waterway from Beaufort, N. C., to the Cape Fear is a part of the great trunk line of waterways from Boston to the Rio Grande. The only question involved in this discussion is whether or not the Government shall at this time make a 12-foot channel to conform to the other waterway from Boston to Beaufort, or an 8-foot channel. It has been conclusively proven that the Government will save a great deal of money by making it a 12-foot channel at the present time. In the construction of the waterway from Norfolk to Beaufort there was first a 10-foot channel. In dredging it from the Neuse River to the harbor at Beaufort it cost the Government \$500,000. Later on they undertook to increase the depth by 2 feet. Increasing that depth 2 feet for that same length of waterway cost the Government \$397,000, or 80 per cent of the total cost of the 10-foot. The district engineer in his report says that if a depth of less than 12 feet is provided a serious handicap will be placed on other traffic for which the new channel is mainly to be provided. Take a barge coming from Boston to Beaufort that draws 9 feet—and they usually draw 9 or 10 feet—it will get to Beaufort, and then will want to go on to the Cape Fear, and it will find a waterway of only 8 feet. It will have to transfer its cargo to a lighter-draft vessel. That is the reason the bill provides for the whole project now instead of waiting a few years. That is all there is in this discussion concerning this project. It is an important waterway and one entitled to the full support of the House, and I feel certain the House will sustain the amendment. [Applause.]

Mr. CHALMERS. Mr. Speaker, I shall not detain the House long to-day. I discussed this bill at length, as the RECORD shows. I ask unanimous consent to print in the RECORD at this point, as a part of my remarks to-day, a speech which I delivered in Buffalo on November 16 last.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD, made at the time and place specified. Is there objection?

There was no objection.

Mr. CHALMERS. Mr. Speaker, as part of my remarks I include the following address which I delivered before the protest meeting of the Great Lakes Harbors Association of the United States and Canada at Buffalo, N. Y., November 16, 1926:

CHICAGO WATER STEAL

I assume that the Buffalo protest meeting of the Great Lakes Harbors Association of the United States and Canada, held in Buffalo, N. Y., on the 16th and 17th of November, 1926, has been called to discuss ways and means of blocking the crime of the ages, the Chicago water steal. I use the word "steal" deliberately. They want us to use the word diversion or abstraction. I find that Webster gives purlown as one of the meanings of abstraction. He also gives steal as a synonym. So I will use the good old Anglo-Saxon word steal. This term expresses the crime exactly. They are stealing our water. They have been at it night and day for 30 years. Contrary to all the laws of God and man,

they have been stealing from five to twenty thousand cubic feet of water each second. Our water gives us our opportunity to earn a living. Our business is transportation. If they are going to steal from us, I would much prefer that they would steal our money and leave us our water. If we have the water we could earn more money. But when they take our water they take away our livelihood and leave us poor, indeed.

I have been referring to the perpetrators of this great wrong as "They." I want to absolve Chicago and Illinois and their Members of Congress from the guilt of being principals in this great wrong to the people of the Great Lakes States. They are but pawns in the hands of the master mind. Back of Chicago, back of Illinois, back of their copartners in crime, the half dozen Mississippi Valley States stands the Chicago Sanitary District, hereafter referred to as the master mind. The methods of the sanitary district, like their polluted drainage canal, smell to high heaven. When you compare the methods of the master mind, or the sanitary district, to that of the central powers, in their cruel march through helpless Belgium, it would be like comparing bloody highwaymen with sympathetic kindergarten teachers.

Mr. Chairman and friends, you must pardon me if I exhibit some feeling while discussing this subject. You can imagine what emotion wells up in my heart and what thoughts course through my mind when I look upon 4,000 miles of lake channel and river shores, where the water has receded $3\frac{1}{4}$ feet, piers, docks, wharves, and permanent water-front structures are high and dry. Thousands of miles of permanent works, constructed for submerged protection, are rotting because of being exposed to atmospheric deterioration.

I am told that the damage done to the port of Buffalo runs into millions of dollars. The levels of Lakes Michigan-Huron, Lake St. Clair, and Lake Erie were 40 inches below normal in May of this year, and every inch means a half million dollars. Forty inches represent \$20,000,000 a year of loss to the shipping interests of the Great Lakes.

The United States of America has been blessed of God. He created the Great Lakes and the Great Lakes basin, the Garden of Eden of the world, the bread basket and cream jug of all peoples. Talk about the rainbow as a promise that God would never again punish His children with another flood. When He created the western continent, He hung the Great Lakes on the northern border of our great Republic as a divine promise of our future commercial prosperity. Michigan-Huron forms a crescent of hope, a symbol of promise of divine favor. Chicago is thwarting the divine purpose. He created the Mississippi Valley. The rain that falls in this valley He planned should empty into the Gulf of Mexico. He also formed the Great Lakes basin, and the rains which fall into this basin He decreed should run into the Atlantic Ocean. He created a divide and placed it between the two systems and said: "The waters that fall upon this side of the divide shall belong to the Great Lakes and the peoples thereof. The waters that fall beyond the divide shall belong to and serve the peoples of the Mississippi Valley." He looked upon His work and saw that it was good.

Then there came that way some wicked iconoclastic barbarians who knew not God and cared not one whit for His decrees. They pierced the side of beautiful blue-eyed Lake Michigan, the commercial savior of the Nation, and they crucified the interests of the peoples of the Great Lakes basin.

Lake Michigan is bleeding to death through that ugly wound in her side. The beautiful twin lakes, Michigan and Huron, are being smothered more surely than Richard the 3d of England smothered the two princes when they stood in the way of his political ambitions. They covet our waters. They are diverting the waters of the Great Lakes, contrary to the laws and treaties of the United States. They are taking the waters of the Great Lakes, to the great discomfort, financial loss, and detriment of the people who dwell there, and who have entered into contracts and engagements and whose living depends upon the maintenance of the water planes the Creator in His divine wisdom had planned and established.

They have broken through the divide placed there by the Creator. They have reversed God's plan for the Chicago River until its thirsty, bloody maw is sucking the lifeblood from the greatest transportation agency ever executed by divine thought for the benefit of mankind. The belly of this inhuman monster, the Chicago Drainage Canal, conceived as an unnatural offspring of the diseased mind of some cyclone deity presiding over the unhappy destinies of the Windy City, is receiving the effluvia from the foul recta of the city sewers and is vomiting the filth into the Illinois River and its once beautiful valley.

They have offended the people of the Illinois Valley. They have ruined a once profitable industry. They have ruined the river banks and destroyed the meadows. Can nothing be done to bring these people to a realization that others have rights, and that the business and financial existence of millions of people can not be set aside and trampled under foot with impunity? What would the Mississippi Valley States do if the Great Lakes interests would purchase a right of way and dig a big drainage ditch and turn the headwaters of the Mississippi River into Lake Superior to enrich the levels of the Great Lakes?

Ah! that shoe would be on the other foot. A great hue and cry would be raised. The courts would be appealed to, and properly so.

If you were to go into the financial dealings of the sanitary district it would make Tea Pot Dome look like 15 cents. Read the report of Edward E. Gore, president of the Chicago crime commission. He says that the financial dealings of this master mind present the worst mess he has ever looked into. Think of it, my friends, the president of the crime commission of Chicago, conceded to be the wickedest city since the days of Sodom and Gomorrah, says that the financial dealings of the sanitary district is the worst mess he has ever examined. He says that in addition to a large, padded public pay roll and scandalous contracts, he finds a private or secret pay roll running into millions of dollars. On this private pay roll he finds propagandists, writers, publicity agents, special engineers, politicians, and lake-level lawyers. What are lake-level lawyers? It might be wise for our great State universities of Michigan, Wisconsin, and Minnesota to add a course in lake-level law, so that we may convict these criminals who are stealing our water. Mr. Gore also says in his report, which became public in September of this year, that the tax levy of the sanitary district was increased from \$19,000,000 to \$42,000,000 during the past four years.

I want to stop here and quote a paragraph from a speech I made in the House on May 22 last in opposition to the adoption of the rule making the rivers and harbors bill in order. The Illinois waterway is divided into three reaches: First, the drainage canal, 35 miles long, from Chicago to Lockport, now completed; second, Illinois State project, Lockport to Utica, 65 miles, now less than one-half finished. In this reach there are five locks and dams. Two are completed. The contract has just been let for the third. There are two more to let and finish. It will take the State five years to finish this reach at the rate they are going. They may finish in three years if they speed up their work. The third reach is the Federal project, 223 miles long from Utica to Grafton on the Mississippi River. This reach can be done easily within two years. This waterway is useless for through traffic until both State and Federal portions are finished. If we wait a year to start our part of the work, we will have finished ahead of the State of Illinois.

It seems to me that it is a supreme exhibition of the essence of selfishness for the proponents of the Illinois project to insist on this project staying in the bill, and thus killing the chance of the bill's passage during this session of Congress.

I want to get this over to the membership of the House, and particularly those who have projects in this bill. The rivers and harbors bill of 1926 has absolutely no chance to become a law in 1926 with the Illinois project in the bill. Some of you think not. Well, you try it out and see what kind of a prophet I am. I am talking very earnestly to you now. I hope that all the Members who have a "stake" in this bill, and there are many of you, will take due and timely notice thereof and govern yourselves accordingly. Because with the Illinois project out of this bill it will slip through the House in short order.

Was that prophecy fulfilled? Will the Illinois project be enacted into law in 1926? I want to make another prophecy here in Buffalo to-day, six months later. The Illinois project will not be adopted before March 4, 1927, unless the Supreme Court in the meantime decides the pending case, or the Illinois project be modified to save congressional approval of diversion.

During the past 66 years, under the protection of the Constitution of the United States, this country has accumulated more wealth than was ever accumulated by all nations and all peoples of the earth during the previous six or seven thousand years of human history. The greatest factor in that result and in our prosperity to-day is transportation on the Great Lakes. Their benefit is not confined to the Great Lakes States alone, but permeates every nook and corner of our great Republic, wherever a bit of steel or a pound of coal is used. Col. E. M. Markham, for many years district engineer on the Great Lakes, stated in the Washington hearings last week before Master in Chancery Charles Evans Hughes, that transportation on the Great Lakes was worth \$150,000,000 a year to this country. In the hearings before the Rivers and Harbors Committee last session Gen. Harry Taylor gave a valuation of \$175,000,000 a year to transportation on the Great Lakes. There is no doubt but that the Great Lakes have made this country rich and have brought the blessings of prosperity upon all our people. For the last 25 years the average cost on the Great Lakes of loading 10 tons of freight, hauling it a mile and unloading it, has been less than 1 cent. Under the greedy direction of the master mind this efficiency is being ruined.

What can we do about it? You will find argument and reason of no avail. The master mind cares not one whit for the rights of others, or State rights, or the laws of States, or the United States, or of other nations, or the laws and plans of God, in giving the inherent right to the use of water in certain basins and valleys to the peoples thereof.

My advice to you, my friends, is not to give a moment to the collection of facts or arguments to stop this international crime. We have

tried all that with no effect. I was in the firing line in the House of Representatives when the steam roller, driven by the master mind, went over us at one minute past 1 o'clock in the morning in the passage of the rivers and harbors bill, the most iniquitous piece of legislation ever jammed through the legislative body of a civilized people by the most flagrant use of pork-barrel methods. The only difference between boodle and pork, in buying votes, is that the latter method is wholesale.

The master mind has no regard for the rights of others. He has no regard for parliamentary law and orderly procedure, nor the practices and precedents of Congress since the adoption of the Constitution. To expedite the commission of their crime and to murder transportation on the Great Lakes, they grouped the projects of 27 States and 2 Territories into one motion to be considered under the five-minute rule. When one of the best parliamentarians in the House ruled against them, the master mind had the votes corralled to quickly override the Chairman's just decision. I refer to this to show their desperate methods. Nothing will stop them but brute force.

When the rivers and harbors bill passed the House it carried projects totaling about \$40,000,000. When it reached the Senate Calendar the Commerce Committee had added about \$200,000,000 more.

If this bill becomes a law before the Supreme Court decides the pending case on Chicago water diversion our interests will be lost for generations to come. Here are the reasons: The Illinois project is in the rivers and harbors bill. This project requires the abstraction of 8,250 second-feet of water to operate it. The adoption of this project by Congress means congressional approval of this diversion. Under the commerce clause of the Constitution Congress has the power to dispose of waters for the purpose of navigation. The passage of the rivers and harbors bill of the Sixty-ninth Congress before the Supreme Court acts will, in my judgment, foreclose our interests in the pending case. These pilfering pirates, under the domination of the master mind, must be stopped. There is absolutely only one way to stop them, and that is to keep this nefarious bill from becoming a law until the clock strikes 12 on March 4 next, or until the Supreme Court has handed down its decision. There is no question but that this decision will protect our interests if we keep out congressional approval of water diversion. If you doubt this, read their decision on January 25, 1925, on this same matter as written by Mr. Justice Holmes.

The members of this association can do a great public and patriotic service by rallying the voters of the several Lakes States and their friendly neighbors to the support of the Senators who will be called upon to bear the brunt of the battle with the raiding Huns under the driving terror of the master mind.

Our only hope is in the Senate. A battalion of death is forming there to stop this raid. All eyes are turned to the Senators from whom cometh our hope. All petitions should be addressed to the Senators of the following States: Ohio, Wisconsin, Michigan, Minnesota, Indiana, Utah, Nebraska, North Dakota, South Dakota, Pennsylvania, and New York. We may also depend upon sympathetic cooperation from Colorado, Idaho, Montana, Kansas, and Wyoming.

There is a unanimous consent agreement on record in the Senate that on and after the 21st of next month the rivers and harbors bill shall become the regular order and be constantly before the Senate and that no Senator may speak longer than 15 minutes on the bill or any amendment thereto. Well, what about it? There are seven States joined as plaintiffs in this Supreme Court case. There are 14 Senators from these States. I know personally other Senators who will take their turn in this forensic battle to save the country from irreparable harm. There are 175 paragraphs in the rivers and harbors bill, and each one of them is subject to three or four amendments. This battalion of death contains 17 Senators, each one of them entitled to one-fourth of an hour on each amendment. Do your own arithmetic and see where the 4th of March comes in this program. We will be saved by the rules of the Senate and by the Constitution of the United States which provides that the Sixty-ninth Congress shall end at 12 o'clock on March 4, 1927.

My countrymen, what a patriotic service these Senators will have performed when they save our interests to be decided without prejudice by our Supreme Court. Each village, church, and other civic organizations keep a roll of honor, posting the names of the young men who offered themselves to the service of their country in the late World War to save democracy. The patriotic act of these Senators will go down in history as the greatest service to their country in this century.

Mr. Speaker, I desire to take a few minutes to explain why the Members of Congress from the Great Lakes have allowed this bill to pass both branches and go to conference. We feel that our intents have been protected in the Senate amendment to the Illinois project. The Members of Congress representing the Great Lakes interests yielded to the Senate amendment in the pending rivers and harbors bill providing for a modification of the Illinois River project because we felt that this paragraph as given in the Senate reprint of the rivers and harbors bill in no way could be construed to mean congressional approval of diversion of water from the Great Lakes Basin to the Mississippi Valley.

The Illinois River is formed 100 miles southwest of Lake Michigan by the confluence of the Des Plaines and the Kankakee Rivers. It flows generally southwest and empties into the Mississippi at Grafton, about 223 miles distant from Utica. The major portion of this river was ordered improved to a 7-foot depth in 1879, many years before the water diversion was even thought out. In this bill we are simply sinking the project depth 2 feet, making it 9 feet deep instead of 7 feet. There is plenty of water in the Illinois River furnished by nature to run this modified project without taking a quart of water out of the Great Lakes. I have discussed this with the Chief of Engineers, and he assured me that the above statement is true. This assurance came after he had opportunity to consult his experts.

It takes 1,000 second-feet or less of water to operate this project. I call your attention to page 1387 of the report of the Chief of Engineers, United States Army, for 1925, part 1. You will find there that there are approximately 1,500 second-feet of water throughout the entire length of the Illinois River at low water. The flow varies from this amount at low water to 130,000 second-feet at the mouth of the river at extreme flood stage.

Why should there not be plenty of water? This river receives all of the water from the Kankakee and Des Plaines. It drains an area of about 27,900 square miles and receives the water from all the creeks and rivers in that vast region.

Some of the best lawyers say that the language used in establishing the modified Illinois River project can not be construed to be directly or indirectly congressional approval of diversion of water from Lake Michigan.

Please note also that this understanding of the "intent of Congress" is not confined to our side of this controversy. Senator DENEEN, Republican, of Illinois, is reported as hailing the approval of the amendment. The following is quoted from his remarks:

The situation in regard to the water diversion controversy will be left exactly as if the bill had never been passed.

I am placing these statements in the RECORD so that they may have a bearing upon the intent of Congress in passing this law. We do not approve diversion. We do not mention the subject except to provide—

That nothing in this act shall be construed as authorizing any diversion of water from Lake Michigan.

I shall not vote for the bill, because there is so much in it that is bad. I consider the rivers and harbors bill as it passed the House the worst, the most unjust, the most iniquitous piece of legislation ever jammed through the legislative body of a civilized people.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. CHALMERS. Yes.

Mr. DEMPSEY. Will the gentleman specify the items to which he objects in detail, because a general indictment of that kind is not fair. The gentleman is not questioning the Sandusky Harbor improvement, surely, or the Fairport Harbor, or the St. Marys River.

Mr. CHALMERS. Mr. Speaker, I decline to yield further. Mr. Speaker, I repeat, I shall not vote for the bill because there is so much in it that is bad. I consider the river and harbor bill as it passed the House the worst, the most unjust, the most iniquitous piece of legislation ever jammed through the legislative body of a civilized people.

We all know what did it. We all know what unsettled our reason and unbalanced our sense of fair play and justice. It was "pork" and very bad pork, too.

When this bill left our committee it carried projects totaling about \$34,000,000. Let me put this statement in the RECORD. Some day I want to point to it and say to you, "I told you so." When all the projects in this conference report are completed, the total expenditures will be more than two hundred and forty millions of dollars.

The great wrong has been eliminated. The other bad features of the bill are simply a wicked waste of public moneys. It is up to Congress to decide. I shall vote against the conference report, and I appeal to the House to give us a record vote.

The gentleman from Michigan [Mr. MAPES] has been charged with being a poor mathematician. I majored in mathematics in college. Some day when these projects that are started in this bill shall have been completed, if that day comes, I say now that it will have required an expenditure of more than \$240,000,000. It is useless to dump \$12,000,000 in some place in the Missouri River between Kansas City and Sioux City, a distance of 412 miles, unless you are going to finish the project. As the gentleman from Missouri has said, the project is of no value until it is completed. Leave out one link of

track in a continental railroad, and the track is worthless. Dump \$12,000,000 into the Missouri River, if you can catch it and hold it long enough in one place to do it, and it will be of no value at all unless you can finish the project. I have checked up these projects and I know something of mathematics, and I repeat that when these projects that are started in this bill to-day shall have been finished, it will require an expenditure of more than \$240,000,000.

I reserve the remainder of my time.

Mr. DEMPSEY. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Speaker, the purpose of my making a brief statement is to clear the atmosphere in a way of the general indictment of all of the amendments that have been attached to this bill in the Senate. I speak for the Sandusky Harbor project and the Fairport Harbor project. What I say of the Sandusky Harbor can also be said of the Fairport Harbor. In Sandusky last year we shipped 7,000,000 tons of coal from one dock. We have 7,000 feet of solid rock channel. That is, the bottom of the channel is solid rock. If by any chance a ship is a little overloaded and there comes up a southwest wind, and the ship settles on the bottom of the channel, she will punch a hole in her bottom. The commerce that is handled through that channel and through that harbor benefits all of the people of the northwest section of the United States, because it enables them to have coal at a rate that they can afford to pay for fuel purposes. That and that alone is the only justification for the Federal Government putting any money into Sandusky Harbor at all, and what I am saying of Sandusky Harbor is applicable, as I stated, to Fairport Harbor.

To make it doubly fair Sandusky City puts in \$275,000 of money that is to be raised either by private contribution or taxation to offset the \$605,000 the Government puts in, and in the Fairport Harbor I think the relationship is even stronger in that the citizens have raised around \$400,000 in addition to doing some dredging which they have put on, which will probably make the citizens' contribution 50 cents' worth for every dollar of work being done.

Mr. DEMPSEY. If the gentleman will permit, my recollection is that the project is \$610,000, and direct contribution in money \$304,000.

Mr. BURTON. \$715,000, \$304,000, and dredging.

Mr. DEMPSEY. And the additional dredging.

Mr. BEGG. In other words the citizens of Fairport are called upon to bear almost 50 per cent of the cost of the development.

Mr. DEMPSEY. Quite.

Mr. BEGG. Now, I am not selfish enough in respect to either Fairport or Sandusky to say the Federal Government ought to do it all, because the large gain of having the harbors deepened will return a rich reward to the citizenship of that community, but the Federal Government does have a responsibility in those harbors because it contributes to the improvements, as it will make possible the delivering of coal to the southwest section of the United States at a much cheaper freight rate, and in that respect the Federal Government does have an obligation. Now, I do not doubt but what other men feel the provisions of this bill are just as vital, just as important, and my purpose in making this explanation at this time is to call the attention of the committee to the fact that not all the items added by the Senate are indefensible, and I am not insinuating any of them are. I do not know about the others, but I do know about those two, and the Government never spent a dollar in harbor development in the United States for which it will get a bigger return than at Fairport and Sandusky. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DEMPSEY. I yield the gentleman a half minute in order to enable him to answer a question.

Mr. BEGG. I shall be very glad to yield.

Mr. DEMPSEY. I desire to suggest to the gentleman in connection with what he said there has been no criticism on this floor by anyone of any item except one, and that is the inland waterway from Beaufort to the Cape Fear River, and that item is as good an item as there is in the bill. That is the only item. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

Mr. BEGG. I ask for one additional minute.

Mr. DEMPSEY. I yield it to the gentleman.

Mr. BEGG. I want to call the attention of the committee to this fact. We had our fight, I opposed the passage of this bill on the floor, the majority won, and it is very evident a majority won in the Senate—

Mr. DEMPSEY. Nine votes against the bill.

Mr. BEGG. And as far as I am concerned I am willing to abide by the majority at any time, and I see nothing gained by attempting to delay the will of the majority that has been as positively expressed as it has been at this time. [Applause.]

Mr. DEMPSEY. I yield five minutes to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Speaker, this bill is the greatest, most potential, economical, and satisfactory rivers and harbors bill that has been before Congress in many years. It covers all parts of the United States where there are any opportunities for transportation—the East, the South, the West, the North, and the Middle West are all favored.

The opposition from the Great Lakes region, I hope, after the bill is passed will subside. Those who have opposed the bill have done it because they felt it their duty to do so.

There should be no ill feeling against anyone who has a perfect right to be for or against any measure. What we are all looking for in this great country of ours is to help one another.

Tapping the Great Lakes and connecting them with the South, the East as far as Pittsburgh, the West as far as Sioux City, and on down into the southwestern country to Corpus Christi should be a great boon to the Great Lakes region.

It should not be the desire of any of us to destroy the Great Lakes transportation facilities. They are the wonder of the world. The people that live on them are very jealous of them, as they should be, and we who do not live upon the Great Lakes system should be just as proud and just as desirous to make the Great Lakes waterway the success that it is and has been. It should not be the desire of any of us to destroy this great waterway system. It would be folly to destroy it, even to help our own. But it is my wish and I believe it is the understanding of most of the country that we will not injure the Great Lakes by making this connection.

The farmers of the West have suffered more than anybody else in this country on account of the lack of transportation.

The great Missouri River, I hope, will be one of the best projects of the bill. This could not occur, of course, without the connection through the Illinois River from Lake Michigan to the Mississippi. The whole system would be absolutely worthless without that connection; and I hope that those who are even yet disposed to vote against this bill will change their minds before the vote comes. It would bring happiness to a great portion of the country that has been suffering; it would bring delight to those who are anxious to make water transportation throughout the Nation; it will also in time redound to the credit of the States of Wisconsin, Michigan, and Ohio when it is completed.

Chicago, the metropolis of the West, is a credit to the Nation. It is the distributing point for the East and the West. It would be the last city that would desire to destroy the Great Lakes. The peculiar location of this great city makes it necessary to use lake water for sanitary purposes, but her willingness to build treatment plants for this purpose should receive the thanks of the Nation.

And I want to say to the Members of Congress that as a new Member of this body, I appreciate the courtesy that has been shown me always since I have been here and if this bill passes, and I have reason to believe it will, it will be a memorable day for me, because this happens to be the 13th day of January, not an unlucky day, because it is my birthday. [Applause.]

Mr. CHALMERS. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. SOSNOWSKI].

Mr. SOSNOWSKI. Mr. Speaker and gentlemen of the House, as a member of the Committee on Rivers and Harbors who has spent many a night drawing up the minority report, there is hardly anything I might add here to change the picture which has been presented to this House. The ground has been so ably covered by the gentleman from Ohio [Mr. BURTON], the gentleman from Wisconsin [Mr. FREAR], and others, that there is not a thing I could add to it except this: I would like to see an item included in this bill for the improvement and restoration of the lake levels. General Taylor, the Chief of Engineers, told me that there is a direct loss of \$30,000,000 a year to the shippers on the Great Lakes. In this bill there is nothing calculated in any way to restore the levels of the Great Lakes, which to-day have an established commerce of 125,000,000 tons a year. It seems to me it is a mighty good investment for this Congress to spend money on a project which is already established and one which is paying big dividends yearly; and if you are going to appropriate \$50,000,000 for the Missouri River, which does not give to this Government or to this country a dollar in return for the investment, then surely

you should appropriate some \$55,000,000 which will give us a return of \$30,000,000 by the restoration of the lake levels.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield right there for a short question?

Mr. SOSNOWSKI. Yes.

Mr. DEMPSEY. I would like to call the gentleman's attention to lines 18 to 20, on page 27 of the bill, in which is the following:

Great Lakes: With a view to providing ship channels with sufficient depth and width to accommodate the present and prospective commerce at low-water datum for the Great Lakes and their connecting waters, and their principal harbors and river channels, either by means of compensation or regulatory works or by dredging and rock removal in the separate localities, or by both methods.

That is the only way we can start that, and that does start to give the Great Lakes their statutory depth and avoiding the present shallowing of 40 inches.

Mr. BURTON. I think we should have that point understood.

Mr. CHALMERS. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. BURTON].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for two minutes.

Mr. BURTON. Mr. Speaker, I would like to ask a question of the gentleman from New York [Mr. DEMPSEY]. It is conceded that this provision for the survey merely provides for an examination and a recommendation of methods to restore the lake levels by compensatory or regulatory works. After that survey has been had, we surely will have to have legislative action before anything is done. That is true, is it not?

Mr. DEMPSEY. Yes. But the gentleman did not state the provision as broadly as it is, as providing both for the channel and for regulatory works. It provides both for the channel or for the other method if thought to be advisable.

Mr. BURTON. Is it not true that the joint commission of Canadian engineers and United States engineers reported on a plan for compensatory work at the mouth of Lake Erie and at the mouth of Lake Huron, and that that report, of equal acceptance with the report of the engineers, would have justified a provision in this bill?

Mr. DEMPSEY. I should doubt it, because, as I understand it, it will be necessary, so far as the compensatory or regulatory works are concerned, to obtain the consent of Canada, because the work will be partly, as I understand it, in Canadian territory; and secondly, I think the placing of those works anywhere in the Lakes, regardless of the territory, would have to have the consent of Canada.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. CHALMERS. Mr. Speaker, I want to say to the chairman that, as he knows, and all Members of the House know, that the Congress has no authority to put in regulatory works and change or raise or hold the lake levels without the consent and cooperation of Canada. At the Buffalo meeting that I referred to in my remarks there were Canadian officials present who stated clearly that they were very sure, from what they knew of the situation over there, that Canada would not consent to the establishment of these controlling works or regulatory works unless some other matters be considered and enter into the understanding between the two countries.

Mr. Speaker, I reserve the balance of my time.

Mr. DEMPSEY. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. LYON] five minutes.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for five minutes.

Mr. LYON. Mr. Speaker and gentlemen of the House, I had not intended speaking on this bill and would not do so at this late hour were it not for the fact that several gentlemen who have spoken in opposition have singled out for criticism the item providing for the extension of the inland waterway from Beaufort to the Cape Fear River, N. C., and for the further fact that the remarks made by the gentleman from Wisconsin [Mr. FREAR] in reply to questions asked by one of my colleagues from North Carolina might be construed as an intimation that certain items in the bill, one of which is the inland waterway item, were merely local projects, and originated at the request of selfish local interests.

As a member of the committee, and one who is very much interested in the bill and especially in the item with reference to the inland waterway, I wish to correct this impression. The item referred to was not in the bill as it passed the House, for the reason that the engineers had not completed their report. Had they done so, I am confident that the project would have been adopted by the House in the original bill. Fortunately

for my State and for the State bordering the intracoastal canal, the engineers' report was made while the bill was under consideration in the Senate, and the distinguished Senator from my State, my friend Senator SIMMONS, succeeded in having this project approved by the Commerce Committee and adopted in the Senate. This item and other amendments were carefully considered by the Rivers and Harbors Committee of the House a few days ago and unanimously approved by the committee.

This is not a local project, nor is it my item or the item of any other Member from my State. On the other hand, it is a project that will be of tremendous benefit to the entire State of North Carolina and to the other States bordering the canal. If I had the time, Mr. Chairman, I think I could prove beyond a shadow of a doubt that the early completion of the link of the inland waterway from Beaufort to the Cape Fear River to a depth of 12 feet is amply justified. Being limited as to time, I can only call attention to a few of the most important reasons why, in my opinion, this extension should be completed as early as possible and be of the same depth as other links heretofore provided for in the inland waterway system.

Between Beaufort and the Cape Fear River, the terminus of the link provided in this bill, the country is rich in natural resources that will provide a tremendous amount of tonnage when the waterway is completed. Wilmington is a thriving and prosperous city of more than 40,000 inhabitants and is the largest seaport in North Carolina, having to-day a depth of water 28 feet in the Cape Fear River, with foreign shipping amounting to close a million tons. Within a radius of 50 miles of Wilmington there are woodworking plants with a capacity of more than 5,000,000 tons per annum. These plants can all use the inland waterway route profitably, and my information is that most of them will use it when it is completed. The Cape Fear River is the largest and longest navigable stream in the State, extending inland about 125 miles, and at the head of navigation is located the live and growing city of Fayetteville. This river traverses some of the richest sections in eastern North Carolina, and within the near future will be an important feeder to the inland waterway. The Board of Engineers have under consideration at this time a project for the construction of a third lock and dam in the Cape Fear River below Fayetteville that I am quite confident will be acted on favorably. When this lock and dam is completed it will provide 8 feet of water from Fayetteville to Wilmington, thereby enabling barges to be loaded in the northern and eastern markets and be transported by water to Fayetteville for distribution throughout central and western North Carolina, and in this way create additional tonnage.

It is my confident opinion, Mr. Speaker, that within a short time after the completion of the inland waterway there will be transported over the system from this new territory several millions of tons of freight annually, at a saving to the producer and the consumer of many times the cost of the waterway. This saving to a large extent would be reflected to the farmers in the amount they receive for their produce and would go a long way toward relieving the distressful condition that now confronts them.

In conclusion, I desire to thank the distinguished chairman of our committee for his remarks a few minutes ago, to the effect that this project is one of the most important ones in the present bill. I feel that this is quite true and am satisfied that within a short time after its completion those who vote for its adoption will feel that by their vote they have contributed something to the welfare of the country and the wealth of the Nation.

Mr. CHALMERS. In order to save time, Mr. Speaker, I ask unanimous consent that all Members of the House who desire may have five legislative days in which to extend their remarks upon this bill.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that all Members of the House have five legislative days in which to extend their remarks on this bill. Is there objection?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object; their own remarks?

Mr. CHALMERS. Their own remarks; yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BRIGGS. Mr. Speaker, when in 1889 about 600 delegates from the States of Nebraska, Kansas, Oklahoma, Colorado, and Texas met in Topeka, Kans., and memorialized Congress to construct a deep-water port on the Gulf coast west of the Mississippi, such delegates and the States they represented no doubt anticipated substantial benefit from such a port, but perchance little realized how great would be such benefit until

Congress directed the improvement of the port of Galveston in compliance with such appeal, and deep water there was actually provided.

Through a system of great jetties, projecting several miles out to sea, the United States Engineers announced the completion of the deep water port, in accordance with the then authorized project, in June, 1898. The almost immediate result of such improvement was a tremendous reduction in grain and other rail rates from the territory mentioned, and other southwestern area, to the Gulf, through the port of Galveston.

A special board of Army Engineers, convened in 1902, reported to Congress that the construction of the deep water port at Galveston had resulted in a reduction of freight rates and other charges and a saving to commerce amounting to approximately \$10,000,000 a year. In 1908, from another investigation of the subject by the United States district engineer, it was reported to Congress, that the construction of the port of Galveston was saving to commerce and shippers generally \$20,000,000 a year, and that it was thought that it could be easily demonstrated that such saving was possibly as great as even \$30,000,000 a year.

When it is taken into consideration that the total cost to the Government of all waterway improvement at the port of Galveston since its inception, including the construction and improvement of both Galveston Harbor as well as Galveston Channel, with all maintenance costs, has aggregated less than \$18,000,000, it will be readily seen, as recently said by the Chief of Engineers of the Army, that the port of Galveston has paid for itself every year or two since its construction.

Upon the basis of the official reports of the Army Engineers, such saving to the Nation and its commerce, and particularly to the States of the Central West and Southwest, has aggregated from \$275,000,000 to \$550,000,000 in the past twenty-seven and a half years.

The export rail rate on grain, based upon Kansas City and adjacent territory, is $8\frac{1}{2}$ cents a hundred pounds lower to the port of Galveston than to Baltimore and 10 cents lower than to New York. With due allowance for any differences which from time to time may exist in ocean rates between the North Atlantic ports and Galveston, the great grain-growing areas of the Southwest enjoy a lower transportation rate of 5 cents a hundred pounds on wheat and 3 cents a hundred pounds on flour through the port of Galveston to the ports of Great Britain and continental ports.

The action of the Congress in authorizing in the pending rivers and harbors bill the deepening of Galveston Channel and the further improvement of Galveston Harbor will still further extend and increase the benefits to the Nation's commerce utilizing such port and result in still further savings, especially with regard to the States already mentioned, of many millions of dollars.

While the location of Galveston so close to the sea and its extensive and modern terminal facilities, the greatest on the Texas coast, have already given to shippers and commerce the most efficient and rapid handling of cargo of probably any port in the country, the authorized increase in depth of Galveston Channel and Harbor will make it possible for even still larger steamships to call at this port, and enable such steamships and other vessels now calling there to take even greater cargoes than they are now able to carry by reason of the present project depths.

The Secretary of Commerce reported that for the period from 1921 to 1925, inclusive, the average exports of wheat through Galveston amounted to over 39,000,000 bushels annually.

This volume of export grain gave to Galveston the distinction of greater wheat exports in the aggregate over such five-year period than those of any other port of the United States. It has also become one of the most important exporting ports of flour.

Galveston is also the greatest cotton export port in the world. It has exported thus far this season over 2,000,000 bales.

It is also the greatest sulphur port in the world, and one of the greatest oil ports.

In addition to such commodities a great volume of cottonseed products, rice, sugar, and other cargo is handled.

The Chief of Engineers of the Army reported that the value of such commerce in 1924 exceeded the enormous sum of a billion dollars.

The Secretary of Commerce recently called attention to the value to commerce of deepening Galveston Channel, so that deeper draft vessels might visit the port and take larger cargoes; and he pointed out the extent to which savings in transportation rates might be even further made possible with reference to commerce accustomed to move through the port.

As everyone knows, the movement of export grain is seasonal. When large crops are raised and there is a great exportable

surplus, it is of the highest importance to market such exportable surplus when the demand therefor and no substantial competitive supply of grain exists.

In order to make deliveries of such commodity in foreign countries when desired, it is essential that not only must there be enough freight cars to move such grain to the port, but that there should be enough ships to move it onward to destination.

Cotton is a light-weight commodity and does not require as deep-draft ships as grain demands. It is, therefore, apparent that when export grain begins to move in large volume the more grain that a ship can carry the more expedition in both the shipment and handling of such grain is effected and the more economies possible.

Where a vessel capable of taking 500,000 bushels of grain can only load 400,000 bushels, by reason of restricted channel or harbor depths, it is apparent, especially when ocean tonnage is scarce, that a distinct loss to both the shipper and vessel owner occurs and an appreciable delay results in the handling and transportation of the total volume of the commodity to be moved. It has been estimated that the loss of vessel space, accommodating 100,000 bushels, would, in terms of prevailing ocean grain rates, amount to approximately \$9,000 in each instance.

Not only, however, will the deepening of Galveston Channel and Harbor permit of deeper draft and other cargo-carrying ships in the foreign trade to take full loads, but it will also permit coastwise and intercoastal steamships of deeper drafts to take full loads and enable many vessels now calling at the port to load even to greater capacity.

The United States Shipping Board states that Galveston does business with an average of 125 foreign ports each year; and that as many of such foreign ports have a tidal range and depth greater than the port of Galveston, that it will be possible to expedite to an even greater extent the movement of commerce between such ports by the use of deeper draft vessels and increased depth at the port of Galveston.

The acuteness of available cargo space in the earlier part of the present shipping season, when the demand for vessel space was far greater than could be supplied, even though the United States Shipping Board put into service over 100 additional vessels, to those already engaged on its regular trade routes—emphasizes how important it is to shippers generally that the available channel and harbor depths at Galveston be at all times sufficient to enable vessels to load to their full capacity and such of the deeper draft vessels as call there to sail with full cargoes.

It may be here also stated that but for the action of the United States Shipping Board in supplying the extra Government ships, the export movement of cotton, grain, flour, and other commodities could never have been accomplished, and that the presence and use of such ships resulted in savings estimated at the very least at \$90,000,000. When indirect losses, which inevitably would have followed, are considered, the saving thereby to the American people, and especially the cotton growers and wheat raisers of the South and West, exceeded several hundred million dollars.

The great Intracoastal Canal, which has been authorized by Congress, from the Mississippi River to Galveston, and the extension of which from Galveston to Corpus Christi is provided for in the present rivers and harbors bill, will in the course of the next two or three years be a reality and will give continuous water transportation between the Pittsburgh steel centers and West Virginia coal regions and the ports of Galveston and Texas City, as well as other ports, and the great Mississippi Valley and Central West areas.

The result of such improvement will not only be to serve that vast territory with a new and efficient transportation system for the movement and interchange of commodities between Texas, the East, and the Central West, but will inevitably result in a readjustment of rail rates, which will give to shippers further material reductions in freight charges, while at the same time increasing the volume of commerce over all forms of transportation agencies.

The great port of Galveston, protected and fortified by its great sea wall and other engineering works, until it is a second Gibraltar, is continuing to still further modernize and increase its already extensive and fine terminal facilities so that it may keep fully prepared to serve adequately not only all commerce accustomed to move through such port, but which it is apparent is preparing to flow through that great gateway in even greater volume, and thereby save to the Nation and its commerce additional millions to that already saved in the past to the people of this country, and especially to those of Texas, Oklahoma, Kansas, Nebraska, Colorado, and other great States of the Southwest, and their great agricultural, mining, and industrial

products for which foreign, as well as domestic, markets are so essential.

Mr. COCHRAN. Mr. Speaker, as I was not a Member of Congress when the rivers and harbors bill passed the House in the last session, this is my first opportunity to indicate my position on the improvement of our inland waterways.

Had I needed counsel on this subject it would not have been necessary to go beyond the statement of Maj. Gen. Edgar Jadwin, Chief of Engineers of the United States Army, in charge of river improvements, made but a few days ago at the annual meeting of the Rivers and Harbors Congress, when he said, in speaking of the Mississippi River system:

In its incompleteness state commerce totalling more than 50,000,000 tons was carried in 1925, with a resulting saving to the transportation costs of some \$18,000,000.

The figures for the year 1926 are not as yet available, but I am authoritatively informed they will show a considerable increase.

Two of the outstanding champions of this legislation come from Missouri. Senator JAMES A. REED led the fight in the Senate for amendments of special benefit to our section of the country, including a deeper channel over the depth proposed, without additional cost to the Government, as well as removing the paragraph which would have required owners of property abutting the Missouri River to provide funds to match the expenditures of the Government. It was the only project which carried such a proviso, and it discriminated against the people of the Missouri Valley.

Representative CLEVELAND A. NEWTON, who has so capably represented the tenth congressional district of Missouri, devoting the greater part of his eight years in Congress in advancing legislation for the betterment not only of inland waterways but our harbors, ably supported both in committee and on the floor this measure, which meant so much to the city of St. Louis and its people. The honor accorded to this distinguished St. Louisian, who will voluntarily retire from Congress March 4, when the entire membership rose at the conclusion of the tribute paid him by the gentleman from Alabama [Mr. BANKHEAD], was well deserved. Mr. Newton's able presentation of the subject was a masterpiece, and the facts he submitted could not be assailed.

The passage of this bill will result in many of the large corporations already operating private barges increasing their equipment, while others who have witnessed the success and advantage of these corporations will soon see the advisability of following their example.

It means a general boom for inland waterways transportation.

The Congress by its action advises the country that it proposes to proceed with the development of its navigable rivers, which is an invitation to business to use this natural highway for the transportation of its freight. Assured now that suitable channels will be available, private enterprises will not hesitate to make use of them.

It is likewise an additional asset for the Inland Waterways Corporation.

For the year ending December 31, 1925, the Inland Waterways Corporation, operating the Mississippi-Warrior service, shows by its report the actual tonnage transported on its barges was 598,670 net tons. While this tonnage was handled on the Mississippi River system, part of this freight was originally shipped from the coast of California, Oregon, and Washington on the west; and, with the exception of Maine and New Hampshire, every State east of the Mississippi River, from the Canadian line to the Gulf of Mexico, contributed to the total. In fact, only 13 States of the Union are eliminated in the recapitulation.

The Inland Waterways Corporation is no longer an experiment; its success is established. It has brought freight to the terminals of railroads in the Mississippi Valley which otherwise would never have reached there; and, instead of opposition that existed at the outset, we find cooperation between practically all the leading railroads and the corporation at the present time. Its success is beyond that predicted by its most ardent supporters.

In the near future a line will be established between St. Louis, St. Paul, and Minneapolis. It is conceded this new enterprise will not prove a paying proposition at the outset, but the earnings on other parts of the system will prevent a deficit.

With the improvement of the Mississippi and its tributaries now assured by the passage of this bill, all that is needed for the future development of the barge line is additional equipment. If the Secretary of War will see that this corporation receives all the equipment it desires for the upper Mississippi service, its growth will be astonishing.

It is stated by some it would be unwise to operate on the upper Mississippi on too large a scale. They say there are no terminals.

It is my understanding that authorizations for the construction of terminals at St. Paul and Minneapolis have not only been made but actual work on this construction started.

When the Mississippi-Warrior service announces its schedule of barges for the upper river every city and town between St. Louis and the Twin Cities will not only welcome but utilize the facilities offered. It will be to their advantage to receive this service, which has greatly benefited other sections. They will not sit quietly by and not accept this opportunity.

St. Louis will no doubt receive greater benefit by the passage of this legislation than any city on the Mississippi River. Twelve million dollars is set aside for improvements on the Missouri River from Omaha to the mouth. When the channel is provided, products from the Missouri Valley will be brought to St. Louis by barges.

The development of inland waterways will do much to relieve the congested condition that exists and will solve our transportation problem.

In time to come the various States will follow the example of European countries and provide inland canals to connect with the Mississippi and its tributaries.

The highway systems fast nearing completion in all the States will also be a great asset to river transportation. The various industries, as well as the farmers, will utilize this mode of transportation by bringing their products to the connecting points in trucks.

Realizing the tremendous emoluments that will accrue by reason of the passage of this measure, I welcome the opportunity to support it.

Mr. PEAVER. Mr. Speaker, I am opposed to the adoption of the conference report on this bill (H. R. 11616). In taking this position I want it distinctly understood that I am not opposed to the improvement of the country's inland waterways; on the contrary, I am wholeheartedly in favor of such development. But I will not be coerced into voting for sixty or seventy millions of political pork in the bill now before us in order that forty millions of needed Government improvements may be made possible. I am not going to vote for \$11,500,000 to purchase the incomplete, impracticable, and wholly unnecessary Cape Cod Canal from the O. H. P. Belmont estate in order to secure a few thousand dollars for improving such harbors as those at Superior, Duluth, Ashland, and others, the necessity of which no one questions. By the time the Government has completed this canal so that it can be used for navigation more than \$20,000,000 of the taxpayers' money will have been poured into it. Meanwhile, the creditors and others interested in the Belmont estate will benefit to the extent of \$11,500,000 and be rid of a canal that experts have said will never pay for its upkeep. It was a war project, conceived by Mr. Belmont and his associates in the days of war-mad speculation in the expectation of reaping huge profits off governmental and other coastwise shipping. And like many other schemes hatched for making war profits which turned out to be a failure, its proponents want the Government to take it over and pay their losses.

This bill is loaded down with pork for everybody in the whole United States. Many members were politically shanghaied into voting for it, because to do otherwise would be placing themselves in the position of appearing to oppose Government improvements in their own districts. Witness the item of \$3,500,000 for the development of the Illinois River. Twenty-one of the 26 members of the House from Illinois voted for the bill, and not one voted against it. This item provides for a 7-foot channel for barges from Chicago down the Illinois River to the Mississippi which can not be maintained without the 10,000 cubic feet of water now being diverted from Lake Michigan by the Chicago Sanitary District, in order to create hydroelectric power which is sold in Chicago for millions in profit each year.

Foiled in their attempt to secure permits from the Secretary of War and the Board of Army Engineers to divert 10,000 cubic feet per second from Lake Michigan through the Illinois River, defeated in the United States Supreme Court, and turned down by Congress last year, the proponents of the diversion have succeeded in slipping this item for the improvement of the Illinois River for navigation purposes into the bill, knowing that a channel for navigation on this river can not be maintained without the water they are diverting from Lake Michigan; and also knowing that experts have said the possibilities for developing barge commerce on the Illinois River on a paying basis are negligible. This innocent-looking item is therefore nothing more nor less than a "joker" which constitutes a congressional recognition of the Chicago water diversion by the

Sanitary District of Chicago, and further fortifies its position in that practice.

This bill is ostensibly for the purpose of promoting navigation and commerce on our inland rivers and lakes. But the item for improving the Illinois River is a recognition of the Chicago diversion which permits the lowering of lake levels to the direct harm and injury of lake shipping. What could be more inconsistent? Statistics of the Board of Army Engineers show that commerce on the Great Lakes dropped from 164,900,000 tons in 1915 to 143,600,000 tons in 1922. And the passage of this bill with the Illinois River item in it means a further decline of commerce and more cost per ton, which the consumer and shipper of the Middle West pays in the end. The bill is therefore not only vicious in the expenditure of sixty or seventy millions in "pork," but it also is vicious because of the indirect increase in cost of transportation on the Great Lakes. I am therefore constrained to vote against it.

Mr. MORROW. Mr. Speaker, the rivers and harbors bill, characterized as H. R. 11616, is an act for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. The bill is in character similar to legislation that has passed Congress at each session in connection with appropriations for creeks, rivers, and harbors for the heavily populated districts of the Nation; thus far there has been very little expenditure in behalf of flood control of the inland streams, which are the sources that carry to the larger streams and harbors much obstructive material; legislation has sought to relieve this condition annually.

There is a great deal of interest in the matter of legislation for the navigability of inland streams for the transportation of farm products to the markets; there are those who are very desirous of placing in the hands of the shipper an opportunity to transport his products to market by a competing route that will tend to cheapen the freight rate now paid by the shipper to the railroads of the country.

The opportunity is now open for cooperation with the West in helping to solve one of their most difficult problems, which is the transportation of the grains, fruit, and livestock to market, and to reduce the payment of an excess freight rate, which cuts so deeply into the return which the producer receives for his commodities.

The membership in the lower House of Congress from the States west of the Mississippi and the intermountain States have not the numerical power to compete with the votes of those States east of the Mississippi. It is for the latter States that the great amounts in the appropriation bills for rivers and harbors are carried; it is in those States where the amounts have been expended heretofore, and where the same will continue to be expended in the future perhaps for a long period.

The watercourses for navigability have been almost entirely destroyed since there has been such wanton destruction of the timber from the banks of the streams and the watersheds of our inland rivers and lakes.

It is especially true that rivers heretofore navigable have become nonnavigable because of soil and other debris which has been washed down from the cultivated areas. It is important that supervision and control of rivers of this class be exercised and supported. Under Government supervision the maximum public benefit may be obtained by the citizens of the Nation. Such supervision of the rivers should be exercised for transportation and navigation, and should not be used to interfere in the ownership and control of the waters of a State.

This obligation of the Federal Government to exercise control and thus prevent destruction by floods is just as important upon the inland rivers and their tributaries as it is upon those that are tributary to lakes, bays, and coastal harbors.

The destruction of life and property by floods will never be removed until impounding dams are constructed near the source of large inland rivers. This will not only protect life and property, but will also serve for the impounding of water for irrigation and for electric power in localities which can utilize the same, and which can contribute their share, in conjunction with Federal aid, toward this end. The benefits will be twofold: First, protection of rivers and harbors by impounding the mad flood waters, so destructive to life and property upon the lower Mississippi River and upon other streams, which have heretofore destroyed the navigability of rivers by the filling in of the harbors and channels; second, it will cause the development of fertile lands, which have been devastated by floods. Then, there is the argument which was stressed during the entire debate, namely, that transportation by water is much cheaper than by rail. The Great Lakes were cited, and figures were presented showing the volume of business carried by water transportation and comparing the rate charged in the transportation by freight.

Great stress is laid upon the improvement of the Mississippi system, with its 6,000 miles of navigable rivers. Also the proposed improvement to the Missouri River and the large tributaries of these streams; there can be no question but that the improvement of our waterway transportation has aroused the ire of the railroad transportation and the owners of the bonds and stocks of railroad corporations.

It is very important that a clear line of careful consideration be given by the Members of Congress to this legislative hostility that is apparent in the discussion of the competition which will result from inland waterway construction with the railroads in the future transportation problem.

The statement was made by Chairman DEMPSEY that the bill just passed means the expenditure of \$71,871,900 and no more for river and harbor improvement, and that 38 per cent of the freight of the Nation is carried by water. The railroads spend \$600,000,000 a year in maintenance and improvement in the transportation of 62 per cent of the freight of the Nation. From this it would appear to the ordinary citizen that this wonderful cry of pork in regard to the bill just passed was not so much pork as the press would make it appear; rather, the cry was directed against increasing water transportation which would mean competition with railroad transportation. This, in my opinion, is the reason for much of the publicity against the bill. It is no doubt true that there are objectionable features and proposed expenditures that should not have been included in this act.

The western half of the United States should be directly interested in the development of the Missouri River and in its connecting branches, that should be developed for both water transportation and flood control. It is but fair to say that transportation by the inland water system can not be successfully solved except by flood control.

If the theory is true that the connecting rivers of the Great Lakes, the Atlantic coast, and Gulf of Mexico can be utilized beneficially and more economically than other transportation, it is equally true that the Missouri and its great tributaries can be so used.

In connection with the development upon the Missouri there must also come the development upon its principal tributaries and the carrying out of the great engineering principle of flood control. There should be carried out the recommendations on the part of the Government engineers that the section of the Missouri River between Sioux City and Kansas City should be included in the bill; this can not be systematically maintained except by dams built for flood control upon the connecting main tributaries of the stream.

That flood control is the main and principal element in the preservation and creation of navigation upon the inland streams is apparent. What flood control means to much of the western country and the Nation as a whole is shown in my remarks, which I heretofore made, in the RECORD of June 29, 1926, as follows:

In 1923 the property of one railroad company in Oklahoma suffered a damage of \$1,000,000 from the Canadian River. This could all have been avoided if this stream had been controlled by impounding the flow of water during the flood season and diverting the same into reservoirs. Vast fertile areas in Oklahoma and New Mexico which do not now receive sufficient rainfall could be thus reclaimed.

It is the overflowing of agricultural land in Texas and Oklahoma by the two tributaries of the Arkansas River which largely prevents the navigability of that stream for several miles of its course and interferes with the navigability of the Missouri River as well. The navigability of the Missouri River is questioned by many, but it is largely prevented by the debris carried in the flood waters. During a period of 50 years before 1906 the steamboat was the method of transportation of cargoes from St. Louis to the river towns. The change in the channel of the river is due to the washing down from the fertile valleys above of the virgin soil, and this can be regulated by impounding the waters in the mountains above the plains and the utilization of the same for irrigation and also for electrical-power purposes for the growing cities of the agricultural district.

Nature provides the inland channel for man to utilize for transportation; it provided land for reclamation and it provided protection in the inland waterway by competition in transportation with the lines of railroad that now haul the freight to the seaboard. Man has thus far failed to utilize the methods provided by nature.

In looking back we see that up to the Civil War the country along the river's course depended entirely upon the river for transportation. Capital has since combined in great transportation lines, and thus traffic has been drawn away from the river. There is no doubt but that with proper flood control above the points of possible navigation and the impounding of the flood waters the navigation of the rivers would be largely protected.

The total land in the United States overflowed and in need of drainage is as follows: Area unfit for cultivation without flood control and drainage, 91,543,000 acres.

The total area in need of flood control and drainage is 113,537,000 acres. The area in Oklahoma that is overflowed and unfit for cultivation without drainage is 650,000 acres, and the total acreage in Oklahoma requiring flood-control protection on account of the lack of drainage is 952,000 acres. The impounding of the flood waters at the source of the streams will reclaim that land.

It is apparent that if Congress will see the real necessity of developing our inland rivers for navigation, where the expense justifies the same, with the idea of flood control and power development, the Government will put in operation a great economic saving of expense to the taxpayer in transportation, as well as in cheap electrical power to many of the growing cities and communities along the watercourses of the streams.

By reclaiming waste land, preventing the destruction of crops and other property, a vast saving will be made to the Nation.

It is evident all our available waste land will be needed for utility in producing a food supply for our growing population in another quarter of a century.

Mr. DEMPSEY. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. MANSFIELD]. [Applause.]

Mr. MANSFIELD. Mr. Speaker, I desire first to correct some erroneous impressions that have been made here to-day, though unintentionally. In the first place, the chairman of my committee, Mr. DEMPSEY, was in error, I believe, when he stated that the gentleman from Ohio [Mr. BURTON] was chairman of the Committee on Rivers and Harbors when the bill of 1910 was reported. I am informed that Mr. Alexander, of New York, was chairman of the committee at that time. Then I want to correct the statement which the gentleman from Ohio [Mr. BURTON] made, which I think was erroneous, though unintentionally, of course. He stated that he did not believe that the bill of 1910 authorized as much as \$296,000,000. Mr. McGann, the secretary of our committee, who is an expert, has figured it out very carefully, and he finds that the bill did authorize \$296,740,000.

I want to read one paragraph from the Annual Report of the Chief of Engineers, submitted at the present session of Congress. It is the last paragraph on page 4, part 2, of the Annual Report of the Chief of Engineers, and is as follows:

After eliminating all known duplications of traffic as between ports, rivers, canals, and connecting channels, the net total water-borne commerce of the United States during the calendar year 1925 amounted to 483,400,000 tons, valued at \$23,946,000,000. This is the greatest tonnage ever carried on the navigable channels of the United States and supplies a convincing evidence of the increasing use of our waterways.

[Applause.]

Now, gentlemen, the human mind has very little conception of the enormity of that commerce. The value of it is about equal to the amount of the great war debts incurred in the World War, including the large amounts we loaned to the European powers. The volume of it would make more than 16,000,000 carloads at 50,000 pounds to the car, making a solid train of loaded cars 104,000 miles in length, or long enough to encircle the globe at its greatest circumference more than four times and with 4,000 miles of loaded cars left over.

I do not mind gentlemen opposing these river and harbor bills when they do it honestly, and a great many of them do. We can not all agree on these things. I have heard gentlemen argue repeatedly from year to year that these rivers and waterways can not be made navigable to serve the interests of commerce. It is true that but very few of our waterways have been completed, because every year it is a fight to get the necessary appropriations to complete the works. Only a few of them have been completed. Even the Monongahela, which is bringing such magnificent results, has not yet been completed.

It is only about 86 per cent completed, I believe. But there we find a stretch of river which is but a branch of a branch of the Mississippi, nearly 2,000 miles from the seaboard. It is almost in the heart of the great Allegheny Mountain region in the States of Pennsylvania and West Virginia. It is a stretch of 131 miles, with 14 locks and dams upon it, giving it depths of 6 to 8 feet. It now carries as much freight as the Panama Canal carries, and the Panama Canal cost approximately \$400,000,000, when the Monongahela cost only \$12,167,000. What better argument can we have that this waterway legislation is proving successful? Take the Ohio. I have heard the gentleman from Wisconsin [Mr. FREAR] speak for hours, and known him to fill the CONGRESSIONAL RECORD with extensions of his remarks in opposition to the Ohio River, yet we

find that the Ohio River last year increased its traffic 50 per cent, increasing from 10,000,000 tons to more than 15,000,000, and nearly 16,000,000 tons of commerce. That which is true of the Ohio may be true of the Missouri. I am not responsible for the Missouri River being in this bill. It was placed in it upon the floor of the House, but I now have the utmost confidence in it.

Mr. DEMPSEY. Will the gentleman yield?

Mr. MANSFIELD. Certainly; I yield to my chairman.

Mr. DEMPSEY. The increase on the Ohio was despite the fact that the river is not complete.

Mr. MANSFIELD. Absolutely so. I want to call your attention to some more matters in connection with the Ohio. Two years ago, or nearly three years ago, when we held hearings on the Ohio, Mr. Shepherd, of Pittsburgh, representing the Carnegie Steel Co., and the Jones-Laughlin Steel Co. before our committee, also representing the city of Pittsburgh and the Pittsburgh Chamber of Commerce, gave us some very valuable data in regard to that river.

Those companies had several hundred barges engaged. They then had 19 steamers that had just been completed and placed on the Ohio and Monongahela Rivers, steamboats costing \$185,000 apiece. Together those companies had expended more than \$13,000,000 at that time for floating craft for operation on these streams. These companies are bringing vast quantities of coal down to Pittsburgh. They were bringing it down at a cost of 15 cents a ton when previously they were bringing it down by rail at a cost of 75 cents a ton. Make the calculation on 24,000,000 tons of coal, with a saving of 60 cents a ton for Pittsburgh alone, and you have a good illustration of it.

Last summer I wrote to Mr. Shepherd to know whether or not these companies had made any further investments along these lines since he gave his statement before our committee, and told him that if he felt authorized to give me such a statement I would be glad to have it. He wrote me on June 29 that the Jones & Laughlin Co. had authorized since that time 31 more barges, at a cost of \$433,500, and terminal facilities for loading and unloading amounting to \$252,000 additional. He further stated as follows: "I am also authorized by the Carnegie Steel Co. to give you the following, which have been authorized by them since March, 1924: Seventy-seven barges, three steamboats."

On the 17th of July he wrote me another letter, which is as follows:

MY DEAR MR. MANSFIELD: Authorization for expenditures have been made recently by the Jones & Laughlin Steel Corporation to increase their river transportation facilities in addition to what I gave you in my letter of June 29, as follows: Loading terminals to serve new coal mines to be opened on the Monongahela River, and additional terminal facilities at Pittsburgh, Cincinnati, and Memphis, Tenn. The amount to be invested will be about \$2,240,000.

From this you will readily see that the Jones & Laughlin Steel Corporation is planning to make extensive use of the present and prospective facilities which the Federal Government is making for the Ohio and Mississippi Rivers.

Mr. HUDSPETH. Will my colleague yield for a question?

Mr. MANSFIELD. I yield to my colleague.

Mr. HUDSPETH. As I caught my colleague's statement of the investment, he stated \$252,000,000.

Mr. MANSFIELD. \$2,240,000 in this item. I thank my colleague for the correction.

Altogether I find that these two corporations have already invested for use on the Ohio and Mississippi Rivers more than \$18,000,000 in floating craft. These great concerns are in charge of men whose business capacity is unexcelled. They are men who have accumulated their millions out of their great enterprises.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. DEMPSEY. Mr. Speaker, I yield the gentleman two more minutes.

Mr. MANSFIELD. The very fact that they have invested such enormous amounts for this river transportation shows their faith in the enterprise and should inspire the people with confidence in river transportation in this country. I thank you. [Applause.]

The limited time allowed for debate on the conference report on the river and harbor bill did not permit of a full discussion of many of the most important projects. I shall therefore avail myself of this opportunity to extend my remarks to refer to one of them.

THE MISSOURI RIVER

The Missouri River has received more unfavorable comment, both in Congress and through the press, than any other water-

way in the United States. For many years, and without investigation, I simply took for granted that the Missouri was impossible of improvement to the extent of being rendered fit for navigation. I have changed my mind. I now believe that the works being installed there will prove a complete solution of the problem and result in rendering the Missouri one of the greatest arteries of trade in the country.

From an engineering standpoint each river, of course, is a problem unto itself. It would, unquestionably, be a waste of money to attempt to improve the Missouri with a system of locks and dams as is being done on the Ohio or the Monongahela. The engineers have worked these problems out very carefully and very effectively.

The Missouri has an ample supply of water for navigation at all seasons. The flow at low stage is 27,000 cubic feet per second at its mouth and 23,000 at Kansas City. There is no necessity for retarding the flow or impounding the waters for the floating of boats. The engineers have found that by confining the currents and stabilizing the banks the river will scour out its own channel sufficiently to meet the requirements of transportation.

The cost of such work is not excessive, comparatively speaking. In pre-war times it was \$50,000 per mile, while under present conditions it is \$125,000 per mile, as estimated by the board and the Chief of Engineers. This is probably less than the average cost of locks and dams where that method of improvement is applied.

The Monongahela has been improved by locks and dams for a distance of 131 miles. The cost was about \$12,000,000, or \$90,000 per mile, under pre-war conditions. Assuming that the cost of locks and dam work has advanced 150 per cent, as is the case with the Missouri River improvements, then the Monongahela improvements would cost under present conditions about \$225,000 per mile, or \$100,000 per mile more than the cost of the dike and revetment improvements on the Missouri.

The present project on the Missouri River below Kansas City, a distance of 400 miles, was adopted in 1910, to be completed in 10 years, at a cost of \$20,000,000. Sixteen years have since elapsed, and only about one-half the amount authorized has been made available by Congress, as will be seen by reference to page 1079, part 1, Report of Chief of Engineers, 1926. The statement referred to reads as follows:

The net total expenditures under the existing project, beginning with the appropriation of June 25, 1910, for systematic work on the 6-foot channel have been \$13,339,079.40, of which \$9,539,723.51 was for new work and \$3,799,355.89 was for maintenance.

This statement shows that less than one-half of the total authorization of \$20,000,000 for new work has actually been provided, while the cost of maintenance has been greatly increased, as will appear from another paragraph on the same page of the report, as follows:

Inadequate and irregular appropriations have retarded progress, frustrating a construction program which would have secured completion of the improvement 10 years after inception, as contemplated by the project. Improvements have failed to accomplish desired ends, and not infrequently have been destroyed for lack of funds to coordinate them with other structures and to stabilize adjoining bends of the river.

Maintenance of existing works has absorbed a large portion of the funds, and most of the improvements built by the Missouri River Commission have deteriorated so completely that maintenance is uneconomical.

Those who have helped to defeat these necessary appropriations have assisted in saddling upon the Government a cost of \$125,000 per mile for completing these improvements, when if the law had been carried out, the major portion of the work would have been done at a cost of \$50,000 per mile. Not only has this additional burden of increased cost been placed upon the War Department on account of inadequate appropriations, but the people of the Missouri Valley have been deprived of the use of the river and forced to pay the higher railroad charges on the transportation of their products. The additional cost to the Government is of little moment as compared with the additional burden that has been placed upon those engaged in the production of wheat, corn, and animals for market.

As to the effectiveness of the improvements now being made on the lower Missouri, I believe there is no longer any doubt. The engineers assure us that it is producing the desired results. On some sections where the improvements are nearing completion the necessary depth is already obtained and is still increasing. This shows that if the engineers have made any mistake at all it is that of overcautiousness in estimating results.

As to the Missouri between Kansas City and Sioux City, General Taylor, then Chief of Engineers, in his testimony before the Senate Commerce Committee on June 12 last (hearings, p. 40) made this statement:

The conditions of the river above Kansas City are similar to those below, and I think there will be no question, I am sure there is no question, but that the project as an engineering proposition is entirely feasible, and we can obtain a project depth of 6 feet throughout that stretch. We could get a somewhat greater depth, possibly as much as 10 feet or 12 feet, but the project would cost enormously more than the 6 feet. The same general character of work would be required in every case. It will be a question of bank protection to stabilize the river and contracting all the channels by means of dikes.

A great deal has been said as to the large expenditures upon the Missouri, with little resultant commerce. As a matter of fact it is not claimed by anyone that there is any commerce on the Missouri. No boats are in operation on the river, except a few that are privately owned and used for private business for short distances. There are no common carriers there, nor are any expected until the river is rendered capable of accommodating them. However, we are assured that the money for procuring necessary boats is awaiting the 6-foot channel to Kansas City, and this depth, General Taylor says, will be accomplished in three years with necessary appropriations. (Senate hearings, p. 41.)

I have seen many statements in regard to the Missouri River which are not in accordance with the facts as I understand them. In this connection I shall refer to one only. The gentleman from Wisconsin [Mr. FREAR] in his speech as it appears on page 1598 of the RECORD of January 13, 1926, is reported as using the following language:

Everybody familiar with the facts knows that not one bushel of grain will be brought down the Missouri through the expenditure of this \$50,000,000. Why? Because the Government has put from \$37,000,000 to \$40,000,000 in the upper Missouri River to deepen and improve the channel.

In this connection I have no reference whatever to the statement that the present bill authorizes \$50,000,000 for the Missouri River above Kansas City. That, of course, is a conclusion which the gentleman from Wisconsin draws for his own argumentative use. I presume he will not claim, however, that with the passage of this bill the engineers can expend more than \$12,000,000 upon it without getting further authorization from Congress. That, if conceded, should be a sufficient answer to his contention.

The matter I have reference to here is the statement that \$37,000,000 to \$40,000,000 have already been expended on the upper Missouri. I believe the gentleman has either been misinformed or else inadvertence has been made in his figures.

As a matter of fact, no real project for navigation on the upper Missouri has ever been adopted by Congress, and to secure the adoption of such a measure is the very purpose for which this Missouri River amendment has been placed in the present bill. This is borne out by the engineers' report recently submitted, and also by the Annual Report of the Chief of Engineers. It is also borne out by the statement of General Taylor before the Senate Commerce Committee last June, beginning on page 39. A brief extract from General Taylor's statement is as follows:

There is no project above Kansas City except a project which involves snagging, rock removal, and similar minor construction, and specified localities where bank revetment has been authorized.

He then refers to Report 1120, embraced in this bill, which was made to the Sixtieth Congress, and then says:

Since that time there have been a number of reports that covered particular localities. As, for instance, the Missouri River at Atchison, Kans., and so on, and a number of isolated localities, but there has been no report covering it, except the stretch from Kansas City to Sioux City.

Senator WILLIAMS. What is the date of that report?

General TAYLOR. December 7, 1908.

It will be observed that this is the report known as Document 1120, on which the Missouri River is embraced in the present bill for adoption, Congress never before having acted upon it.

By reference to pages 1084 and 1087, part 1, of the Annual Report of the Chief of Engineers for 1926, it will be seen that the total expenditures upon the upper Missouri, both for new work and for maintenance, covering a period of more than 50 years, and a distance of nearly 1,900 miles of the river, have been only \$6,654,491.29. These figures are so materially less than \$37,000,000 to \$40,000,000, as printed in the speech of the gentleman from Wisconsin [Mr. FREAR], that I concluded that this correction should be made.

Mr. DEMPSEY. Mr. Speaker, I yield five minutes to the gentleman from Nebraska [Mr. SEARS].

Mr. SEARS of Nebraska. Mr. Speaker, as I come from a district which is so greatly interested in the Missouri River, I desire to say just a few words and then to extend my remarks in the Record.

I presume in making appropriations for improvements such as are found in this bill we should consider the importance of the subject as well as the amount of the appropriation. We all have different views with reference to those things which affect us immediately, but from my own standpoint the most important item in the bill is the one that relates to the improvement of the Missouri River. Why? It is one great river that empties at New Orleans or below and has its starting point up in Montana, affording 4,400 miles of navigable water, as declared by the Board of Engineers of this Government, upon whom we so greatly rely.

This river flows through the heart of the greatest agricultural region in the world. Not only is this the greatest navigable stream of water known but it flows through the heart of the greatest agricultural country that the world knows. There is more grain raised there, more livestock produced, more incoming and outgoing commerce than is known to any other agricultural district, combined also more or less with manufacturing. When there is probably 100,000,000 tons of incoming and outgoing freight and when our engineers have all said that we are beyond the inquiring stage with respect to the engineering problems, I can not understand why there should be opposition to this improvement. We know that all the problems about this great river are settled and are behind us. We know how to take care of the river and how to deepen it, not by dredging but simply by fastening its banks and allowing the current to do the rest. There are many miles of the river between St. Louis and Kansas City where the banks have been held and the protection work perfected, and the river has plowed itself out to a depth of 11 or 12 feet. The gentleman from Missouri [Mr. ELLIS] and the gentleman from Missouri [Mr. NEWTON] and all the people out there will tell you that is true, and the river at that stretch is just the same as it is clear up into the Dakotas. There is no difference.

It is not a meandering river, like my friend from Ohio states. No one esteems the gentleman more highly than I do. The world admires him and loves him, but when he tries to "Proctor Knott-Duluth" the Missouri River, it is beneath his dignity and the great subject he is ridiculing.

Your Secretary of Commerce says that with the river work perfected all the grain that is raised there will be worth 6 or 7 cents a bushel more. There are no hidden things about the river. The engineers know how to take care of it and how to fasten its banks and make it navigable. No town and no community nowadays can thrive without navigation. Take navigation away from San Francisco or Chicago or Cleveland or New York and the grass would be growing on the streets there within six months. There are more towns on this river than any other river in the world, and they are large, thriving, flourishing towns, all started there because of the navigability of the river and under the belief that its navigation would be fostered and protected instead of abandoned. Whatever ship lines have been there have been killed off in the early days by the railroads. NEWTON knows that. My friend, BURTON, knows that.

We want the work on this river perfected, because we know that wherever there is navigable water, business and successful shipping will follow. [Applause.]

I had asked for a half hour at the time the rivers and harbors bill was before the House, on the question of the adoption of the conference report, to answer more fully the addresses of those opposing the Missouri River amendment. I was promised ample time and got five minutes, during which five minutes the foregoing remarks were addressed to the House. I felt then, and feel now, the unfairness of that division of time, when practically all the assaults being made were aimed at the Missouri River amendment.

Many of those in favor of the St. Lawrence Canal or River improvement were particularly outspoken in their animosity. The opposition of the owners of the western railroads declare that the Missouri River shall not be improved for years to come if they can prevent it. The Board of Army Engineers are ready to recommend the policy of improvement by slow degrees.

Our people are becoming thoroughly aroused upon this question, our people of the West. If this opposition continues, it will properly raise sectional feeling. There was a time when many of New England were ready to secede because they then thought they were being treated unfairly. There was a time when the South attempted to secede because many of that section thought they were treated unfairly in the compact.

How can the section through which the Missouri River runs believe it has been treated fairly when almost a hundred million dollars have been spent on the Ohio for dozens of locks and dams. The advocates of the St. Lawrence want us to invest a billion dollars, if necessary, in improving a river on foreign soil that will be of great benefit, it is thought, to us. Others want the all-American route perfected that will probably cost another billion. Every other section of the country but ours has great improvements being urged on the Government's Treasury, without voicement of complaint. Of the administration forces, only one has spoken out—Secretary Hoover—for the early completion of our waterway. This city has ornamentation in process at the expense of the Government's Treasury that will mean several hundred millions of dollars. How does this look? Seventeen million dollars for an ornamental bridge across the Potomac, out of the lines of travel, leading over to a lot of willow land from which speculators will make millions of dollars? Fifty million dollars for office buildings, twenty-five million of which is for ornamental purposes. Twenty-five million dollars for a few blocks of ground for ornamental purposes alone? Other instances might be cited. The people of my section are not objecting to any limit the country wants to go, if it wants to, along these lines, but we do insist that that which we ask has the first and most meritorious claim upon the Government for improvement activity when the subject of internal improvements is up for settlement.

All of the shore territory has benefited by the Panama Canal. It has only greatly injured one section, and that is the country, in business tributary to the Missouri River. If the administration conducted by my own party can not be friendly to this great improvement, it is my sincere desire that another more natural and more normal shall take its place. No section of this country can prosper in this day without navigation. Lack of navigation is withholding prosperity from us. Ten million dollars a year for 10 years will give us a perfected navigable river, continually improving itself, without a lock or a dam, from Fort Benton to Kansas City. This will mean full and ample navigation to New Orleans. When the Illinois River is completed it will mean ample and full navigation to the Great Lakes. This city of Washington, without State, county, or sinking-fund taxes, and with taxes one-third of what they are on the same valuation in other cities of the Union, receives as a gratuity \$9,000,000 a year from the Federal Treasury. I am not objecting to this, if it is in accordance with the general desire, but it is very appropriate to say that the same amount devoted to improving the Missouri River from Kansas City north in 11 years will complete the river for full navigation purposes from its mouth to Fort Benton and leave money in the Treasury. Is it nothing that the needs of 20,000,000 people are being urged? Is their condition to be laughed and joked about and so disposed of? If all the consideration we can get is by forming ourselves into blocs, then, of course, we will have to do it. Then we will be for those that are for us. And those who are against our welfare must blame themselves if they find they have driven us away from them. With navigation of the Missouri River perfected, we are on a parity with other sections of the country. Who shall say that this shall not be our great issue—to relieve agriculture and business in the great country tributary to the Missouri River?

Bear in mind that we believe that navigation will give our farmer 6 cents a bushel more on the value of his grain. That more than 2,000,000,000 bushels of grain are raised in this referred to section. There is probably a hundred million tons of in-and-out-going freight from Kansas City up, the carrying charge of which would be \$2 a ton less with navigation. Manufacturing enterprises are not coming to us but are leaving because of the exorbitant railroad rates we now labor under. Every fair man knows of our condition and knows this great partial remedy.

The urgent necessity and the great demand of the people of this section requires the carrying out of the simple plan of early completion of this greatest of all rivers, not for some future generation but for the present one.

Since writing the above there is noted in the Washington Post an editorial denouncement of the Missouri River improvement and a demand on the President for the exercise of his veto. This is the second time that the Post has so offended. This paper has words of commendation for Congress when appropriations are made to ornament the city of Washington regardless of amount. Where the welfare of 30,000,000 people are involved, 20,000,000 of them agriculturists, it has only words of denouncement. What this Government makes a present of every 11 years—or a like amount—would bring navigable water to the greatest river in the world and to the greatest agricultural district in the world. An amount equal to the \$17,000,000 bridge and the \$25,000,000 purchase of a few blocks of ground—

very beautifying but otherwise unnecessary—would take care of flood control and bring navigation to the great Arkansas River and its benefits to a great population. The Post—and it voices the sentiments of many—would rather that the people of the West should continue without relief, and that the hundreds of millions of dollars shall continue to be spent for ornamentation in Washington. The people of the West simply demand that, first, their great material interest shall be considered and the suit of clothes completed before the ruffles are sewed on. There is also a difference between the people of the West and the gentleman from Ohio, who so vigorously opposes western waterways development in this, that having completed the Ohio River for the benefit of the steel and other manufacturers of his district, he is willing that the door of prosperity and opportunity and of navigable equality shall be closed forever to the 20,000,000 of agricultural people now demanding relief. The people of the West can see no fairness there. Only unfairness.

Mr. DEMPSEY. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Speaker, I rise to announce my approval of this conference report. I shall vote to approve the report, and I believe that there should not be a dissenting vote on this proposition. The pending bill definitely commits this Nation to a comprehensive, wise, and sane program for the development of our harbors and internal waterways. This is not a pork-barrel measure. Every proposition has the approval of the United States Board of Army Engineers. Every project has been carefully considered, both from an engineering and business standpoint.

While I have no desire to criticize the distinguished gentleman from Ohio [Mr. BURTON], nevertheless I can not escape the conviction that he is afflicted with an astigmatism which blurs his vision when he attempts to consider the improvement of our inland waterways. [Laughter.] The gentleman is exceedingly near-sighted in his attitude toward river and harbor projects. He can easily see the wisdom of expending \$100,000,000 and more in building locks and dams in the Ohio River to make that river navigable. He is ever ready to support legislation which will improve the lake harbors of Cleveland and other Ohio cities. But the gentleman from Ohio does not seem to be able to see beyond his own front door, and it is seldom that he approves river improvements beyond his back yard.

The gentleman from Ohio insists that traffic and commerce should be developed on the Missouri River before it is improved for navigation. In substance, his proposition is as follows: "Build a fleet of boats and barges, have them ply the Missouri River between Kansas City and St. Louis, and after you have developed a worth-while tonnage in commerce on the river and after you have demonstrated that the river is navigable, then it will be time enough for the Government to improve it and make it navigable." The gentleman ought to know that a commerce can not be developed on the Missouri River until the channel is controlled and the river made navigable. If the gentleman had been in Congress when the Pacific railroads were being projected, he no doubt would have opposed the construction of any railroads between the Mississippi River and the Pacific coast on the ground that the then existing commerce and traffic would not justify the expenditure incident to the construction of a great transcontinental railroad system. When these projects were being advocated by Benton, Fremont, and other forward-looking men who had a vision of the future, the arguments made by the gentleman from Ohio against the improvement of the Missouri River were made against the construction of the Pacific railroads, namely, that the commerce and traffic would not justify the enormous expenditure involved in the construction of these great railroads. It was argued that these railroads would be built over mountains, deserts, and inhospitable regions where sufficient quantities of commodities would not be produced in a century to justify the construction of the roads. It was contended that the region through which these Pacific railroads were to be constructed was nonproductive and that a sufficient tonnage and traffic could not be developed to make the road a commercial or financial success.

It is fundamental that trade and commerce always follow railroads and canals. Before commerce can be developed in worth-while volume highways for its transportation must be laid out and constructed, and these highways may be either on land or on water. Commerce will always develop where provision has been made for its accommodation. If the Missouri River is improved and made dependable for navigation, undoubtedly a tremendous traffic will develop and be carried economically and efficiently. The Missouri River flows through the richest and most productive agricultural region in the world. Here are

produced the major portion of the food products that satisfy the hunger not only of the people of the United States, but of the world. The improvement of the Missouri River for navigation will bring these farm products closer to tidewaters, reduce freight charges, and automatically increase the net profits of the farmers of the great Middle West. As a business and economic proposition, the improvement of the Missouri River is justified by sound reason and common sense, while failure to utilize our internal waterways spells a tremendous wastage of our natural resources.

The gentleman from Ohio in a grumbling manner criticized the action of the Senate in amending this bill. In this I think the gentleman is not entirely fair. When the gentleman from Ohio was a Member of the Senate I am quite sure that he exercised his rights and the right of the Senate to amend House bills whenever and wherever such amendment, in his opinion and in the opinion of the Senate, was wise and proper. The Senate has a constitutional right to impress its views on legislation. The Senate is a coordinate branch of our legislative department and has a right to add to or take from any bill that has passed the House, and then the House has the constitutional right to either accept or reject Senate amendments. The House has no right to say to the Senate, "You must accept our bills just as they pass the House, without modification or amendment." I am surprised that the distinguished gentleman from Ohio has become so disgruntled that he will assume such an unreasonable and indefensible position.

The Senate is within the exercise of its constitutional powers when it embodies its views in reference to inland waterways in a legislative bill that has under due procedure passed the House and it is not commendable or gracious for the gentleman from Ohio to criticize the Senate for having written into this bill some provision that does not meet with the approval of the gentleman from Ohio.

Mr. ELLIS. Will the gentleman yield?

Mr. LOZIER. I yield to my friend from Missouri.

Mr. ELLIS. Is it not true that the West feels very kindly toward the gentleman from Ohio and ought to forgive him? The opposition of the gentleman from Ohio to the Missouri River has become a disease. [Laughter.]

Mr. LOZIER. Oh, yes; we will forgive him once more if he will promise to be good in the future. The gentleman from Ohio is unfair when he criticizes the estimates made in 1910 for the improvement of the Missouri River between Kansas City and St. Louis. At that time, after a careful survey, the Board of Army Engineers estimated that the Missouri River between Kansas City and St. Louis could be improved and a 6-foot channel created at a total cost of \$20,000,000. At that time Congress adopted this project and agreed to appropriate \$2,000,000 annually for 10 years. The gentleman well knows that Congress afterwards refused to carry out its part of the contract. It made one appropriation of \$2,000,000 and then practically abandoned the project. Undoubtedly the project could have been completed at a total cost of \$20,000,000, if Congress had lived up to its agreement and appropriated \$2,000,000 a year for ten years. Considering the cost of labor and construction at that time, the estimate of \$20,000,000 was adequate, but under present conditions the cost of labor, materials, and construction work is probably double what it was in 1910 and the Government will suffer a very substantial loss by not having kept its contract and consummated this project when labor and material were comparatively cheap.

Certainly the gentleman does not challenge the accuracy of the estimate made by the Chief Engineer in 1910. No one familiar with the facts will deny that if Congress had kept faith with the people along the Missouri River and made appropriations at the rate of \$2,000,000 a year, that stretch of river between Kansas City and St. Louis would have been improved by 1920 and we would now have a navigable channel between those two cities and countless boats and barges carrying a tremendous traffic.

But the gentleman from Ohio still grumbles about there being no commerce on the Missouri River. May I remind him that there would not be very much commerce on the Santa Fe Railroad between Chicago and Los Angeles if a few miles of the track in every 50 miles were torn out and not rebuilt, so the trains could pass over. Does the gentleman expect commerce to develop on the Missouri River before the Government has prepared a channel and made it possible for boats and barges to navigate the river? [Applause.]

The improvement of the Missouri River between Kansas City and Sioux City is entirely feasible, practicable, and desirable. This is the deliberate judgment of the Board of United States Army Engineers who have made a thorough survey and comprehensive investigation of the problem from an engineering and economic standpoint. Indeed, as an engineering proposition the

improvement of this stretch of the Missouri River is as feasible and practicable as the improvement of the Ohio River. The flow of water above Kansas City is greater than the flow in the Ohio River below its confluence with the Tennessee River. Moreover, the flow of water in the Missouri River is more regular and fluctuates less than the flow in the Ohio River at Cincinnati.

The gentleman from Ohio has ridiculed the improvement of the Missouri River between St. Louis and Kansas City. With that superior knowledge so characteristic of him he declares that navigation is impossible, from an economic standpoint, between Kansas City and St. Louis. The gentleman is exceedingly short-sighted. He has closed his eyes to history and experience. He should know, and doubtless does know, that in its natural state the Missouri River was navigable nine months in the year under normal conditions between St. Louis and Omaha and as far north as Fort Benton. For a generation a tremendous commerce was carried on up and down the Missouri River. Before the forests along its banks were cleared away the river by natural processes scoured out a channel sufficiently deep to accommodate the boats that plied its waters from St. Louis far into the Northwest. With the destruction of timber and reducing the land to cultivation, enormous quantities of sediment were carried from cultivated fields into the river, resulting in the formation of sand bars which are a menace to navigation.

May I call the attention of the gentleman from Ohio to the fact that the money spent in improving the Missouri River has not been wasted, and at the present time, of the 397 miles of channel between Kansas City and St. Louis, probably less than 50 miles are nonnavigable because of sand bars formed at crossings, where the channel passes from one bank to the other. These 50 miles of nonnavigable channel are scattered in probably a dozen places between St. Louis and Kansas City. In some places the nonnavigable portion may be less than a mile in length. But it is a well-known fact that the navigability of a stream is measured by the navigability of its shallowest reaches.

By consummating the present approved project the river between St. Louis and Kansas City will be confined to a definite channel, and if this is done the normal flow will keep the channel scoured and in a suitable condition for efficient navigation. [Applause.]

Mr. DEMPSEY. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. LOWREY].

Mr. LOWREY. Mr. Speaker, my hat is off and my right hand is extended with my heart in it to the gentleman from Missouri [Mr. NEWTON] for his splendid argument upon this bill in behalf of agriculture. We talk in terms of hundreds of millions about farm relief. And sometimes in terms of billions about national defense. We appropriate millions for a new bridge across the Potomac and for handsome parks and buildings in Washington. Why should gentleman talk about a pork barrel bill when we are providing transportation facilities which will increase the price which the farmer gets for his product and decrease the price of the things which he must buy? In my opinion, we have considered few bills which would justify a more liberal policy than this bill, which means cheap transportation for our greatest agricultural districts.

Even a casual observer must see that the States of the Mississippi Valley are destined to be finally the home of America's greatest population and greatest wealth. The soil, the climate, the mineral and timber resources, the geographical location, the possibilities of water transportation and water power all conspire to this end.

There is scarcely a fruit, a nut, a vegetable, a grain, a food plant, a feed plant, or a fiber plant grown anywhere else in the United States which can not be grown as well or better in this section. And I am not sure but a similar statement would hold as to building materials, mineral resources, and animal husbandry.

Our long coast line, the Mississippi River and its tributaries, the prospective interoceanic canal system, and the development of the barge lines—these offer us the best and cheapest freight transportation enjoyed by any people. Our rivers flowing from the highlands and mountains east and west invite to the development of the greatest hydroelectric power possible anywhere in the Nation. Our climatic advantages are too obvious to need discussion.

By geographical location these States are central and traversed by transportation routes natural and artificial, which gave facilities for commerce on every side. Especially are we brought into close proximity to the Panama Canal and the rapidly growing commerce of the Latin-American countries. And here let me predict that our sons will see the time when the Gulf coast will be dotted with a line of cities equal in every

way to those which now dot the lake coasts from Duluth around by way of Chicago to Buffalo. In this connection, note how the great railroad systems of America are reaching out for good connecting lines to the Gulf.

But time and space will not permit a full discussion of these conditions. It is the high duty of Congress and of State legislatures to encourage the development of transportation routes—especially of Congress to pursue a liberal policy on the deepening and improvement of waterways. And just here it may be said that along with cheaper freight rates the farmer needs cheaper fertilizer and the cheap electrical power which will bring comfort and conveniences to his home and manufacturing industries to his door. It is in the power of this Congress to bring him relief along all these lines.

We have not the moral right to perpetuate the delay in the matter of utilizing Muscle Shoals with its great possibilities. And the Congress should look diligently to the protection and the sane development of our great water power possibilities generally on the Tennessee River and other streams. Agriculture, the basic industry of the South and the best asset of the Nation, is languishing almost to the point of collapse. My profound conviction is that the highest duty and the direst necessity now facing us is to work out some successful plan for saving this situation and putting agriculture on an equal footing with the other industries of our country.

Mr. DEMPSEY. Mr. Speaker, I yield one minute to the gentleman from Florida [Mr. GREEN].

Mr. GREEN of Florida. Mr. Speaker, the Congress of the United States is to-day embarking upon probably an unprecedented program in the extension of our waterways. The industrial and economic prosperity and development of America to-day rests on the development of our waterways more than upon any other one thing. Our Committee on Rivers and Harbors has been very diligent in its efforts for the past many months whipping into shape the rivers and harbors bill, and so well has been their labors until I am proud to note that to-day there is very little opposition to any item which the bill now carries. I commend our committee for its wisdom and its labors.

Over in the other end of the Capitol was very wisely included an appropriation for an intracoastal canal from Jacksonville, Fla., to Miami, Fla. This project carries, I believe, an appropriation for an estimated cost of \$4,221,000 to construct a canal 75 feet wide and 8 feet deep at local mean low water from Jacksonville to Miami, Fla. Also \$125,000 annually for the maintenance of this canal. Of course, the ultimate expenditure of these moneys rests after all with the Government obtaining, free of cost, the necessary right-of-way and the privately owned waterway known as the Florida East Coast Canal. This must be transferred to the United States. Also suitable areas for the deposit of dredge material in connection with the work, and in subsequent maintenance. This item was included in the bill upon the recommendation of Maj. Gen. Edgar Jadwin, Chief of Engineers, and through the diligence of Florida's two Senators.

I am glad to see the Congress in this manner do away with the sectionalism and prejudice, and appropriate for the needs of our country, regardless to the location of the project appropriated for. This is, indeed, a forward step by our Nation, and the future generations will sing its praise to the Sixty-ninth Congress for this forethought and wisdom.

The district engineer made calculation based upon the traffic data submitted by local interests; and concluded that under conditions already existing there would move by water at least 373,000 tons at an annual saving of about \$400,000, and by the time the waterway is completed, which could not be less than five years, he believes that the shipments by water would be considerably greater, and that the estimated annual saving would amount to \$760,000,000. He is of the opinion that there will be material shipments of citrus fruits and other products in great quantities, and the development of this canal will develop one of the great garden sections and playgrounds of Florida.

Another item carried in this bill which shows the wisdom and foresight of our committee and of the two bodies of Congress is authorization for a preliminary survey of the route for a canal across Florida, said canal to begin at Fernandina, Cumberland Sound, on the Atlantic Ocean, and go up the St. Marys River on through other bodies of water to St. Georges Sound on the Gulf of Mexico. This canal would be something like 200 miles long, but only about half of it would be to actually dig, as half or more of it would follow the already well-defined natural water courses. A similar survey had been previously made many years ago, and there are different estimations of cost for the construction of such a waterway, ranging

from sixteen and one-half million dollars up to as high as \$45,000,000. When these surveys were made, the United States, and surely Florida, had not reached the high state of necessity and development that now exists; and, of course, the reports were adverse. However, it is my opinion that the survey under our authorization in this bill is going to receive a favorable report from the public mind and probably from the engineers; and may I remind you, right in connection with this, that the Missouri River project which we have included in this bill has not always had the favorable report of construction engineers, yet the bill had the support of the leaders of our Nation, who best know our transportation necessities, and we are to-day authorizing the dredging of the Missouri River.

The Florida canal is a link in the great Atlantic-Mississippi River water route, which begins at Boston or New York and comes on down the east coast of the United States, an intra-coastal canal to Fernandina at Cumberland Sound, thence across the peninsula of Florida by Apalachicola, Mobile, New Orleans, and on to Corpus Christi. The whole system is known as the Cape Cod-Rio Grande inland waterway.

This Florida canal will save in distance from the Atlantic Ocean to the Gulf of Mexico approximately 1,000 miles. Of course, Mr. Speaker, the saving the long distance is not all; in this same proportion it will save in time and in money. Calculate, if you please, the cost of transporting the vast tonnage which annually goes from the upper Gulf ports and from ports on the Mississippi River to the Atlantic Ocean. Calculate the charge of transporting this tonnage 1,000 miles, and you will find that in just a few years this amount will be greater than the cost of constructing the barge canal from Fernandina on the Atlantic to St. Georges Sound on the Gulf. Also, Mr. Speaker, when this canal is constructed the storm peril, which is always more or less to be dreaded in passing from the Atlantic around the Florida peninsula to the mouth of the Mississippi, will be eliminated. The saving in storm losses alone would soon pay for the construction and maintenance of this barge canal across Florida.

Mr. Speaker, the intra-coastal canal from Jacksonville to Miami, Fla., is not to be at all confused with the "canal across Florida." However, this intra-coastal canal is going to make even more imperative the demand for the "across-Florida canal."

The across-Florida canal project has the full support and indorsement of the State canal commission of Florida, as well as the indorsement of Georgia and the indorsement of many organizations for the development of waterways. It is rapidly becoming recognized as an imperative need to permanent and profitable expansion of trade and commerce. My colleagues, who are old in point of service, will recall that there was much opposition to the construction of the Panama Canal. Many wise statesmen believed that it would be an unprofitable expenditure of money; that the tonnage passing through the canal would not at all be comparable with the cost of construction and maintenance; that the military advantage was only a theory; and that the program for the construction of the Panama Canal was economically unsound. But, my colleagues, you are too familiar with the facts relating to the profits of the Panama Canal, of its great uses and benefits, its general assets to America and the world, and you are too familiar with its financial success for me to emphasize it here. You well know how this canal has developed the Pacific coast, and you well know how the once popular idea that it would injure the railroads has vanished. In my opinion, developing our waterways is not an injury to our other carriers of commerce, but, on the other hand, tends to strengthen, make more profitable, more efficient, and better our other great agencies of commercial transportation. I believe the Congress will soon realize the wisdom of appropriating money for the construction of this Florida canal, and this canal will not only stand as a monument to American progress and enterprise, but will transform the northern section of the wonderful State of Florida into a modern "Venice of the New World." [Applause.]

Mr. DEMPSEY. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, only a few moments ago the gentleman from Wisconsin [Mr. FREAR] paid a very high tribute to the Representative from Ohio [Mr. BURTON], which was handsomely received by applause from the floor of the House. Mr. BURTON will continue his services in the House of Representatives in the next session. I have asked for a moment to pay a short tribute of regard and appreciation to a gentleman who sits upon the majority side of the Chamber and who severs his official relationship with the House of Representatives on the 4th of next March. I refer to the Hon.

CLEVELAND A. NEWTON, of Missouri. [Applause.] I do not want to be fulsome or effusive, but we extend to Mr. NEWTON as he goes back into private life the assurance of our regard, and we feel sure that by virtue of his distinguished public service in the House of Representatives, especially along lines of developing our commercial possibilities in transportation, he has won for himself an enduring place in the annals of this Congress, and he may be sure that he carries with him our generous wishes for his happiness and success in the future. [Applause.]

Mr. DEMPSEY. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. McDUFFIE].

Mr. CHALMERS. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. McDUFFIE].

Mr. McDUFFIE. Mr. Speaker, I believe the entire membership of the House concurs in the remarks made by my colleague [Mr. BANKHEAD] in paying a most deserved tribute to the gentleman from Missouri, the Hon. CLEVELAND A. NEWTON.

For several years I have served on the Committee on Rivers and Harbors with Mr. NEWTON. As the years have passed I have become more and more impressed with him as a splendid, upstanding American, and, like all the members of the committee and this House, I have grown very fond of him. The Rivers and Harbors Committee, as well as the House, have always been glad to have his sound advice and the benefit of his valuable suggestions. He has been untiring in his efforts to promote the development of our rivers and harbors. In his work, as in his heart, there has never been any room for sectionalism or prejudice. The country will miss his services as a Member of Congress, and I am sure I speak for the entire Committee on Rivers and Harbors when I express great regret that he is voluntarily retiring from Congress.

Mr. Speaker, there is another gentleman officially connected with the Committee on Rivers and Harbors who has given to this work 25 years of untiring service. The clerk of the committee has served under Mr. BURTON, Mr. Alexander, Mr. Sparkman, Mr. DEMPSEY, and other chairmen of the Committee on Rivers and Harbors. I doubt if any man in the United States knows more in detail about river and harbor development than the efficient clerk of our committee. He has given the best of his life to this work and deserves the plaudits of this Congress, as well as the entire country, for his efficient service. In season and out he has gone about his duties with a remarkable patience and willingness to serve. Every request made upon him meets a prompt and courteous response. Upon the high character of service he has rendered for a quarter of a century, the Committee on Rivers and Harbors extends its congratulation and thanks to our clerk, Joseph H. McGann. [Applause.]

Mr. DEMPSEY. Mr. Speaker, I move the previous question on the conference report.

Mr. HOWARD. Mr. Speaker, may I ask the gentleman to withhold that for a moment?

The SPEAKER. The gentleman from New York has no more time. The gentleman from New York moves the previous question on agreeing to the conference report.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. CHALMERS) there were—yeas 168, noes 36.

Mr. CHALMERS. Mr. Speaker, the vote shows an absence of a quorum, and I object to the vote because there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and thirty Members are present, a quorum.

Mr. CHALMERS. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Ohio demands the yeas and nays. As many as are in favor of taking the vote by yeas and nays will rise and stand until counted. [After counting.] Evidently a sufficient number, and the yeas and nays are ordered. The question is on agreeing to the conference report. The Clerk will call the roll.

The Clerk called the roll; and there were—yeas 277, nays 82, answered "present" 1, not voting 73, as follows:

[Roll No. 9]

YEAS—277

Abernethy	Arnold	Black, N. Y.	Brigham
Adkins	Aswell	Bland	Britten
Aldrich	Bachmann	Bloom	Brumm
Allen	Bacon	Boies	Buchanan
Allgood	Balley	Bowles	Bulwinkle
Almon	Bankhead	Hox	Butler
Andresen	Barkley	Boylan	Byrns
Andrew	Begg	Brand, Ohio	Campbell
Appleby	Bixler	Briggs	Cannon

Carew	Green, Fla.	Martin, La.	Somers, N. Y.	Mr. Canfield (for) with Mr. Ketcham (against).
Carrs	Green, Iowa	Martin, Mass.	Spearing	Mr. Moore of Virginia (for) with Mr. French (against).
Carter, Calif.	Greenwood	Mead	Sproul, Ill.	Mr. Lindsay (for) with Mr. Bell (against).
Chidblom	Griest	Michaelson	Sproul, Kans.	Until further notice:
Christopherson	Griffin	Miller	Stalker	Mr. Graham with Mr. Taylor of West Virginia.
Cochran	Hadley	Milligan	Steagall	Mr. Snell with Mr. Wingo.
Cole	Hale	Montague	Stobbs	Mr. Purnell with Mr. Linthicum.
Collier	Hall, Ind.	Moore, Ky.	Strong, Kans.	Mr. Anthony with Mr. Auf der Heide.
Collins	Hall, N. Dak.	Moore, Ohio	Strong, Pa.	Mr. Morin with Mr. Summers of Texas.
Connally, Tex.	Hammer	Morehead	Summers, Wash.	Mr. Kendall with Mr. O'Connell of New York.
Connery	Hardy	Morgan	Swank	Mr. Leatherwood with Mr. Davey.
Connolly, Pa.	Harrison	Morrow	Sweet	Mr. McLaughlin of Michigan with Mr. Celler.
Corning	Haugen	Murphy	Swing	Mr. White of Maine with Mr. Bowling.
Cox	Hawley	Nelson, Me.	Taber	Mr. Zihlman with Mr. Quayle.
Coyle	Hayden	Nelson, Mo.	Taylor, Tenn.	Mr. King with Mr. Crisp.
Crowther	Hickey	Newton, Minn.	Temple	Mr. Burdick with Mr. Mooney.
Crumacker	Hill, Ala.	Newton, Mo.	Thatcher	Mr. Arentz with Mr. Thomas.
Cullen	Hill, Md.	Norton	Thompson	Mr. Goodwin with Mr. Prall.
Dallinger	Holaday	O'Connell, R. I.	Thurston	Mr. Swoope with Mr. O'Connor of New York.
Darrow	Houston	O'Connor, La.	Tillman	Mr. Kopp with Mr. Taylor of Colorado.
Davenport	Howard	Oldfield	Tilson	Mr. Merritt with Mr. Stedman.
Deal	Huddleston	Oliver, Ala.	Timberlake	Mr. Swartz with Mr. Sullivan.
Dempsey	Hudspeth	Oliver, N. Y.	Tinkham	Mr. Stephens with Mr. Jacobstein.
Denison	Hull, Tenn.	Parker	Tolley	Mr. Pratt with Mr. Hare.
Dickinson, Iowa	Hull, Morton D.	Peery	Treadway	Mr. Vare with Mr. Jeffers.
Dickinson, Mo.	Hull, William E.	Perkins	Tucker	Mr. Schneider with Mr. Lee of Georgia.
Dickstein	Irwin	Phillips	Tydings	Mr. Klefner with Mr. Cleary.
Doughton	Jenkins	Porter	Underhill	Mr. Taylor of New Jersey with Mr. Carter of Oklahoma.
Douglass	Johnson, S. Dak.	Pou	Upshaw	Mr. Patterson with Mr. Johnson of Kentucky.
Dowell	Johnson, Wash.	Quin	Valle	Mr. CRAMTON. Mr. Speaker, I voted no, but I have a pair
Doyle	Kahn	Ragon	Vestal	with the gentleman from Illinois, Mr. MADDEN, and I desire to
Drane	Kearns	Rainey	Vinson, Ga.	withdraw my vote and be recorded as present.
Drewry	Keller	Ramseyer	Vinson, Ky.	Mr. BOWMAN. Mr. Speaker, I desire to answer present.
Driver	Kelly	Rankin	Voigt	The SPEAKER. The gentleman is not recorded.
Dyer	Kemp	Ransley	Wainwright	Mr. BOWMAN. May I answer "present"?
Edwards	Kerr	Rathbone	Warren	The SPEAKER. No; the gentleman can not be recorded
Ellis	Kincheloe	Rayburn	Watson	unless he was present and listening when his name was called.
Englebright	Kindred	Reece	Watres	The result of the vote was announced as above recorded.
Esterly	Knutson	Reed, Ark.	Watson	On motion of Mr. DEMPSEY, a motion to reconsider the vote by
Fairchild	Kunz	Reed, N. Y.	Weaver	which the conference report was agreed to was laid on the
Faust	Lanham	Reid, Ill.	Weller	table.
Fenn	Lankford	Robinson, Iowa	Welch, Calif.	MESSAGE FROM THE SENATE
Fish	Lazaro	Robson, Ky.	Welsh, Pa.	A message from the Senate, by Mr. Craven, its principal
Fisher	Lea, Calif.	Rogers	Wheeler	clerk, announced that the Senate had passed without amend-
Fitzgerald, W. T.	Leavitt	Romjue	White, Kans.	ment H. J. Res. 303, to correct a misnomer contained in the
Foss	Letts	Rouse	Whitehead	act to fix the salaries of certain judges of the United States.
Fredericks	Little	Rowbottom	Whittington	The message also announced that the Senate had passed the
Free	Lowrey	Ruby	Williams, Ill.	bill (S. 4740) granting the consent of Congress to the St. Louis-
Freeman	Lozier	Rutherford	Williams, Tex.	San Francisco Railway Co. to construct, maintain, and operate
Frothingham	Luce	Sabath	Wilson, La.	a railroad bridge across the Warrior River.
Farlow	Lyon	Sanders, N. Y.	Wilson, Miss.	The message also announced that the Senate had passed with
Gallivan	McDuffie	Sandlin	Winter	amendment the bill (H. R. 14236) granting the consent of Con-
Gambrell	McKeown	Sears, Fla.	Wolverton	gress to the police jury of Rapides Parish, La., to construct a
Gardner, Ind.	McLaughlin, Nebr.	Sears, Nebr.	Wood	bridge across Red River at or near Boyce, La., in which the
Garner, Tex.	McMillan	Seger	Wright	concurrence of the House is requested.
Garrett, Tenn.	McKeynolds	Shallenberger	Wurzbach	ENROLLED JOINT RESOLUTION SIGNED
Garrett, Tex.	Magee, N. Y.	Shreve	Wyant	Mr. CAMPBELL, from the Committee on Enrolled Bills, re-
Gasque	Magrady	Simmons	Yates	ported that that committee had examined and found truly en-
Gifford	Major	Sinnott		rolled House joint resolution of the following title, when the
Gilbert	Manlove	Smith		Speaker signed the same.
Glynn	Mansfield	Smithwick		H. J. Res. 303. Joint resolution to correct a misnomer con-
				tained in the act to fix the salaries of certain judges of the
				United States.
				LEAVE OF ABSENCE
				By unanimous consent, leave of absence was granted—
				To Mr. TAYLOR of Tennessee, for four days, on account of
				important business.
				To Mr. SCOTT (on request of Mr. HUDSON), on account of
				illness.
				To Mr. O'CONNELL of New York, for an indefinite period, on
				account of illness in family.
				RIVER AND HARBOR BILL
				Mr. HILL of Maryland. Mr. Speaker, I ask unanimous con-
				sent to extend my remarks on the conference report just passed.
				The SPEAKER. Is there objection? [After a pause.] The
				Chair hears none.
				Mr. HILL of Maryland. Mr. Speaker, the conference report
				on House bill 11616, the bill for the construction, repair, and
				preservation of certain public works on rivers and harbors,
				which finally passed the House this afternoon, contains a num-
				ber of items which are of interest to Maryland. I voted against
				this bill originally when it came up. Although I caused to be
				put into this bill the provisions in reference to the Sinepuxent
				Bay, Md., from the inlet north of Ocean City, and although I
				prevented the item in reference to the Chesapeake & Dela-
				ware Canal from being stricken from the bill on a point of
				order, I voted against the bill when it originally passed the
				House for the reason that I knew that the Maryland items must
				appear in any rivers and harbors bill which would be passed,

So the conference report was agreed to.
The Clerk announced the following pairs:
On this vote:
Mr. Madden (for) with Mr. Cramton (against).
Mr. Curry (for) with Mr. MacGregor (against).

and I felt I could not vote for certain items which were put in the bill on the floor of the House at the time of its passage.

The conference report shows that as far as can possibly be done many of those items which were objectionable from my point of view have been removed from the bill, and I therefore voted for the conference report to-day. From Maryland's point of view it will be interesting to note the following provisions of the bill. As to the Baltimore Harbor the provision is as follows:

Baltimore Harbor, Md.: The Secretary of War and the Chief of Engineers are hereby authorized to modify the existing project with reference to the anchorage area at the intersection of the Fort McHenry Channel with the Ferry Bar Channel by the selection of a new location at such point as may be found, after full consideration, to be most advantageous to shipping interests.

In reference to the Chesapeake and Delaware Canal, the provision in the bill which I prevented from being stricken out on a point of order is as follows:

SEC. 3. The Secretary of War is hereby authorized to modify the existing project adopted by the river and harbor act of March 2, 1919, for improvement of the inland waterway from Delaware River to Chesapeake Bay, Del., and Md., so as to include the construction of a suitable roadway from Chesapeake City, Md., to the Bethel Road on the north of said waterway, of a suitable roadway from Back Creek, Chesapeake City, Md., to Bethel on the south of said waterway and of a bridge in continuation of the southern roadway at Chesapeake City, across Back Creek, Md., and the construction and maintenance of a ferry across the waterway at the present site of the Pivot Bridge, the said roadways, bridge, and ferry to be in lieu of the reconstruction of the bridge known as the Pivot Bridge at the intersection of Bethel Road with said waterway: *Provided*, That the proper authorities of the State of Maryland and of Cecil County, Md., shall release the United States from all obligation to reconstruct or maintain the said Pivot Bridge or to operate the bridge or to maintain the roads and bridge whose construction are hereby authorized.

Section 4 of the bill authorizes the Secretary of War to cause preliminary examinations and surveys to be made at the following-named Maryland localities:

Annapolis Harbor, Md.
Smith Creek, Md.
Ocean City Harbor and Inlet, Md.
Kent Island Narrows, Md.
Sinepuxent Bay, Md., from the inlet north to Ocean City.
Waterway from Tangier Sound to Chesapeake Bay via Ewell, Md.
Miles River and Oak Creek, Md.
Jenkins Creek, near Crisfield, Md.

All of these improvements are necessary in the named waters. The keeping open of the inlet to the Sinepuxent Bay is particularly important, not only for purposes of navigation, but because the keeping open of such inlet and the dredging of the channel offers a safe harbor at this particular point of our eastern coast.

There is always considerable difficulty in the question of a rivers and harbors bill. I do not believe it wise to vote for a bill containing projects of which a Member does not approve merely because the bill also contains good projects of which such Member does approve. I therefore voted against the bill originally, knowing that these items which I have above described were so intrinsically meritorious that their authorization was merely a matter of attention and of time.

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made on the conference report.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. Mr. Speaker, if I am not mistaken, unanimous consent was granted to all Members to extend their remarks on the conference report.

The SPEAKER. The Chair is so informed, and it is not necessary to ask unanimous consent.

OUR NATIONAL WATERWAY PLAN

Mr. McDUFFIE. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the Record a short address made by the Chief of Engineers before the River and Harbor Congress setting forth the activities in respect to river and harbor development throughout the country. I think that the membership would find that very illuminating.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. McDUFFIE. Mr. Speaker, following the permission granted me, I extend my remarks by inserting the following speech delivered by Maj. Gen. Edgar Jadwin, Chief of Engineers, United States Army, at the meeting of the National

Rivers and Harbors Congress in Washington, D. C., December 8, 1926. The speech contains valuable information with reference to river and harbor improvement throughout the country and is very illuminating. I am sure it will be read with much interest and satisfaction by the Members of Congress and others who are interested in this important activity of the Government:

General JADWIN. It is a privilege to talk to you gentlemen of the National Rivers and Harbors Congress. We have common hopes and ideals, and in the final analysis we are striving to increase the growth and development of our country. Cheap transportation is the cornerstone of nation-wide industrial and agricultural prosperity, and by improving our waterways for navigation we are making possible the use of the cheapest transportation yet developed. The Corps of Engineers acts as the technical adviser of Congress in studying the possibilities of our waterways for navigation and in planning their improvement. We then execute the works after Congress approves the plans and appropriates the funds. Congress is the board of directors of this huge corporation we call the United States, and the people are the stockholders. Associations such as yours represent important interests of the stockholders, for upon you rests in a large measure the duty of crystallizing the opinion of the people on this subject and of giving expression to their desires. Your responsibilities and the responsibilities of the War Department in connection with waterway improvements are heavy, and it is therefore most appropriate that we meet, discuss our problems, voice our opinions, and exchange our views.

The opening date of your congress coincides exactly with the opening date of the International Congress of Navigation meeting in Cairo, Egypt. Ten delegates from this country, one of them a very prominent and active member of your congress, and one of them a former Chief of Engineers, are in attendance at this international congress. There they will discuss with the representatives of other countries of the world the technique and economics of waterway improvement. Comparatively speaking, we are a very new Nation, but I venture the assertion that we have more to tell our friends across the seas than they have to tell us. Our problems are greater and are equally as complicated. Nowhere else in the world will there be found a problem of inland waterway improvement that equals in extent the one that has confronted us in improving the Mississippi River system. No country in the world can boast of more or better seacoast harbors or of a greater lake development.

In spite of the magnitude and complexity of our work, I am able to report substantial progress during the past year. In order to give you a complete picture of the work that has been done and the way it has been planned, I wish to outline the national plan that has been pursued for many years, and indicate some of the benefits that have already resulted from it.

First let me quote a short statement discussing the problems of the British Empire. "Traditions based on well established precedents which have proved workable in the past are believed to be better guides for the future of the British people than any written constitution or definitions which may endeavor to encase the empire in an unyielding framework. Consequently, it seems safe to predict that British imperial policies will continue to evolve according to the circumstances, not abstract theory."

The thought just expressed applies to the American plan for the improvement of its harbors and navigable waterways. It is comprehensive and complete and at the same time it is flexible. It was not built in a day but was a matter of growth. This was of necessity so, for it would manifestly have involved a waste of public funds to undertake the improvement of all waterways at once, some prematurely and regardless of the economic needs. We are substantially up to date in considering new works for recommendation to Congress and nearly so in carrying out the main projects already approved by Congress. Although in this plan navigation has received the primary consideration of Congress and therefore of the Army Engineers, flood control, power development, and irrigation are also being given their proper place in studies and plans looking to the improvement of our waterways. Let us look first at the plan as applied to the principal classes of work for the improvement of navigation: Seacoast harbors, Great Lakes harbors and channels, the Panama Canal, the Mississippi River system, and other waterways.

SEACOAST HARBORS

The plan for developing our seacoast harbors provides harbors sufficient in number, and of such characteristics and so distributed, as to meet the needs of our foreign and coastwise commerce. Harbors may be classed according to their possibilities, viewed not only from the standpoint of physical limitations but from that of commercial probabilities. We have first, our great ocean ports, which, because of their geographical locations and physical surroundings are actually centers of foreign trade or susceptible of being made so. Next come the harbors at which may be shipped important quantities of bulky freight but where a general business has not and can not be developed. Harbors of lesser importance are those used primarily for coastwise traffic, where the imports and products of a limited territory are

distributed and collected. Finally come the harbors and havens for fishing craft and the numerous small harbors that engage in a purely local coastwise or internal traffic. These various harbors have controlling depths of from 12 to 40 feet, depending upon the traffic they serve.

We have spent about \$165,000,000 to date upon some 200 harbors and there still remains to be done, in order to complete existing plans, work totaling in cost about \$110,000,000. The commerce moved over our harbors in 1925 was over 300,000,000 tons. The benefits derived from our seacoast harbors are vital. Upon them is dependent our entire overseas trade. Upon this trade is dependent to a large extent our economic growth and prosperity. Most of our seacoast harbors have been put in excellent condition. The latest addition to the happy family is the port of Corpus Christi—officially opened a few months ago as a full-fledged harbor and already engaged in coastwise and overseas business. Miami came in several years ago with 18 feet, and having found it insufficient is now being reborn with a depth of 25 feet. It is now possible for ships carrying commodities from and to every part of the United States to enter the harbor which will give the most economical rail haul. Improved harbors have made possible a great increase in the size of the ships which carry our commerce. The steady growth in size and capacity is clearly shown on this picture. The increased size of ships has, in turn, resulted in much lower ocean rates, and a consequent enormous annual saving in water freight rates. Our seacoast harbors serve the entire country, the Central States, and the Middle West, as well as those sections bordering on the seaboard.

The price received by the farmer for his wheat depends upon the price of this grain in Liverpool. Saving several cents per bushel on the ocean rates, therefore, increases his receipts by the same amount not only for the grain actually exported but for the grain sold for domestic consumption. Deeper harbors and cheaper ocean rates increase the profits on all exports sold in foreign markets—whether manufactured in the East, West, South, or North. It is possible to compute the savings in land freight rates that result from water transportation in intercoastal and coastwise traffic, for here we have established rates via other means of communication with which to compare the water rate. These savings exceed \$350,000,000 annually. These figures do not take into account the benefits arising from overseas trade, which latter benefits add over a hundred million. The total annual harbor savings thus evaluated equal the total cost of all the harbors to date—an annual dividend of 100 per cent. In addition it may be mentioned that the improvement of these harbors has been concurrent with the growth of the country and that we now receive in the collection of annual customs dues over a half billion dollars.

LAKE HARBORS AND CHANNELS

The plan for our Great Lakes is to provide harbors and channels with such depths, widths, and other physical characteristics as to permit the economical movement of the vast natural resources tributary thereto.

The present authorized depths are, in general, such as to accommodate vessels of 20-foot draft.

The work to date has cost \$100,000,000. The traffic, totaling 130,000,000 tons in 1925, and consisting principally of such bulk commodities as iron ore, coal, and grain, is a fair index of the importance to the Nation of this system.

The savings in the transportation of the iron ore and the coal, particularly the iron ore, benefit practically every householder in the United States, as they are in a large measure transmitted to the consumer and as practically every citizen uses iron and steel products.

The annual savings in the transportation costs on the Lakes are also greater than the entire first cost of all the improvements that have been made. The estimated cost to complete all existing projects on the Great Lakes is only about \$9,000,000, but we have recommended about \$5,000,000 additional, and the pending river and harbor bill carries an item for additional improvement of these channels. The Great Lakes need and deserve deeper channels.

PANAMA CANAL

The Army engineers take pride in their connection with the construction of this magnificent artificial waterway connecting the two greatest oceans of the globe. The canal cost \$380,000,000, not including the cost of fortifications and armaments. In 1925, 26,000,000 tons of commerce moved through the canal, resulting in the collection by the United States of \$21,000,000 in tolls. In addition it augments the large savings on intercoastal traffic by reason of the shorter water haul thus permitted. The benefits of the Panama Canal accrue primarily to the Atlantic, Gulf, and Pacific coast territories, and consequently the Middle West, which is served by the Lakes and the Mississippi systems, was relatively set back.

It is apparent that great relief will be afforded to the Middle West if a deep-sea connection be made from the Great Lakes to the sea. A joint board of Canadian and American engineers has been studying the improvement of the St. Lawrence for two years. This board consisted of three Canadian engineers and three American engineers, the latter from the Corps of Engineers of the Army, the speaker being chairman of the American section. The work was done for the President's advisory committee, of which Secretary Hoover is chairman.

As a result of the studies, the joint board has submitted plans for a 25-foot waterway at present, with the sills of the locks at 30 feet, so that the waterway can be deepened to 30 feet if necessary. The plans have been predicated on a location and type of construction which lend themselves to the ultimate most advantageous development of the full capacity of the river if later needed.

Another Board of Army Engineers, working under the direction of the Secretary of War, has been concurrently studying a route from the Great Lakes to the Hudson River. This route is also feasible and cost, for 25-foot navigation, \$506,000,000, but was not recommended. The report of this board was passed upon and concurred in by the river and harbor board.

In transmitting these reports I expressed the opinion that ultimately this great section of the country to be served by the Great Lakes should have ports of its own, connected by channels to the sea, which would furnish freight facilities equal to those existing on the Atlantic, Pacific, and Gulf coasts. The problem is which one of the routes to undertake at present. We found the St. Lawrence route, on the whole, a better navigation proposition than the Great Lakes to the Hudson. It also can be enlarged and deepened with less extensive work. The controlling point, however, is the lower cost of \$173,000,000 for navigation alone via the St. Lawrence as against \$506,000,000 by the Great Lakes-Hudson route—about one-third. It can also be advantageously correlated at additional cost with a 5,000,000-horsepower development, which will also give a still better navigation. The market for power will be such that the power will ultimately more than carry itself, leaving the two governments concerned primarily with finding money simply for the navigation costs. Try and visualize the economic advantage of the Middle West empire, east and north of Montana, Wyoming, Colorado, Kansas, Missouri, and Kentucky, of placing deep-sea ports at Duluth, Milwaukee, Chicago, and Cleveland. It is difficult for any man to foresee the full extent of its effect on the growth of that great region.

THE MISSISSIPPI RIVER SYSTEM

The plan is to improve this system of natural waterways in our great interior basin so as to provide channels adequate for the traffic, but limited to the extent of reasonable engineering possibilities. Considering only the main arteries of the system, the Mississippi to St. Paul, the Ohio system, the Missouri to Kansas City, the Illinois River route to Chicago, and the Intercoastal Canal to Louisiana, Texas, Mississippi, and Alabama ports, there have been expended to date over \$300,000,000 for the improvement of navigation, and there remains to be done work totaling over \$50,000,000, not including any work not yet approved by Congress.

Existing authorizations call for a channel 9 feet in depth from the Gulf States to Cairo, thence 8 feet to St. Louis, 9 feet to Pennsylvania, and with 6 feet to the Twin Cities. The department has recommended to Congress, and there is included in the pending river and harbor bill, authorization for a 9-foot channel from the mouth of the Illinois River to Utica, thence by the stage channel to Chicago. In order to complete this 9-foot trunk line from Chicago to the Gulf the gap between the mouth of the Illinois River and Cairo must be further improved.

Twenty million dollars was allotted for navigation of the Mississippi system during the present year and \$10,000,000 for flood prevention. The work is being pushed with vigor and is progressing most satisfactorily. As regards the magnitude and complexity of problems involved, the work of improving the system, particularly the Mississippi and the Ohio, is without parallel in any country in the world.

Much work has also been done on many of the principal tributaries—Allegheny, Monongahela, Kanawha, Cumberland, Tennessee, Ouachita, Black Warrior, and others—and more will undoubtedly be justified when the main lines are completed.

The tonnage carried is increasing rapidly from year to year, and will continue to increase as the entire system nears completion.

In its incomplete state, commerce totaling more than 50,000,000 tons was carried in 1925, with a resulting saving to the people in transportation costs of some \$18,000,000.

This tremendous undertaking is nearing completion, and in a few years we may look forward to a continuous navigable waterway, 9 feet deep, from Pittsburgh, Pa., and St. Louis, Mo., to Houston, Tex., with many thousands of miles of tributary feeders not less than 6 feet deep.

The benefits of this system go primarily to the people in the Inter-mountain States, although somewhat to people farther east and farther west.

OTHER WATERWAYS

Our other intracoastal and inland waterways consist of various main lines with feeders, and in some cases of comparatively short improved stretches not yet connected to other parts of a system. The plans for these must necessarily vary to meet local conditions. All sections of an intracoastal waterway along the entire Atlantic and Gulf coasts are not yet approved by Congress, but we have spent to date \$27,000,000 upon the approved links in this undertaking. It will probably take about \$100,000,000 to complete such a project. The enlarged Chesapeake & Delaware Canal will be completed next month. The Cape

Cod Canal and the connection to complete a route from Norfolk to Wilmington, N. C., are in the pending bill. So far it has been the policy to build those parts or sections of the waterway where the economic situation was such as to justify each such short section as it was built. The local traffic on these sections has justified them. We are now, however, approaching the time when we can visualize the adoption of the entire project; this system, including both the coastal waterway and its tributary rivers, will then form an important part of our inland waterway trunk lines as exemplified by the Mississippi Valley system.

To summarize, all the works of river and harbor improvement constructed in the continental United States have cost approximately one and a quarter billion dollars for navigation, about two-thirds of which was for new work and one-third for maintenance. The annual savings in freight bills are over one-half billion dollars. The customs receipts of the country through the harbors are also half a billion dollars per year. In addition, the country has received from these waterways benefits, other than coldly stated freight savings, which it is difficult to evaluate, but which have been vital factors in its growth and prosperity. These works are constructed by the Army engineers under the Secretary of War.

We are particularly fortunate at this time in having for our Secretary a man—Hon. Dwight F. Davis—who was, I believe, the first Secretary to enter upon his office with an understanding of and sympathy for the improvement of our inland waterway system. The position of waterways in the country has been strengthened by the support received from Secretary Hoover and Secretary Jardine. The former has discussed the inland waterway situation in the same able manner he analyzes the railway and highway transportation, radio and mining, elimination of waste in industry, and other important phases of our national commercial situations. The President himself is also lending his vital support to this great and productive program.

That our national waterways and the plans for their improvement are now being received favorably throughout the country—more favorably than ever before—is a matter of much gratification, I know, to all of you who, like myself, have been connected with the work in one way or another for so many years. At the same time, it imposes upon us the necessity for being particularly careful. We must not forget the old caution—"Beware when all men speak well of thee."

In addition to the construction of new works, the War Department is charged with the protection of all our navigable waterways. Plans for any bridge over a navigable waterway must be approved by the Chief of Engineers and the Secretary of War before construction can be begun. These plans are carefully scrutinized and changes in them are required if navigation through or under the bridge is not free, easy, and unobstructed, or if the interests of navigation are injuriously affected in any other way. Permits for wharf, pier, or dock construction or any other work that extends into or over a waterway and which may affect its navigable capacity, are not issued until objectionable features are eliminated.

In recent years there has been an increasing public interest manifested in the fuller utilization of our water resources and a better realization of the values. This is undoubtedly due to our increasing population and our rapid agricultural and industrial development which demand additional transportation and cheaper transportation. Congress appreciates that navigation is not the only use that can be made of our waterways and has provided by law for the consideration of these other possible uses. For many years the War Department in reporting to Congress upon any proposed improvement for navigation has given consideration to the possibility of combining a navigation project with the development of water power, and the 1917 flood control act, which governs the department in the preparation of plans for flood control, goes still further. Reports of the Army engineers cover flood-control matters and the possible combination of works for navigation with works for flood control and power development, and sometimes irrigation.

A comprehensive survey of the Tennessee River, with a view to its improvement for navigation and power, is being carried on by the department. This development will be a distinct asset to the country. Colonel Fiske, who has been in charge of the survey until recently, has prepared a paper on the subject which will be read before the Congress in the absence of Colonel Fiske by Colonel Tyler.

Congress has already authorized large expenditures for flood control on the lower Mississippi and the Sacramento.

The Mississippi is plainly an interstate problem. Waters from many upper States are thrown upon the two States bordering the lower river. The United States and State organizations have co-operated in constructing the necessary works. The Sacramento is complicated by questions of navigation, flood control, irrigation, and mining debris. The question of flood control on certain other streams is now under consideration by authority of the Congress.

In studying proposed plans for port development, both at seacoast harbors and at river ports, the department has always been faced with the obvious fact that the creation of a channel in itself will not cause commerce to move, or savings to accrue. It is necessary

that there be adequate terminals properly designed and located, with suitable approaches connecting them with the main channel. It is necessary that there be adequate railroad and highway connections, warehouses, and the other apparatus of a successful port. And it is necessary that these elements be properly coordinated, and that terminal and transfer charges, switching arrangements, interchange facilities, and the like be such as to encourage the movement of commerce in an economical manner.

You can readily see that while the national plan is comprehensive and provides for the expansion of our great interior systems of waterways, it is out of the question for the Government to assume at one time the enormous financial burden that would be thrown upon it if we attempted to improve all waterways at once. It is essential that we use every effort and every dollar available to complete existing systems, such as the great Mississippi trunk line with its most important tributaries. This insures that the work will be performed in usable stretches with economy to the Government and that the people will reap the benefits in increased savings without undue delay. We are now making studies and surveys with a view to reporting to Congress upon improvements totaling in cost half a billion dollars. The economic situation must govern in each case. Some are sound investments, others are not, and some must await their turn and give way to others for which there is a pressing demand. In the final analysis, the decision of Congress must govern in each case. The Army engineers, under the Secretary of War, make recommendations to Congress and execute the work after Congress authorizes the improvement and appropriates the funds. The Army engineers carry out the will of Congress loyally, regardless of whether their recommendations have been followed or not.

I will not delay you with a mass of figures and statistics giving in detail the amounts spent during the past year upon each harbor and waterway under improvement. These are matters of record, and each of you is familiar with the facts concerning those improvements in which you are especially interested.

There is a matter that comes up from time to time which is worthy of your thoughtful consideration and study, and you can assist the department in securing a sound solution.

The river and harbor act of March 2, 1919, by imposing certain restrictions upon the letting of contracts, indicates that Congress intended that some Government plant was to be used and that contracts were not to be let at figures greatly in excess of the estimated cost of the work with Government plant. The contractors, who are engaged largely in river and harbor work, are doing satisfactory work at reasonable prices. They are awake to adopting modern developments in equipment for river and harbor work, and have in general been willing to give the Government the benefit of the increased efficiency of their plant than reduction of prices. On the other hand, certain interests, mainly connected with other classes of work, are urging legislation which would prohibit the use of Government plant entirely and require that all work be done by contract. I am not in favor of purchasing or building up a huge amount of Government plant and equipment, but long experience with river and harbor work, commencing 36 years ago, has convinced me that the Government must have some plant of its own and must actually perform some of the work. You gentlemen are familiar with the character of the work and the conditions under which it is performed. I believe you will agree with me in the conclusion that any effort to impose rigid restrictions upon the means to be employed will result in delay and increased costs. The whole point is that we must be prepared to handle the work within a reasonable time either by hired labor and Government plant or by contract, and actually do it by the method which gives the taxpayer the best return for his money.

In conclusion, let me thank you for the opportunity you have given me to appear before you and discuss these subjects in which all of us are so deeply interested. Let me also congratulate you upon the results that have been accomplished by your Congress. The department owes a debt of gratitude to you. Your constructive advice and sound recommendations have been of great benefit in the development of our national plan.

PERMISSION TO ADDRESS THE HOUSE TO-MORROW

Mr. EATON. Mr. Speaker, I ask unanimous consent that to-morrow morning, immediately after the disposal of the business upon the Speaker's table, that I may have permission to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p. m.) the House adjourned until to-morrow, Friday, January 14, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, January 14, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Deficiency appropriation bill.
State, Justice, Commerce, and Labor Departments appropriation bill.

District of Columbia appropriation bill.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 15540).

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To provide for the purchase or condemnation of property in the Reno subdivision and adjacent thereto for the purpose of improvement of street plan (H. R. 5015).

COMMITTEE ON INSULAR AFFAIRS

(10.30 a. m.)

(Senate Committee on Territories and Insular Possessions)

To hear a delegation from the Virgin Islands.

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 amend sections 2804 and 3402 of the Revised Statutes (shipment of cigars, etc., by parcel post from Cuba in packages of less than 3,000) (H. R. 8997).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

871. A letter from the Architect of the Capitol, transmitting a report of the exchange of typewriters, adding machines, and other similar labor devices in part payment for new machines; to the Committee on Appropriations.

872. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on survey of the North Branch of the Susquehanna River, Pa. and N. Y. (H. Doc. No. 647); to the Committee on Flood Control and ordered to be printed with illustrations.

873. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments to pay claims for damages to privately owned property in the sum of \$14,930.24, which have been adjusted, and which require appropriations for their payment (H. Doc. No. 645); to the Committee on Appropriations and ordered to be printed.

874. A letter from the Secretary of the Navy, transmitting a report of a draft of a proposed bill "to authorize the Secretary of the Navy to dispose of the former naval radio station, Marshfield, Oreg."; to the Committee on Naval Affairs.

875. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Commerce for the fiscal year ending June 30, 1927, amounting in all to \$209,450 (H. Doc. No. 646); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. BARBOUR: Committee on Appropriations. H. R. 16249. A bill making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes; without amendment (Rept. No. 1753). Referred to the Committee of the Whole House on the state of the Union.

Mr. WINTER: Committee on the Public Lands. H. R. 9640. A bill to add certain lands to the Shoshone National Forest, Wyo.; with amendment (Rept. No. 1754). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM: Committee on Patents. H. R. 15537. A bill to amend sections 476 and 4934 of the Revised Statutes; with amendment (Rept. No. 1760). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. S. 564. An act confirming in States and Territories title to lands granted

by the United States in the aid of common or public schools; with amendment (Rept. No. 1761). Referred to the Committee of the Whole House on the state of the Union.

Mr. GLYNN: Committee on Military Affairs. H. R. 16023. A bill relating to the transfusion of blood by members of the Military Establishment; without amendment (Rept. No. 1762). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPEAKS: Committee on Military Affairs. H. R. 15604. A bill for the promotion of rifle practice throughout the United States; with amendment (Rept. No. 1763). 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. THOMAS: Committee on the Public Lands. H. R. 11929. A bill to authorize the Secretary of the Interior to sell to Sylvester Troth Smith, Horace Smith, Robert Hill Smith, Mary Smith De Jean, Mary Ellen Smith, and W. C. Scott, in possession under mesne conveyances from Leroy Stafford, section 48, township 1 south, range 2 east, and section 38, township 1 north, range 2 east, Louisiana meridian, Rapides Parish, La.; with amendment (Rept. No. 1755). Referred to the Committee of the Whole House.

Mr. CARPENTER: Committee on Claims. S. 2302. An act for the relief of Elisha K. Henson; without amendment (Rept. No. 1756). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 5921. A bill for the refund of money erroneously collected from Thomas Griffith, of Peach Creek, W. Va.; with amendment (Rept. No. 1757). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 9427. A bill for the relief of Gilbert B. Perkins; with amendment (Rept. No. 1758). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 12404. A bill for the relief of Shadyside Bank; without amendment (Rept. No. 1759). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3383) to carry out the findings of the Court of Claims in the case of Frank T. Foster; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 15931) for the relief of John E. Dolan; Committee on the Post Office and Post Roads discharged, and referred to the Committee on Claims.

A bill (H. R. 15759) granting a pension to E. Jane De Garmo; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 16249) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. McSWAIN: A bill (H. R. 16250) to regulate commerce among the several States and with foreign countries by establishing a Federal farm board to aid in the control and disposition of the surplus of agricultural commodities, and to provide for the common defense and general welfare of the United States; to the Committee on Agriculture.

By Mr. JOHNSON of Washington: A bill (H. R. 16251) to amend the act of February 12, 1925 (Public, No. 402, 68th Cong.), so as to permit the Cowlitz Tribe of Indians to file suit in the Court of Claims under said act; to the Committee on Indian Affairs.

By Mr. THOMAS: A bill (H. R. 16252) to authorize a per capita payment from tribal funds to the Kiowa, Comanche, and Apache Indians of Oklahoma; to the Committee on Appropriations.

By Mr. KELLER: A bill (H. R. 16253) extending the time for the construction of the bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway; to the Committee on Interstate and Foreign Commerce.

By Mr. UNDERHILL: A bill (H. R. 16254) to amend section 15 of the autonomy act of August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to

the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands"; to the Committee on Insular Affairs.

By Mr. BANKHEAD: A bill (H. R. 16255) that the sum of \$100,000 be appropriated for the relief of destitute persons in the districts overflowed by the Tombigbee River in the States of Mississippi and Alabama; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 16256) to amend section 215 of the Criminal Code; to the Committee on the Judiciary.

By Mr. FOSS: A bill (H. R. 16257) to amend an act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes"; to the Committee on the Post Office and Post Roads.

By Mr. JACOBSTEIN: A bill (H. R. 16258) to amend the Judicial Code for the protection of inventors in the prosecution of claims against the United States Government in the Court of Claims; to the Committee on the Judiciary.

By Mr. LA GUARDIA: Resolution (H. Res. 374) directing the Secretary of the Treasury to furnish to the House of Representatives certain information concerning M. H. Blood and L. D. Mayne, and for other purposes; to the Committee on the Judiciary.

By Mr. HULL of Tennessee: Resolution (H. Res. 375) urging agricultural relief; 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. BACHMANN: A bill (H. R. 16259) granting an increase of pension to Rebecca E. Nuzum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16260) granting an increase of pension to Margaretta C. Feay; to the Committee on Invalid Pensions.

By Mr. BARKLEY: A bill (H. R. 16261) granting a pension to Emma E. Johnson; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 16262) granting an increase of pension to Margaret Foley; to the Committee on Invalid Pensions.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 16263) for the relief of Eli Fildes, chief machinist's mate, United States Navy, retired; to the Committee on Naval Affairs.

By Mr. DAVENPORT: A bill (H. R. 16264) granting an increase of pension to Harriet J. Gaylord; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 16265) granting an increase of pension to Helen Schaffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16266) granting an increase of pension to Lucy Kern; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 16267) granting a pension to George W. Studebaker; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 16268) granting an increase of pension to Jennie E. White; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 16269) granting an increase of pension to Emilie Wacker; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 16270) granting a pension to Winona Steelman; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 16271) granting an increase of pension to Mary C. Baldwin; to the Committee on Pensions.

Also, a bill (H. R. 16272) granting a pension to Dora Hens; to the Committee on Pensions.

By Mr. LAMPERT: A bill (H. R. 16273) granting an increase of pension to Hannah Waite; to the Committee on Invalid Pensions.

By Mr. MAGRADY: A bill (H. R. 16274) granting an increase of pension to Thomas Conder; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 16275) granting an increase of pension to Emma Moran; to the Committee on Pensions.

By Mr. RATHBONE: A bill (H. R. 16276) granting an increase of pension to Phillip B. Keffer; to the Committee on Pensions.

By Mr. SINCLAIR: A bill (H. R. 16277) for the relief of Vern E. Townsend; to the Committee on Claims.

By Mr. SPEAKS: A bill (H. R. 16278) granting an increase of pension to Barbara Dehner; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 16279) providing for the advancement to a higher grade on the retired list of Col.

Wilds P. Richardson, United States Army, retired; to the Committee on Military Affairs.

By Mr. VAILE: A bill (H. R. 16280) to authorize and direct the General Accounting Office to allow certain credits in the account of Paul A. Hodapp, captain, Quartermaster Corps, United States Army; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4863. By Mr. AYRES: Petition of citizens of Harvey County, Kans., and Maize, Kans., in behalf of pension legislation for Civil War widows; to the Committee on Invalid Pensions.

4864. By Mr. BACHMANN: Petition of citizens of Marion and Taylor Counties of West Virginia, urging passage of a bill granting increase of pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4865. Also, petition of Holliday G. A. R. Post, their lady allies and friends, along with Camp No. 1, Spanish War Veterans, of Wheeling, W. Va., indorsing the pension bill introduced by Hon. Wm. M. Morgan, of Ohio, known as House bill 15467, etc.; to the Committee on Invalid Pensions.

4866. By Mr. BARKLEY: Petition of voters of Paducah County, State of Kentucky, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4867. Also, petition of voters of Livingston County, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4868. Also, petition of voters of Crittenden County, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4869. Also, petition of voters of McCracken County, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4870. Also, petition of voters of Hickory County, State of Kentucky, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4871. By Mr. BROWNE: Petition of citizens of the eighth district of Wisconsin, urging the immediate passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4872. By Mr. CHALMERS: Petition regarding the increase of pensions for Civil War veterans, signed by about 100 constituents from Toledo, White House, and Waterville, Ohio; to the Committee on Invalid Pensions.

4873. By Mr. DEAL: Petition of citizens of Norfolk, Va., urging enactment of legislation providing increased pensions for Civil War veterans and their dependents; to the Committee on Invalid Pensions.

4874. By Mr. DOWELL: Petition of residents of Winterset, Iowa, urging increase of pensions for veterans of the Civil War and widows; to the Committee on Invalid Pensions.

4875. Also, petition of citizens of Independence, Mo., urging passage of legislation granting increase of pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4876. By Mr. FISHER: Petition of voters of Memphis, Tenn., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4877. By Mr. FRENCH: Petition of citizens of Kamiah, Idaho, urging enactment of a Civil War pension bill, increasing pensions; to the Committee on Invalid Pensions.

4878. By Mr. GALLIVAN: Petition of Edward J. Blake, 181 D Street, South Boston, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4879. Also, petition of George Couper, 9 Parkman 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.

4880. Also, petition of Michael J. Gillan, 264 E Street, South Boston, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4881. Also, petition of Richard W. Larsen, 30 Pond 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.

4882. Also, petition of Miss Ella L. Peterson, 10 Dorset 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.

4883. Also, petition of Miss Grace L. Pomeroy, 14 Moultrie 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.

4884. Also, petition of Col. W. H. Eaton, president Massachusetts Department, the Reserve Officers' Association of the United States, 684 South Street, Pittsfield, Mass., urging approval by Congress of all the funds asked for in the Organized Reserve estimate in the War Department budget for 1928, as well as the appropriation of sufficient additional funds to cover the pay, allowance, and mileage of 4,494 Reserve officers for 14 days; to the Committee on Military Affairs.

4885. By Mr. GARDNER of Indiana: Petition of Christian Kopp and George C. Kopp, of Jeffersonville, Ind., 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.

4886. Also, petition of Mrs. Emma M. Kaiser and 132 other residents of New Albany, Ind., urging that immediate steps be taken in favor 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.

4887. By Mr. GIBSON: Petition of citizens of Chelsea, Vt., favoring legislation for the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4888. Also, petition of citizens of Groton and South Ryegate, Vt., favoring House bill 10311, Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

4889. By Mr. GILBERT: Petition of voters of Adair County, State of Kentucky, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4890. Also, petition of voters of Jessamine County, State of Kentucky, requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4891. By Mr. GRAHAM: Petition of sundry citizens of Pennsylvania, requesting pension legislation; to the Committee on Invalid Pensions.

4892. By Mr. HADLEY: Petition of a number of voters of Sumas, Wash., urging enactment of a Civil War pension bill for the further relief of veterans and widows; to the Committee on Invalid Pensions.

4893. Also, petition of a number of voters of West Sound, Wash., urging enactment of a Civil War pension bill for the further relief of veterans and widows; to the Committee on Invalid Pensions.

4894. Also, petition of a number of voters of Enumclaw, Wash., urging enactment of a Civil War pension bill for the further relief of veterans and widows; to the Committee on Invalid Pensions.

4895. By Mr. HERSEY: Petition of Frank R. Fuller and other residents of Bangor, Me., urging passage of Civil War pension bill; to the Committee on Invalid Pensions.

4896. Also, petition of Edw. Johnson and others, of Monson, Me., urging passage of Civil War pension bill; to the Committee on Invalid Pensions.

4897. By Mr. IRWIN: Petition of Ethel Foster et al., of Alton, 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.

4898. By Mr. LEAVITT: Petition of numerous citizens of Cascade, Mont., urging enactment of legislation increasing pensions of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4899. By Mr. LETTS: Petition of Nona Bair and other citizens of Clinton, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4900. By Mr. MANSFIELD: Petition of citizens of Cuero, Tex., requesting radio legislation; to the Committee on the Merchant Marine and Fisheries.

4901. By Mr. MOORE of Ohio: Petition of the United Presbyterian Church of New Concord, Ohio, favoring the Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

4902. Also, petition that immediate steps be taken to bring to a vote a Civil War pension bill, granting further relief to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4903. By Mr. MORGAN: Petition of citizens of Knox County, Ohio, urging increase of the pensions of Civil War veterans and widows; to the Committee on Invalid Pensions.

4904. Also, petition of certain citizens of Richland County, Ohio, urging increase of pensions for Civil War veterans and widows; to the Committee on Invalid Pensions.

4905. Also, petition of certain citizens of Delaware County, Ohio, urging increase of pensions for Civil War veterans and widows; to the Committee on Invalid Pensions.

4906. By Mr. MURPHY: Petition by citizens of East Palestine, Ohio, urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be ac-

corded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4907. By Mr. NELSON of Wisconsin: Petition of George Knight and others, of Arena, Wis., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4908. By Mr. O'CONNELL of New York: Petition for the Richmond Hill South Democratic Club (Inc.), of 11705 Liberty Avenue, Richmond Hill, Long Island, N. Y., protesting against the Government in permitting poisonous ingredients being put into alcohol for the purpose of denaturing; to the Committee on the Judiciary.

4909. By Mr. O'CONNELL of Rhode Island: Petitions of residents of Providence, R. I., urging the passage of more liberal Civil War legislation; to the Committee on Invalid Pensions.

4910. By Mr. PRATT: Petition of citizens of Ellenville, Ulster County, N. Y., urging passage of legislation further increasing the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4911. By Mr. RAGON: Petition of R. A. Donald et al., of Conway, for increase of pensions for widows of Civil War veterans; to the Committee on Invalid Pensions.

4912. Also, petition of J. G. Harmon et al., of Clarksville, Ark., for increase of pensions of widows of Civil War veterans; to the Committee on Invalid Pensions.

4913. Also, petition of Mr. Charles W. Thomasson et al., of Mena, Ark., for increase of pensions for widows of Civil War veterans; to the Committee on Invalid Pensions.

4914. By Mr. RAMSEYER: Petition of residents of Monroe County, 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.

4915. By Mr. ROBINSON of Iowa: Petition of citizens of Wright County, Iowa, requesting enactment of Civil War pension legislation; to the Committee on Invalid Pensions.

4916. By Mr. ROMJUE: Petition of Lee T. Witty, Lee Pulliam, and others, asking for legislation granting increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4917. By Mrs. ROGERS: Petition of Eugene N. Morrill and other citizens of Lowell, Mass., for certain increases in Civil War pensions; to the Committee on Invalid Pensions.

4918. By Mr. SANDERS of New York: Petition of 16 residents of Livonia, N. Y., urging the enactment of a Civil War pension bill, granting certain increased pensions to veterans and their widows; to the Committee on Invalid Pensions.

4919. By Mr. SHREVE: Petition for the passage of the Civil War pension bill, granting increase in pension to the veterans and their widows, by citizens of Conneautville, Pa., and by citizens of Erie, Pa.; to the Committee on Invalid Pensions.

4920. By Mr. SMITH: Petition signed by Doctor McLin and others, of Boise, Idaho, favoring the enactment of the Civil War pension increase bill; to the Committee on Invalid Pensions.

4921. Also, petition signed by E. L. Ashton and others, of Twin Falls, Idaho, favoring the enactment of legislation to increase the pension of Civil War veterans; to the Committee on Invalid Pensions.

4922. By Mr. SNELL: Petition of residents of Gouverneur, N. Y., urging enactment of legislation increasing the pension rates of Civil War veterans and their widows; also, by residents of Columbus, Mont.; Valley County, Mont.; Lavina, Mont.; Richland County, Mont.; urging enactment of legislation increasing the pension rates of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4923. By Mr. STALKER: Petition signed by sundry citizens of Waverly, N. Y., urging the enactment of a Civil War pension bill to increase pensions for Civil War veterans and widows; to the Committee on Invalid Pensions.

4924. Also, petition signed by citizens of Avoca, N. Y., urging the passage of a pension bill for the relief of needy Civil War veterans and their widows; to the Committee on Invalid Pensions.

4925. By Mr. STOBBS: Petition of residents of Westboro, Mass., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

4926. By Mr. STRONG of Pennsylvania: Petition of citizens of Queenstown, Pa., praying for immediate action on the pending Civil War pension bill; to the Committee on Invalid Pensions.

4927. By Mr. TILSON: Petition of patients at United States Veterans Hospital No. 41, West Haven, Conn., urging retention of this hospital by the Government; to the Committee on World War Veterans' Legislation.

4928. Also, petition of New England Wholesale Coal Association, opposing passage of House bill 14684, to protect the Gov-

ernment and the public from shortage of coal; to the Committee on Interstate and Foreign Commerce.

4929. By Mr. VAILE: Petition of sundry citizens of Denver, Colo., favoring increase of pension to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4930. By Mr. VINSON of Kentucky: Petition signed by various residents of his district (ninth Kentucky), urging passage of legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4931. By Mr. WARREN: Petition of mechanics of Elizabeth City, N. C., protesting the passage of Senate bill 4688, introduced by Senator Wadsworth; to the Committee on Immigration and Naturalization.

4932. By Mr. ZIHLMAN: Petition of citizens of Rockville, Md., urging immediate action and support of the bill to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

SENATE

FRIDAY, January 14, 1927

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

Our Father, another day has been given unto us in Thy gracious providence, another day of usefulness, of responsibility, and of larger outlook. We therefore pray Thee for wisdom and ask that we may be guided in our counsels by Thy spirit of infinite grace and wisdom. Hear us, we beseech of Thee, and be near unto us constantly, that we may cling unto Thee. Through Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 11, 1927, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MATERNITY AND INFANT HYGIENE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, reporting, in response to Senate Resolution 326 (by Mr. BINGHAM, agreed to January 12 (legislative day of January 11), 1927), relative to the operations of the maternity and infancy act in connection with the several States which, with the accompanying papers, on motion of Mr. BINGHAM, was referred to the Committee on Education and Labor.

EXCHANGE OF TYPEWRITERS, ETC., OFFICE OF ARCHITECT OF THE CAPITOL

The VICE PRESIDENT laid before the Senate a report from the Architect of the Capitol, submitted pursuant to law, showing the exchange of typewriters, adding machines, and other similar labor-saving devices in part payment for new machines during the fiscal year 1926, which was referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

Mr. WARREN presented a petition of sundry citizens of Lusk, Wyo., praying for the prompt passage of the so-called White radio bill without amendment, which was ordered to lie on the table.

He also presented a resolution adopted by a convention of the coal operators of Wyoming, at Rock Springs, Wyo., protesting against the passage of legislation providing for Government regulation of the bituminous-coal industry, which was referred to the Committee on Interstate Commerce.

Mr. CAPPER presented a petition of sundry citizens of Burlingame, Kans., praying for the prompt passage of the so-called White radio bill without amendment, which was ordered to lie on the table.

Mr. WILLIS presented a petition of sundry citizens of Geneva and vicinity, in the State of Ohio, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Conneaut, Ohio, remonstrating against the ratification of the Lausanne treaty with Turkey, which was referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Cambridge, Seneca, Lore City, Derwent, Buffalo, Byesville, and Pleasant City, all in the State of Ohio, remonstrating against

the passage of any legislation amending the so-called Johnson Immigration Act, which were referred to the Committee on Immigration.

He also presented a petition numerously signed by natives of the Virgin Islands who have migrated to the mainland of the United States since the transfer of the islands from Danish to American sovereignty, praying that the United States "free us from this anomalous position of being men without a country and enable us to assume those reciprocal relations with the American Commonwealth which inhere in the status of citizenship"; and also that the United States establish a permanent form of government for the Virgin Islands in keeping with American democratic ideals, which was referred to the Committee on Territories and Insular Possessions.

Mr. TYSON. I desire to have inserted in the RECORD three telegrams in the nature of petitions from the Northwest Chamber of Commerce of Los Angeles and the commanders of two of the posts at Los Angeles in regard to the disabled emergency Army officers' bill. I ask that the telegrams may lie on the table.

There being no objection, the telegrams in the nature of petitions were ordered to lie on the table and to be printed in the RECORD, as follows:

LOS ANGELES, CALIF., January 14, 1927.

To the SENATE OF THE UNITED STATES,

Care of Hon. LAWRENCE D. TYSON,

Senate Office Building, Washington, D. C.

Petition

Northwest Chamber of Commerce of Los Angeles having indorsed Tyson bill 3027 for retirement of disabled emergency Army officers, hereby petitions Senate that such bill be made special-order business of Senate immediately after disposition on maternity and infancy bill. By direction.

EDWARD Z. COLLINGS, President.

LOS ANGELES, CALIF., January 14, 1927.

To the SENATE OF THE UNITED STATES,

Care of Hon. LAWRENCE D. TYSON,

Senate Office Building, Washington, D. C.

Petition

Quentin Roosevelt Chapter No. 5, Disabled American Veterans of World War, composed of over 85 per cent former enlisted men, having unanimously indorsed Tyson bill (S. 3027) for retirement of disabled emergency Army officers, hereby petitions the Senate that such bill be made special order of business of the Senate immediately after disposition of maternity and infancy bill. By direction.

FRANK J. IRWIN, Commander.

LOS ANGELES, CALIF., January 14, 1927.

To the SENATE OF THE UNITED STATES,

Care of Hon. LAWRENCE D. TYSON,

Senate Office Building, Washington, D. C.

Petition

Hollywood Post No. 43, American Legion, composed of over 85 per cent enlisted men, having unanimously indorsed Tyson bill (S. 3027) for retirement of disabled emergency Army officers, hereby petitions Senate that such bill be made special-order business of Senate immediately after disposition of maternity and infancy bill. By direction.

WILLIAM A. KNOTT, Commander.

MATERNITY AND INFANT HYGIENE

Mr. SHEPPARD presented a letter in the nature of a petition from Chester H. Gray, Washington representative of the American Farm Bureau Federation, which was ordered to be printed in the RECORD, as follows:

AMERICAN FARM BUREAU FEDERATION,

Washington, D. C., January 13, 1927.

Hon. MORRIS SHEPPARD,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I desire to advise you of the interest of the American Farm Bureau Federation in H. R. 7555, authorizing appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, for carrying out the provisions of the so-called maternity and infancy act of November 23, 1921.

I have referred this measure to the members of the national home and community committee of the American Farm Bureau Federation, and it has their approval. I am also authorized by the legislative committee of the American Farm Bureau Federation to support this measure.